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JUDICIAL PROCEEDINGS IN CASES OF SEXUAL VIOLENCE AGAINST CHILDREN: THE CHILD'S EXPERIENCE

COUNTRY REPORT

SWEDEN

JUNE 2016



Original citation:

SURNAME, Name (2016) JudEx+: Judicial Proceedings in cases of sexual violence against children – the child’s experience. Country Report Sweden. JudEx+

Deliverable A1.4

This version available at: <http://judex.azurewebsites.net/>

JudEx+: Towards a child-friendly justice in cases of sexual violence against children has been funded by the Rights, Equality & Citizenship Programme of the European Union. The authors are solely responsible for the contents of this report. It does not represent the opinion of the EU and nor is the EU responsible for any use that might be made of information contained in it.

AKNOWLEDGEMENTS

We would like to thank the professionals at the Children’s house Linköping and also the researcher at Linköping University. Special thanks to all stakeholders who took part in the Focus Groups representing the organisations: Barnahusetenheten Stockholm, Civil right defenders, Frälsningsarmén, ECPAT and Barnombudsmannen.

This country report is counted by Folkuniversitetet Uppsala.

INTRODUCTION

1. Judicial proceedings in cases of sexual violence against children

- 1.1 Current legislation
- 1.2 Legal definitions related to child justice
- 1.3 Stages involving child's participation

2. Stakeholders' perspectives on the child's experience

- 2.1 Focus Groups: Contextualisation
- 2.2 Good practices
- 2.3 Problematic aspects
- 2.4 Needs & Recommendations

3. The Child's perspective

- 3.1 Literature Review
- 3.2 Interviews: Contextualisation
- 3.3 Good practices
- 3.4 Problematic aspects
- 3.5 Needs & Recommendations

CONCLUSION

BIBLIOGRAPHY

INTRODUCTION

“Children's Rights means an adult's responsibility to treat children as people”

Anna-Marie Körling

The Swedish report has been produced in the framework of the EU funded project JudEx+: Towards a Child-friendly Justice in Cases of Sexual Violence against Children and it is one of 5 country reports to be delivered by the project's partner organisations in Bulgaria, Italy, Slovenia, and Cyprus. The report presents an analysis of the perceived needs of professionals involved in cases of sexual violence against children in relation to the judicial proceedings in Sweden. The aim is to assess existing training needs of these professionals prioritising the child's reported perspectives of the judicial experience. The analysis of the data collected from focus groups with relevant professionals, and interviews with young adults on the child's perspectives will inform and contribute to the development of a transnational and multidisciplinary training curriculum and methodology aimed at improving the skills of professionals directly working with children in cases of sexual violence.

1. Judicial proceedings in cases of sexual violence against children

1.1 Current legislation

Sexual crimes in Sweden has for a long period been a hidden crime, it is only in the 1990s that sexual abuse got attention and began to be notified. There was a major reform of sexual offenses legislation in 2005 aimed to, among other things strengthen people's rights to sexual self-determination and to emphasize and assure the protection of children and youths. The Swedish sex crime legislation has changed a lot in the 2000s. One aim has been to highlight and strengthen the protection of children from being exposed for sexual abuse. The changes that have led to sexual offenses against Children today are considered more serious than before, penalty rates have risen and that one can be convicted of rape of a child without having used violence or threats. Children are in a particularly vulnerable position in relation to adults. As a child here is meant a person under the age of 15, but for young people between 15-18 years partly specific provisions come. For most sexual crimes against children, the period of limitation shall run only from the date the child turns 18. It is because it is known that many people do not talk about sex violations in the childhood until they become adults. This means that more children cannot obtain redress and more offenders cannot be convicted than it was before because crimes are often time-barred when the child reports the rape to the police (Rädda Barnen, 2014).

Sweden has signed The Universal Declaration of Human Rights adopted by the United Nations General Assembly which represents the first global expression of what many people believe to be the rights to which all human beings are inherently entitled. The United Nations Convention on the Rights of the Child (CRC) that highlights the child's specific rights will be incorporated into

Swedish law first of January 2018. Sweden must ensure that the Swedish laws is consistent with the rights of children. Government, parliament, local authorities and authorities have responsibility to ensure and monitor that plans and rules regarding children's rights should be respected. Parliament considers those rights when determining new laws and courts also comply with the rights mentioned in the CRC. Children should, for example, be protected against sexual abuse, beatings, honor-related oppression and violence, to be married off against their will, and much more.

