

Fact Sheet:

Remote Hearings and Children's Rights

Romania



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This document is produced by Penal Reform International (PRI), in collaboration with PPRO project partners: Terres des Hommes Hungary, Terres des Hommes Romania, and Fundación Tierra de hombres España.

Implemented in Ireland, Romania, Spain and Ukraine, the PPRO-Child project will work to ensure that digital judicial practices do not compromise children's access to justice or procedural safeguards in the administration of justice.





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1. Country context

Relevant legal and political context:

Romania has made considerable progress in digital justice reform, particularly in juvenile justice, influenced by COVID-19, supported by EU funding, and internal modernisation efforts. While legal frameworks exist for children's protection in judicial processes, practical implementation varies by region.

2. Legal framework and policy



Age of criminal responsibility

Under 14 yo
no liability;

14–16 yo
conditional liability (minors are only criminally liable if it is proven that they committed the act with discernment. This means that a forensic psychiatric examination (psychiatric examination for minors) is carried out, in which specialists assess whether the minor had the capacity to understand the act and its consequences at the time it was committed.)

16+ yo
full liability

Legal provisions for digital hearings (AVL / Videoconferencing):

Enabled under the Criminal Procedure Code, Law 254/2013, Law 217/2023.

Regulations specific to children:

Includes evaluation reports, child-sensitive proceedings, confidentiality, and parental/legal guardian involvement.

Adoption timeline and drivers:

Influenced by COVID-19, EU alignment, judicial modernisation, and implementation of digital justice tools.

3. Application of remote hearings

Stages where remote hearings are used:

Pre-trial hearings, testimony, and appeals.

Decision-making on use:

Mostly based on judicial discretion or logistical needs.

Location of children during hearings:

Detention centers, educational centers, or designated videoconferencing rooms.

4. Children's rights in practice



Participation & dignity

Some minors felt safer and freer to speak online, while others felt ignored, rushed, or disconnected. Some minors stated that the online environment offered them a greater sense of security and freedom, as they could express their thoughts without fear of being judged directly. They felt almost protected by the screen and appreciated being able to choose when and how to interact. For some, the virtual space became a more comfortable setting to talk about their emotions or ask for help, especially when face-to-face interactions made them feel anxious or shy. In contrast, other children and adolescents found online communication to be superficial or insufficient.



Access to information

Inconsistent—some received clear legal information, while others were left uninformed. There are indications that the variations are more related to implementation (resources, training, local protocols) than to legislative shortcomings—the law requires information to be provided, but there is still no uniform application, especially when the hearing is online/via videolink.



Protection & support

Varied. Some minors lacked psychological support or adult presence. This situation can be explained by insufficient human resources. Not all police stations or prosecutor's offices have psychologists, counselors, or social workers available at the time of the hearing. Sometimes there are psychologists employed, but they are few in number and cannot cover all cases.



Equality & non-discrimination

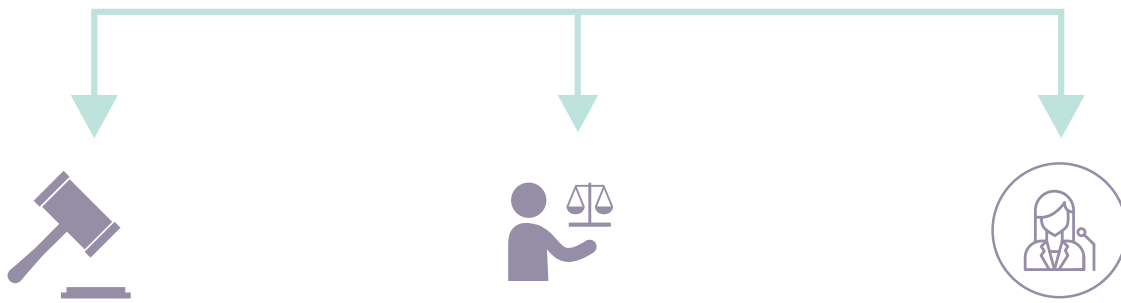
Disparities based on background and digital literacy. The National Strategy on the Rights of Persons with Disabilities (2022–2027) includes measures for universal accessibility in the physical and information environment but does not explicitly address digital skills in the judicial context.



