



INVOLVING CHILDREN IN THE WORK OF CJ/ENF-ISE TO PROMOTE THE BEST INTERESTS OF THE CHILD IN PARENTAL SEPARATION AND CARE PROCEEDINGS

Child consultations in Hungary

Report
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Background

How can the best interests of the child be ensured if parents divorce or the child is placed in care? The Council of Europe is aiming to [provide guidance](#) on this issue and is working with international experts and children to develop guidelines and tools for professionals. In 2022, the Council of Europe organised children's consultations in three countries — Hungary, Italy and Portugal — to ensure that children's views are taken into account in its upcoming recommendations. The Council of Europe has entrusted Hıntalovon Child Rights Foundation with the development, support and implementation of the consultation methodology in Hungary. The project was based on the two studies carried out by the Council of Europe on the best interests of the child in relation to parental [parental separation](#) and [care proceedings](#). Prior to the consultations, emphasis was also placed on learning from previous research conducted among children. This document presents the results of the child consultations in Hungary.

Methodology

Research questions

The focus of the child consultations has been defined in a broad and flexible way by the Council of Europe. This gave us the opportunity to tailor the research questions and the methodology to our own competence and the group working on the consultation — taking into account the project's methodological guidelines.

We limited the scope of the Hungarian consultation to parental separation also including existing research on children's views, which we had briefly reviewed in the past. Based on the significant and less researched questions, we outlined possible topics for the consultation, which we grouped into three categories: questions related to (i) professionals, (ii) family (iii) and trusted adults. During the first session, these topic cards were presented to children, from which they selected 2-3 topics per area. At the end of May 2022, the Council of Europe expert group provided specific questions for the children, which we were aiming to include during the remaining sessions.

Based on the questions provided by the Council of Europe, we sought answers to the following research questions:

1. What aspects should adults take into account when considering the best interests of the child?
2. What should be the role of children in parental separation? How actively do they want to be involved?
3. How should the judge take the child's opinion into account in divorce proceedings?
4. What information do children need?
5. Who could they turn to for help? Who are the trusted adults that can support children during their parents' divorce?

Procedure

Focus group consultations were held 5+1 times in May and June 2022. The 90-minute face-to-face sessions were structured around a specific topic, which was discussed using case studies and non-formal education tools (Table 1). The consultations were led by two experienced facilitators, with the assistance of Hintalovon's lawyer and psychologist colleagues. During the discussion, we sought children's views regardless of the current legislation.

Table 1: Structure of child consultations

Consultation	Theme	Purpose	Tools
First session	Introduction	Introducing the project Getting to know the best interests of the child Narrowing down the themes	theme cards, semi-structured discussion, collective thinking
Second and third sessions	Expectations about the professionals	Gathering children's feelings, questions and expectations	case study
Fourth session	Changes in family situations in relation to divorce	Gathering children's feelings, questions and expectations	character cards, situations
Fifth session	Trusted adults around the children	Gathering children's feelings, questions and expectations	free discussion, gathering, collective thinking
Extra session	Influence of children on decisions and support from the professionals	Discussing the important issues and conclusions of these five sessions with a new group of children	opinion line, semi-structured discussion, collective thinking

Sample

The sessions were attended by four girls aged between 14 and 19, two of whom had divorced parents and two of whom had a closer experience of the issue through close friends and relatives. All of them live in Budapest or in its agglomeration. The children were taken on through an open call for children and adult volunteers of Hintalovon Foundation. We also met with the applicants individually before the first session to help them get oriented and find out what they expected from participating, as well as to get information about their motivation and personal involvement. Everyone was given the opportunity to participate. The children did not know each other previously, but they had all worked with the facilitators before.

During the consultations, planned originally for five days, a number of enquiries emerged that we felt were worth discussing within an extra session with Hintalovon's Child Rights Ambassadors. These enquiries originated from young people aged between 16 and 18 from Budapest and the countryside, with whom we have been working with a weekly basis for at least 1 year. Therefore, we also asked for the opinion of a group of 2 boys and 6 girls in face-to-face consultations.