"Children are entitled to care, security and a good nurturing. Children should be treated with respect for their person and individuality and may not be subjected to corporal punishment or other degrading treatment. "Act (1983: 47).

1.2 Legal definitions related to child justice

Sexual abuse includes all forms of sexual acts forced on a child by another person. The person may be an older child or an adult who exposes the child to an action that the child cannot understand, is not mature for or is giving his/her approval for.

Punishment for crimes, rape and other sexual abuse is regulated by chapter six of The Criminal code of Sweden. Sexual violence against children is referred to in the sections 4 until 10, 10a, 14 and 15. The content is covering sentences for sexual intercourse with children under the age of fifteen years or has attained the age of fifteen but not eighteen; sexual exploitation of a child; sexual intercourse with full blood sibling, a person who promotes or exploits performance of participation in sexual posing by a child; sexually touches of a child; making a contact with a child for a sexual purpose; rape of a child, gross rape of a child, sexual abuse of a child, gross sexual abuse of a child, exploitation of a child for sexual posing, gross exploitation of a child for sexual posing, purchase of a sexual act from a child, purchase of sexual service, procuring and gross procuring shall be dealt with in accordance with the provisions of Chapter 23. This also applies to preparation for procuring, and to preparation for and conspiracy to commit and failure to reveal rape, gross rape, rape of a child, gross rape of a child, gross exploitation of a child for sexual posing and gross procuring (Brottsbalken 1962:700).

Sexual abuse and assault are situations from which children should be protected FB6:1(SFS. 1949:381) The law of the care of young 2 § (SFS. 1990:52). Under Swedish law, CSA is a heavy crime. Its judicial basis is that all kinds of sexual acts against children and adolescents under the age of 18 years by an adult responsible for their care/education, or who have a similar relationship to the child, are criminal offenses. Acts of sexual innuendo directed on children under 15, regardless of who uses the child, are also punishable. When children have been sexually abused, there are usually a number of investigations by various government agencies that are carried out simultaneously; social services is the agency that has an explicit responsibility for the collaboration of involved authorities (SFS. 1980:620). Social services is the agency that has an explicit responsibility for interaction comes about Social Services Act 5:1a (SFS.1980:620). Social services has a possibility but not an obligation to file a police report when they suspect that a

crime has been committed. All professionals working with children, are obliged by the law to report to the Social Welfare Committee if they suspect that a person younger than 18 years is in need of protection. The public are requested, but are not obliged, to report such cases to social services (SFS, 1980:620). Social services have an overriding responsibility to protect the child by preventing repeated assault. The child protection investigation is the most important task to be carried out when there is a report of a child at risk. The child protection process in Sweden is composed of three steps: social service report, investigation, and voluntary or compulsory care (SOU. 1997:3); (Cocozza, 2007). When children have been sexually abused, it is usually several inquiries from various authorities taking place simultaneously. Social services have an option but not an obligation to file a complaint on a suspect committing a crime. 'Stages involving child's participation' refers to all judicial proceedings in which the child's contribute is requested. So, according to the Swedish judicial system, it is an obligation to involve a child at each stage in a case of sexual violence against children (for example, in reporting abuse, to whom does the child have to talk, where, accompanied by whom, etc) (Christina Back, 2012).

1.3 Stages involving child's participation

In Sweden, it has long been considered that the "child's best" is associated with the child being involved as little as possible in the legal process (Diensen & Diensen, 2009). In only one occasion, most often, the child's is involved to give their story in a single video recorded police interview (Diesen,2002). The idea is that a child is spared the psychological pressure and re-traumatisation associated with being part of the legal process and, instead, a child should be offered psychological treatment if there is a need for it.