Justice & fair trial guarantees

Challenges included communication limitations, short hearings, privacy breaches, and unclear procedures.

5. Professional perspectives



Judges and prosecutors

Supportive of digital transformation but emphasise psychological risks and fairness issues.

Lawyers / advocates

Concerned with confidentiality breaches and lack of preparatory time.

Social / child protection workers

Recommend vulnerability assessments, presence of familiar adults, and preparatory guidance for minors.

6. Technology and infrastructure

Availability and quality of IT equipment

Improving due to projects like [ECRIS V](#); uneven access remains. The benefits of digitisation are not evenly distributed, and access to justice sometimes remains difficult for certain social groups or geographical areas.

Connection and audio/visual issues

Frequent disruptions like audio cuts and poor resolution. There are real risks and technical problems: unstable connections, poor audio/video quality, and a lack of dedicated solutions. Resolving these issues requires investment in specialised technology and professional training in order to effectively protect minors and their right to a fair and sensitive trial.

Dedicated spaces for children

49 child-appropriate rooms developed; however, more are needed and across more regions of the country. Neutral, child-friendly spaces: in certain situations, hearings may take place at police or prosecutor's offices, but not in regular investigation offices, rather in rooms specially designed for minors, in accordance with "child-friendly justice" standards.

Post-pandemic continuation of use

Remote hearings remain a standard practice due to logistics and modernisation.

7. Challenges and gaps identified

Legal and administrative

Lack of unified procedural standards and poor inter-agency cooperation.

Technical

Audio-visual quality issues, data privacy concerns occur. Frequent disruptions like audio cuts and poor resolution. Technical problems: unstable connections, poor audio/video quality, and a lack of dedicated solutions. Data protection authorities emphasise that institutions must apply data minimisation, purpose limitation, and security measures when handling online hearings.

Training and preparedness

Uneven training on child-sensitive practices.

Institutional coordination

Fragmented implementation between regions.

8. Good practices / innovations

Pilot programmes

Use of specialised child hearing rooms and development of child-sensitive hearing guidelines

Pre-trial preparations and support systems

Improvements in some regions with pre-trial psychological support. Still, professionals noted variability in practice, lack of consistent pre-trial preparation, and challenges in ensuring confidentiality and equal treatment. Technical and procedural inconsistencies, inadequate hearing environments, and limited access to trusted support exacerbate the risk of procedural rights violations.

Localised solutions

ECRIS V implementation, safe spaces for online participation. Projects like ECRIS V have contributed to progress, but notable differences continue to exist. Citizens still face unequal access to information about their files, particularly when they lack internet access or the digital skills required to navigate online systems.

9. Key data and figures

Number of juvenile offenses / trials:

In April 2025, minors in custody were reported for the following types of crimes: 82 robbery, 49 theft, 28 murder, 28 rape, 27 other crimes.

Use of AVL in juvenile cases:

According to annual reports or newsletters from relevant institutions, the number of AVL in 2024 was approximately 153 in total.

Survey/interview participation data:

During the RNA, four young people who were minors at the time of their involvement in the criminal proceedings participated in the interviews.

Socio-demographic profile of children involved:

A 2024 study shows that approximately 62.9% of juvenile offenders reoffend, committing violent crimes. Children without a home and living on the street were identified as a group often involved in crime. Significant county differences (territorial profile of crimes committed by minors). Aggregate data for 2023–2024 indicate variations in level and structure across counties, with a predominance of urban areas over rural areas for juvenile offenders.

10. Recommendations



Legal/policy reform suggestions:

- Standardise online hearing procedures and safeguards. Continuous review and adaptation of the legal framework according to technological developments and the needs of minors. Elaboration of specific methodological guides for the online hearing of minors.



Training and capacity-building

- Ongoing training in digital child justice procedures.



Infrastructure and improvement

- Ensure reliable tech and child-friendly rooms by increasing the number of rooms and improving the conditions.



Procedural safeguards tailored to children

- Respect choice, ensure confidentiality, involve trusted adults, and assess emotional readiness.