As it was already mentioned, slightest suspicion of a child being abused is obligated by law to be reported to the National Social Welfare Committee, according to chapter 14§ 1a piece of the Social Service Act, notify the Social Welfare Committee. Suspected violations should be reported to the police or to social welfare (SOSFS 2006:12). A suspicion that relates to a specific criminal offense is the prerequisite for initiating an investigation by the prosecutor. It is not necessary to know where and when the crime occurred and who committed it. The child's guardian is responsible as the child's legal representative in contact with the judicial authorities (SFS, 1949:381). If the guardian is the suspect, a special representative will represent the child in the legal process. During the inquiry, according to chapter 23 § 6 Rättegångsbalken (RB) (SFS. 1942:740), hearings should be held, with each one likely to provide information relevant to the investigation. According to paragraph 23 of chapter 10 § RB, the guardian should be present during questioning of a person under 15 years of age, if this can be done without detriment to the investigation. This provision does not mean that the guardian has an unconditional right to be present at hearings, but may be included before and after a hearing. When children under 15 years of age are involved, they do not usually appear in court; instead video recordings of police interviews with them are played in court. In the interrogation room, there are only the interrogator and the child. If there are other people who have a reason to take part in the interview, they follow the hearing in an adjoining monitoring room (Kaldal, Diesen, Beije &

Diesen, 2010). This may include a social worker, prosecutor or psychotherapist specialized in child and adolescent psychiatry (Kaldal et al., 2010) (Christina Back, 2012).

2. Stakeholders' perspectives on the child's experience

2.1 Focus Groups: Contextualisation

Folkuniversitetet Uppsala has targeted 20 people working as judges, lawyers, police officers, social welfare officers, psychologists and doctors, focusing on existing country judicial procedures in cases of sexual violence against children. Their knowledge and views on the concept and implementation of a child-friendly judicial system, as well as existing and needed training programmes for practitioners involved in such judicial procedures. One meeting was held in Folkuniversitetet Uppsala and one meeting was held on the Children's House in Linköping.

The guidelines, drafted by Frederick University in collaboration with all partners, were followed to conduct and facilitate the focus groups. There was a big interest in the project and curiosity to find out more. There was also a big willingness among stakeholders to share their point of views and knowledge in the field.

2.2 Views on existing judicial procedures

The Stakeholders' perspective on working with child-friendly justice can be summarized with one word, a challenge. A challenge to work together with different authorities within the issue of child-friendly justice. Every authority has their legislation to comply with. For example, the prosecutor has the criminal code, social services has the social services act. The stakeholders do not feel that it is difficult to collaborate, but it is of vital importance to establish routines and structures for the collaboration to take the most of it with the child's needs in the Centre. When working with the child's best, good examples of the Swedish system are mentioned; among them are making video of interrogation with a child, immediacy principle and special representatives. All the best practices are described in details in chapter 2.3. These are functions were established after ratification of the CRC by Sweden in 1990. Since then the system has been revised. One other good practice that was mentioned in the focus groups was the importance of the Children's Houses.

The system is in continuous development and there are some areas of improvement mentioned by the experts in the focus groups.

First, the importance of education was also noted by the stakeholders, there is a lack of education in important occupations working with children, for example doctors', nurses, social workers and teachers. These are the professionals that meet children in their everyday work. Also it is pointed out that judges need education in the field of child-friendly justice, to have deeper and more solid knowledge in the cases they are going to form an opinion of.

Second, there is much pressure put on a child, for themselves to understand what they have been exposed to. It is important that those who are working with children in any way are observant. If they do not have any knowledge in the field, this can be hard. The key of solution is education.

To conclude the above, the children's Welfare Foundation Sweden has created some great material to take a look at, "time to talk about it" material to use for children, adults and for adults working with children. These seems to be useful material to spread information. Children's House in Linköping hold training twice a year, where they invite teachers from all around the county, working in school and preschool with the aim to get them to "dare to look, dare to act". The training is very popular and they see that they are making an impact on a county level through it.

2.3 Good practices

Good practices from the stakeholder's perspective are presented in this chapter. The special representative of the child in the legal process, immediacy principle, video interrogation, Children's House and the work with an interdisciplinary approach.

2.3.1 Special representatives

Parents are usually chosen to represent the child in the legal process, a special representative of the child shall be appointed as a guardian if it is anticipated that the guardian, because of his or her relationship with the person suspected of the offense, is not going to support the child's interests fully. A special representative of the child's rights is involved during the investigation and in subsequent proceedings. As a special representative, a lawyer, an associate of a law firm or another person can be appointed (SFS. 1999:997) (Christina Back, 2012).

2.3.2 Immediacy principle

According to the criminal code chapter 23 2 a § Förundersökningskungörelse, provides immediacy principle in relation to the child, which states that decisions on the prosecution issue should be taken as soon as possible and within three months from the time someone was reasonably suspected of the crime. However, this applies only in cases where the offense is directed against the child's life, health, freedom or peace, and the range of penalties includes more than six months in prison. Even if the deadline is not absolute, it is only in exceptional cases it may be exceeded if this is justified by reference to the nature of the investigation or other special circumstances, such as if there is a need for more hearing. Lack of staff or high workload relating to cases, priority is however no reason to exceed the time limit.

2.3.3 Video interrogation

When children under 15 years of age are involved, they do not usually appear in court; instead video recordings of police interviews with them are played in court. In the interrogation room, there are only the interrogator and the child. If there are other people who have a reason to take part of in the interview, they follow the hearing in an adjoining monitoring room. This may

include a social worker, prosecutor or psychotherapist specialized in child and adolescent psychiatry.

2.3.4 Children's House

The Children's Houses have a multidisciplinary team working together in child abuse cases in a child-friendly environment to increase the quality of assessment, police inquiry and crisis intervention, reducing trauma to children. The aim of these centers is to coordinate the work of law enforcement, child protection, medical, psychiatric and other agencies. In addition, efforts are made to ensure that only a single interviewer is used to obtain information from the child. Child advocates, policymakers, prosecutors, judges and other legal professionals need to work together to develop ways to increase the collaboration of all parties involved in CSA cases, while at the same time trying to work toward producing the fairest possible legal outcome.

2.3.5 Interdisciplinary approach

In the city of Stockholm, the police and social services work together, meaning within the police it is not just police officers working. Criminologists, social and political scientists are trying to have an interdisciplinary approach in the police work. Different authorities work together and take in relevant expertise if needed. The approach is now going to move from local cooperation's to a regional domain. One example is human trafficking; the police have regional coordinators who are going to undertake a social service or a police perspective and be prepared to take an action in a case, within their specific competences. Social workers work regionally, to meet the kind of cases where it is needed to step in and take it from the moment they are notified and onwards, the social services and the police collaborate and are ready to take action from the very beginning.

2.4 Problematic aspects

Gaps in the practice mentioned by the stakeholder's perspective are presented in this chapter. The gaps regarding immediacy principle, Children's House, too few working in the public authority on identifying the victims and the importance of educated professionals.

2.4.1 Immediacy principle

Gaps regarding the immediacy principle; sometimes the pressure is high on the police and they have enormous workload and too many cases to deal with regarding children and youngsters that have been victims for sexual exploitations. The consequence of that is that instead of three months the procedure can take as long as six, eight or nine months.

2.4.2 Too few working in the public authority on identifying the victims

There is a large discrepancy between a number of reported crimes and actual cases. Moreover, there is a large number of unrecorded cases. There is too enormous pressure put on a child for him or her to understand that they are victims of a crime. The stakeholders are pointing out that the professionals are good once they found a child is believed to be a victim, but not when it

comes to treating potential victims. Meaning to suspect or report, this goes to social, pediatricians, teachers. To make a notification of worry, it should be done as soon as you are working with children. If someone is working with children, they have a duty of notification, if for example they work at school, hospitals, child care centers, all authorities related to children.

2.4.3 Education

Every fifth year Sweden reports to the UN Children's Rights Committee about how they live up to the Convention. The latest report was made for 2007-2012. The Committee expressed that they appreciate the measures implemented by Sweden for the regulation of sexual abuse. According to the third article of the CRC regarding the child's best interest, the Committee has expressed criticism of the professionals have insufficient training to be able to meet a child best (United Nations, Convention on the Rights of the Child, 2015).

The above criticism is confirmed by the stakeholders in the focus groups. The lack of training for the professionals working with children, is mentioned by all stakeholders. One stakeholder is questioning how the professionals is going to be able to identify sexual victims if they are not aware of it. There has been too little work on this problem, and they see it as a big issue. The employees know that they have to notify and it is a good tool, but it is not enough. Requirements for specially trained judges and prosecutors is especially pointed out, but also education for the other professionals working with children, such as doctors and health care, teachers and social workers.

Which kind of education is needed is pointed out by the stakeholders as education in:

- **Human rights:** What is human rights? Which rights exists? What happens if the human rights are violated?
- **Childs experience:** How does it look when the child comes to a courtroom? How does the child get treated in the judicial procedure?
- **The child's behavior:** How does children react when they have been sexually abused?
- **Communication with children:** Questioning techniques, difference between direct and indirect questions?
- **Take in the aspect of disabled children:** What to considerate when meeting children with mental illness.

2.4.4 Children's House

All children are not able to access the Children's House, as it involves very long trips. In the examination of the Children's House from 2013 it was mentioned that this must change, for example by having mobile resources and local interrogation. If Children's House is going to reach up to the requirements of the CRC both legislative changes but also structural changes needs to be implemented. (Rädda Barnen,2013) More national collaboration and responsibility is needed for better conditions to take care of the deficiencies.

2.5 Needs & Recommendations

To conclude the stakeholder's point of view they are pointing out the need to educate professionals working with children. There is a special need of basic, recurrent and mandatory training in children's rights, especially for judges, as well as doctors and health care, social workers, lawyers. There is also a need; to education at the local level to promote cooperation. Through training on local level various parties get easier contact with each other, which creates networks and availability. The stakeholders also pointed out the need to take in account the aspect of children with disabilities. For example, to consider how to formulate questions for interviews with children who have some type of mental disability. The need and importance of: prevention through dissemination of information to civil society, children between children and adults and children. There is also a need to improve the work with Children's Houses and spread the good examples around the country but also internationally.

Recommendations:

- Educate professionals: judges, lawyers, teachers, social workers, doctors and health care workers.
- Content for the education: Human Rights, children's experience, the child's behavior, communication with children.
- Take in account the aspect of disabled children.
- Educate professionals on local level to strengthen their collaboration.
- Better access to Children's Houses and better collaboration between the professionals working with the child's best.
- National and international collaboration regarding Children's Houses: To spread the good practices all around the country and also internationally, to spread the good functioning routines and operation methods. To have a well-developed strategy on national level for collaboration makes it easier to learn from each other.

3. The Child's perspective

3.1 Literature Review

In the area of sexual abuse against children, there is extensive research, focused on children investigations and interrogations with children. Since the CRC ratification there have been many studies on children's rights and position in the legal system. It is a continuous process for improvement and to make it more suitable for children.

In Sweden there is a lot of research made on the issue of sexual abuse against children. There is a big willingness regarding spreading information to the society and to spread more knowledge about the issue, not only to the public but also to the professionals working with children. From 22th of June 2016 the government has updated their action plan regarding protection of children from trafficking, exploitation and sexual abuse. The Action Plan is for the years 2016-2018 and contains 23 measures to prevent, protect and support children as well as to create conditions for the effective prosecution of perpetrators.

Since 2014 the government has taken steps to review the current legislation, they have increased coordination and cooperation between authorities and other stakeholders, to implement measures to improve children's knowledge of their rights and pushed the issue in the international effort .

The Government has identified the main challenges in future work. The measures in the new action plan should be permeated by a child rights perspective, gender and even consider an LGBT perspective. These measures will also contribute to the government's gender equality policy milestones that men's violence against women must stop, where girls and boys should have the same right to physical integrity. Examples of some measures in the action plan are:

- The police authority is responsible for proposing measures to combat the different types of sexual abuses against children.
- The government will continue to contribute to the financing for the work to prevent sexual offenses against children which is conducted at the center for andrology and sexual medicine (CASM) at Karolinska hospital.
- Continue the work with development of the skills of prosecutors on human trafficking and sexual abuse by the prosecution projects.
- Children's Welfare Foundation should develop a model for better support and treatment for child victims of sexual abuse and/or physical violence. Children's welfare foundation also receive funds to disseminate information to children about their rights and where they can turn if they or a friend has been sexually abused (Regeringskansliet, 2016).

Organisations working with spreading knowledge about sexual abuse

Barnafrid is a national center of excellence for knowledge on violence and abuse against children, started at Linköping University in the fall of 2015 as a mission from the government. The goal of the center is to gather and disseminate knowledge about violence and other abuse of children. This will contribute to improved prevention and to development of effective interventions to protect and support child victims of violence and other abuses. The knowledge center is aimed at professionals in their work with children and young people, but also to professionals at agencies and organisations within the policies and activities. Barnafrid will work interdisciplinary and stimulate and support collaboration across agency boundaries. It will also help to promote networking and exchange of knowledge between professional's practitioners, researchers and civil society organizations in civil society. In their knowledge bank they have the current national and international research, topic guides and literature tips. There are also links to websites, methodological material and other important information.

Children's Welfare Foundation Sweden works with strengthening children in vulnerable situations. Their activity is aimed at practitioners, researchers and decision makers. They start from the child and work to develop and disseminate knowledge from research and practice, to increase the skills of the professionals who work with children, to influence policy makers and politicians. They support research, driving method development, organizing conferences and publishing books and reports.

Children's Welfare Foundation has received funds from the government to spread awareness about child sexual abuse and has created the website called www.dagsattprataom.se (meaning time to talk about). The target group is children themselves, parents, professionals working with children and other adults. They want to increase awareness of child sexual abuse. The goal is that children should get better protection against sexual abuse and that more vulnerable children should tell and help. There is enormous number of children and young people in Sweden who are involved in sexual abuse.

The Swedish government have financed the foundations activities. The contribution is included in the government's action plan against trafficking of children, sexual exploitation of children and child sexual abuse, as one of the measures that through increased knowledge prevents, reduces and mitigates the risk of children becoming victims of sexual abuse. The site is also part of the Council of Europe Campaign One in five.

There is a lot of informative material is available for the public on the foundations website;

- Information films for children and adults, but also films created by the teens who have been sexually abused;
- Links for children and adults for example to the organisations BRIS (meaning Children's Right in the Society) and BUP (meaning Children Psychiatrist Support).
- Reports: one example is "What everybody should know about sexual abuse" made by Save the children.

- Links to NGO's which is working with prevention for example the scouts have created a web course for professionals working with children, that is called "Safe meeting" with the goal to create an environment free from sexual abuse.
- Information to different authorities like Swedish Agency for Youth and civil society. They have created a guide intended for those who work with children and young people. It describes what sexual exploitation is and how you can discover it in time.
- Organisations: ECPAT, Save the children, UNICEF

The Children's Ombudsman is a governmental agency with a mandate to represent children and young people's rights and interests on the basis of the UN Convention on the Rights of the Child. The Children's Ombudsman is a government agency that was formed in 1993 and led since 2008 by the Children's Ombudsman Fredrik Malmberg.

The Children's Ombudsman monitors compliance with the Convention in society. They should pay attention to deficiencies in the application of the Convention and proposing changes in laws and regulations.

Every year the Ombudsman makes a report for the government. It contains analysis and recommendations for improvements for children and young people. The Ombudsman for Children is required by law to inform and shape public opinion on important issues relating to children and young people's rights and interests.

The Children's Ombudsman has regular dialogue with children and young people, especially in vulnerable situations, in order to collect information about their conditions and what they think of the current issues. Expert advice to children and young people is linked to the Ombudsman for longer and shorter periods.

Ombudsman has the legal power to request information and to call in municipalities, county councils/regions and authorities for deliberation, but exercises no supervision. The Children's Ombudsman may not intervene in individual cases, but make notifications. The Ombudsman shall immediately notify the Social Welfare Committee of their becoming aware that a child is abused in the home or if it otherwise must be assumed that the Social Welfare Committee needs to intervene for the protection of a child.

Young speakers – A method for Listening to Children, Young Speakers online has been developed to inspire those working with children – whether directly or indirectly – to listen to what children and young people themselves think about various issues. We want to present a new approach, using tools that extend beyond interviews and conversations.

Report. According to the Law on Ombudsman the authority must report back to the Government once a year. The feedback data since 2010 consists of a tray and a complementary part which is only presented on this website.

Respect (2016)

The Children's Ombudsman has in this year's advanced study met the 97 children and young people with disabilities. They say that they want to meet the expectations. They want to get information. Get to be involved. They want to live in security and to avoid prejudice, abuse and violence. There are children who desire and deserve respect. But the reality is often different. (www.barnombudsmannen.se)

The days for the right of the child is a meeting place that would encourage and support various businesses, agencies and organizations working from a child rights perspective. This means that both the individual employee and the whole business working rights-based and have strategies to work to implement the Convention.

The legal process in Child Sexual Abuse, Christina Back

The purpose of the thesis was to study the situation of such children in the legal process. In depth-interviews were carried out on ten children aged 8-18 years old. The interviews focused on the children's experiences and perceptions of meeting with various professionals in the legal process. In-depth interviews were also conducted with nine parents of children who had been sexually abused and who had entered into a legal process. Parents described how they experienced the situation for their children as victims, but also their experiences as parents whose children participated in a legal process. Seven prosecutors with experience of cases where children were plaintiffs were also interviewed in the study (Christina Back, 2012).

3.2 Interviews: Contextualisation

The research on the children's perspective has been conducted in two steps:

- Face-to-face in-depth Interviews were conducted with two persons. Person one, exposed from when she was 4 years in 17 years by her step-grandfather. Her step-grandmother was co-dependent in this. She knew that the abuse took place, and on a few occasions, she was also a part of the abuse. Sexual abuse but also mental and physical. Person 2, exposed from 7-11 years by her stepfather sexual, psychological and physical abuse. The interviews have been conducted by a researcher from the Linköping University.

- Research made by: Back, A. Gustafsson, Larsson and Berterö; managing the legal proceeding: An interpretative phenomenological analysis of sexual abused children's experience with the legal process. Face-to-face-depth interviews were conducted with 10 children – 9 girls and 1 boy between 9 and 15 years old- who had experienced child sexual abuse. The interviews were semi structured and carried out and analyzed by interpretative phenomenological analysis (IPA). The aim of IPA is to explore the participants' views of the world and to adopt as far as possible an "insider perspective". IPA draws on a tradition of phenomenology and symbolic interactionism in attempting to understand how people make sense of their experiences.

3.3 Good practices

Good practices from the children's perspective are presented in this chapter. The child's perspective on the Children's House, the importance of making CSA visible and for the children to feel active in the legal process.

3.3.1 Children's House

From a child's perspective, there are many benefits with the organization Children's House. The establishment of the Children's House is an example of the criminal procedure adjusted for children. It is not just the offense that is heavy for a child to handle, but also the subsequent process, it is of great importance that the consequences will be as mild as possible. In Children's House it is possible for enabled audible, which means that the operators that needs to take part of some of the child's testimony, can sit in an adjoining room and follow the hearing, they can thus ask additional questions without arranging more hearings. When it comes to the child's safety the child will increase confidence in the adults when they do not have attend to different government agencies. The increased cooperation and the use of cross-disciplinary investigation team do to create a broader knowledge base. Children's House in Linköping confirms that one of the benefits of the Children's House is the collective expertise around the investigation of child abuse. An employee who works in Linköping also mentioned that it is of great advantage, and for the best interests of the child that they do not need to tell their story repeatedly. The employee believes that there are many advantages to work in the Children's House, and that their work have resulted in a shorter time between notification and the questioning of the suspect. According to the employee they have a rule of questioning the suspect on the same day when the hearing takes place for the child, this is a consequence of the interaction. Through close collaboration between the different professions it is easier to know who is taking care of what.

3.3.2 Making CSA visible

The children mentioned the importance of making CSA visible. They told that although it was hard for the children to tell their story, it were a relief to tell and not have to bear the experiences of abuse in silence. One girl said that when she began to talk about the sexual abuse she had been subjected to; it was a trigger and she remembered more and more. For her, it was good to put into words the memories of the abuse, and it affected her mental health in a positive way.

All children in the interviews stressed the need to tell and they want to encourage other children who have experienced sexual abuse to talk about it.

"I feel so proud that I have told you everything. It was really good for me and I do not regret anything, the only thing I regret is that I didn't tell you earlier."

3.3.3 To feel active in the legal process

It were also important for children to feel active in the legal process; they preferred to feel like an active subject rather than a passive object. They would not only be represented by other people as discussed above their heads, but wanted to feel part of the legal process.

3.4 Problematic aspects

Gaps in the practice from the children's perspective are presented in this chapter. The professionals must become better at daring to see children and also give them better treatment and support.

3.4.1 Dare to see that children are exposed

"We need to be better at taking care of the debt and the shame that children feel, and the statistics show that there are three children in each class who are sexually abused and that figure should scare everyone."

Professionals who meet children in their profession must become better at daring to see children and also to make complaints when they suspect a child is being abused. Most perpetrators are in our neighborhood. Abuse occurs.

"I learned as a child to be quiet about it, because I was ashamed that much."

"I could not even put into words what I had experienced. I thought we had a dirty uncle in our family but I could not understand what it really was about. I had no words, when I was 16 years."

To not put the responsibility on the children, was something that were mentioned in the interviews. It was pointed out that it is a good basis for all children to learn that "I decide over my body". While working with this issue there are various programs available. For those who are vulnerable it is not enough to say that my body is mine. It is much more complex and responsibility cannot be placed on a child. It is the grown-ups responsibility to see the child.

"Attitudes must change, meaning the attitude we have for each other's bodies. And here you have to think in relation to children that they are always defenseless and that there is absolutely no excuse for using children in a sexual purpose. I meet many people who say "why didn't the child say something?" And we have not really reached out to defenseless children. Imagine when a child who is totally defenseless and do not have a safe family or anyone to turn to. The focus should not be on the children that they should defend themselves. The focus must be entirely on the perpetrators and what is not okay. Harder punishment. We need to start protecting our children."

3.4.3 Treatment and support

One theme that emerged through the interviews were that the children did not feel believed by the police interrogator when they were at the hearing, although the experience could sometimes change if there were made more hearings. Children's views were that a good relationship with the interrogator were a prerequisite for them to be able to tell their stories.

"The response from the police was bad. I got to meet an interrogator that didn't really understand. They questioned what I said. Even though they were specialized in working with children, they were putting blame."

The importance of giving a child full support and assistance to the child's relatives were mentioned in the interviews. A child that has been victim of a crime have been injured. Then it is important to meet competent staff. It is significant that the children know that it is okay to tell and that the professionals who receive the story can receive it in the right way.

The children who had personally participated in the courtroom told that they had felt violated and that their privacy were not respected. It was the suspect's lawyer that the children felt didn't show them respect.

"He asked me angrily and did not believe anything I said, and had his own answer for everything."
"He tried to break me down so I would start saying things that wasn't true, I was so confused. I did not know if it was me who had done something wrong." (Anna, 14 years).

3.5 Needs & Recommendations

Every child is different and needs individual adjustment in a hearing for their own abilities and that requires skilled professionals. Regardless of where in Sweden the child lives, they should have the same rights to have a child-specific hearings to increase the possibility of prosecution.

The study shows that the participants have both a sense of not being believed when they talk about CSA and a strong need for support and treatment, if they are able to tell about the incident. There is a need and importance of support for the child, especially support from parents. For those who do not get support from their relatives, it is very important that they get it from treatment staff, social worker, prosecutor and the counsel.

There is a need to get early help. One example given by interviewed children is bringing up the issue in elementary school to spread knowledge about what sexual abuse is and to talk about it. Also the need to talk about the difficulties of children's sexuality. Child sexuality is something completely different than adults' sexuality and have to be protected from the adult world. This is why there is also a need to make CSA more visible and to talk about it.

There is a need to get specialized help. There is only one clinic that specializes in children who have been sexually abused in Sweden.

The NGO's role is important when it comes to seeking support and for the child to know that they are not alone in this.

Recommendations:

- Better support and treatment for children who have been sexually abused.
- Talk about sexual abuse and children's sexuality in relation to grown-ups sexuality.
- Better trained professionals who are working with children.
- Making CSA visible.

CONCLUSION

The data collected support the general argument that more needs to be done to improve the situation for children that were victims of sexual violence. Through the research some important findings can be concluded from both the perspective of the professionals, working in the field, and the children who have been subjected to sexual abuse.

- Professionals involved in cases of sexual violence against children need to be better equipped, which facilitates cooperation and transfer of knowledge and skills. One example that was pointed out by both stakeholders and the interviewed children is the communications skills. Professionals should be able to treat and support the children the right way.
- Another conclusion is the problem regarding the professionals who meet children in their work: they must become better at daring to see children and also to make complaints, when they suspect a child is being abused. There is a large discrepancy between the number of reported crimes and actual cases, there is a large number of unrecorded cases. There enormous pressure put on a child for him or her to understand that they are victims of a crime. The stakeholders are pointing out that the professionals are good once they found the child is believed to be a victim, but not when it comes to treating potential victims. The same issue is mentioned by the children in the interviews and they were pointing out attitudes of them not telling their story, instead of understanding why the children do not tell their story.
- The work in Children's House with the aim to better coordinate the work of the professionals has many benefits for a child. Although to conclude our findings in the research; there are gaps of spreading the good practices and to making legislative changes and also implementing structural changes, which will contribute to a more child-friendly justice in sexual violence against children.
- Some recommendations of improvement could include to educate professionals working with children on local level, with focus on communicating with children and children with special needs. To create better support and treatment for children and finally to make CSA more visible in the society.

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