Ethical considerations

Consultations with children were based on the Keeping Children Safe ethical standards and Hintalovon's Child Safeguarding Policy, which were shared with the participating children and their parents. The children and their parents gave informed consents to participate. The consultations were audio-recorded and were solely accessible by the authors.

Results

Below is a brief description of each child consultation session and a summary of the children's views and ideas. We have aimed to provide an objective description of each consultation, supported by quotes (in italics), but in some cases answers only became fully rounded once summed up by the authors.

First session— introduction, topic definition

“(The court) does not focus on the best interest of the child, but on the lesser of two evils.”

Background

During the first session, the aim was to create a climate of trust and to involve children in defining the direction of the next sessions. In the first phase, facilitators shared the main points of the Child Safeguarding Policy of Hintalovon Foundation and the framework of the project with the children, and we established common rules for the functioning of the group. After that we held the first discussion.

If parents are separated, what criteria should be considered to determine the best interests of the child?

- The parent is able to support the child, financial security is important.
- Mental health of the parent.
- Each specific situation should be evaluated on an individual basis.
 - *“What is good and bad for a child should be taken into account.”*
 - *“Everyone is different and every situation is different. Five templates cannot be used for everyone.”*
 - *“Siblings should always be treated individually.”*
- The variability of children's best interests.

- *“It should be regularly re-examined whether good decisions have been made, even every two months. But there are also many bad families with parents living together. It is difficult to have expectations here.”*
- A trusted and secure environment
 - *“It should be examined with whom they have a relationship of trust.”*
- Attention should be paid to the development of family dynamics
 - *“The child should remain a child; they should not have to assume the responsibilities of the parent.”*
 - *“It is also not good for older siblings to take up more burden.”*
- The issues of permanence and change are important for children.
 - *“It is unavoidable that permanence will be wavering. But it should be as little as possible.”*
 - *“Even where the parent wants the best for the child, if the house of the parent at hand is on the other end of the world, they may decorate this same house in which the child lived for ten plus years, it will not result in the same stability. There is an inertia on the part of the parents if they think that you are moving.”*
- Children do not feel that support services are present in the divorce process.
 - *“No one is interested in a social worker at school, so it is a non-existent category.”*
- Identifying the best interests of the child does not necessarily mean that children will be well, and it is important to pay particular attention to this.
 - *“We are not looking for a good answer, but a less bad one, and it is frustrating that there is no good answer... The parents will still be divorced and it will not be good.”*

Participants stated that the topic of divorced parents was basically taboo. They rarely talk about it even with their peers. This probably explains the children’s easy involvement, enthusiastic and overly abundant, spontaneous way of sharing their ideas.

Second and third sessions – the professionals

“I think we expect that everyone knows their roles, why they are here, what will happen, how many times we will meet them.”

Questions, expectations and feelings addressed to professionals were examined with the children in the framework of two cases (Table 2). We have worked on a case, which we divided into two parts. Before meeting with the professional, we talked about expectations, and we collected the children’s feelings and questions after meeting them. The sentences of the children below are described as to what are the expectations, feelings and questions that a child may have about a particular situation.

Table 2: Summary of the cases used in child consultations

	Basic situation
First case	The parents of a 14-year-old child decided to divorce, so they ask a lawyer to explain to their child what will happen at the trial.
Second case	A 16-year-old child and a 5-year-old younger sibling is moved from their home to their grandparents and a long divorce procedure starts where the children (focusing on the elder one) meet a family-support service worker, a mediator, a forensic expert.

Meeting the lawyer before the trial:

Expectations before the meeting:

- **The lawyer should not use formal language:**
 - *“The lawyer should not use such very formal language. Because if they will use words like dais and robes, or what stages of divorce proceedings will be. At the age of 14, they know what the robes are because they read Harry Potter.”*
 - *“They should try to use phrases compatible with children’s language if they put court records and all sorts of official legal documents in front of them, and start to explain, then I would also look confused and probably not understand half of them.”*
- **It is for the child to decide whether or not to have a parent with them:**
 - *“If the child wants so, it should be possible for them to be there, otherwise, not.”*

Possible feelings about meeting the lawyer:

- **Reassurance:**
 - *“I think they would be reassured if they understood what will happen to them and what is going on”*
- **Embarrassment:**
 - *“(the child) is likely to be embarrassed.”*
 - *“I believe that a handshake is an appropriate form of greeting, as it makes the environment more formal, so, okay, as a child, it is a bit abrupt, because they shake your hand when congratulating you on a competition, but it also prepares the ground for children a bit, that it is a little different, a slightly more formal tone, something that is a bigger thing.”*
- **Partnership:**
 - *“Handshaking is also good because children are treated as equal partners with this, so that they are just not getting a pat on the head.”*
- **Confusion:**
 - *“I would be certainly confused if someone were to shake my hand now, have me sit and start explaining that this is going to look like this.”*
 - *“I would be so confused for a certain period of time, despite them saying where I should sit, what will be asked, what I should expect and they would probably*

try to tell other things as well, and even though I am no longer 3 years old, but I may not be able to understand, if things happen so suddenly now, if someone starts to list things like during class as to what will happen.”

- **Fear, panic:**

- *“I would certainly be in a panic to do everything well, so that I don’t mess things up for my parents, I would not say anything painting one of my parents in a bad light. I would not want to hurt either of my parents.”*

Questions arising in connection with the trial when meeting the lawyer:

- *“What will happen before the court?”*
- *“Where and when should they go?”*
- *“Will they be absent from school because of this?”*
- *“Who is it that they will need to speak in front of?”*
- *“What are they allowed to say?”*
- *“How long does the trial last?”*
- *“Must (the child) be there in any event?”*
- *“When are they allowed to speak?”*
- *“How should they be dressed?”*
- *“Why do my parents get divorced?”*
- *“How will they live?”*
- *“With whom will they stay?”*

Information that a child may need:

- **The lawyer should describe the possible events:**

- *“What is about to happen is the following... If we are not yet able to decide here, that will result... Moreover, these are the options and these are the deciding factors and people. The result will depend on your parents, it is also up to you, regarding what you’re going to say or it may depend on the person making the final decision.”*

- **How to behave, what to say:**

- *“A child may not ask something because they do not think of it, but due to the fact how children can usually express themselves. Pay attention to how they speak. In my opinion, the lawyer should say ‘language, please’”*
- *“They do not understand the gravity of the situation and they tell more than they should or could.”*
- *“It’s important to make children aware that they shouldn’t take either of the parents’ side, they should tell what happened, shouldn’t make things up, that this or that was not really the case. It is important to make children aware of the fact that they have to tell the truth.”*

- **Know what happens to their opinion:**

- *“What they really say can be used afterwards.”*
- *“It can be said what the notary does, that everything will be written down and used against them.”*
- *“They cannot expect anyone else to answer instead of them (...) there won’t be anyone else from the family to give an answer. However, it is up to them to make a decision, and obviously this decision won’t even be the final one while it has to be communicated to them, that they may say that you would prefer to live with your mother, however, that judge may decide otherwise. It is to be communicated that we listen to your views, we give them high importance, we*

take most of them into account, but it may happen that the outcome will not be what you would prefer.”

- **Prepare them for their parents’ possible behaviours:**
 - *“It can also be said that their parents will fight for them there and they should not allow themselves to be influenced. Rivalry will be strong and this will be difficult and they should not be deceived, and it should be phrased nicely and delicately.”*
- **The lawyer should explain which terms might be used by the professionals and what these terms mean:**
 - *“The lawyer should also explain that such sentences may come up at the trial (this is not relevant to the subject matter, let us examine the relevance of this as a whole), tell them what this means and what they should do.”*
- **Make children aware that they should tell what actually happened, tell the truth and not let themselves be influenced by their parents, who may have rivalry between each other.**

The court trial

Expectations of the children during their hearing before the court:

- ***“They should be heard. Their opinions should be respected.”***
- **They should not force or stress the child during the hearing, give them time:**
 - *“Do not urge.”*
 - *“Do not push! Make them feel important. To say that it is good that you have said so much, it’s good that you are here, or we are trying to do the best for you, it’s already enough that you are here, it is enough that you said these three sentences, but if you want to say anything or you just talk about it, please go ahead we listen, there is time.”*
 - *“Do not say now or never, because it is even more stressful that you will not be able to do it again at other times, that this is a one-off decision.”*
- ***“Do not look at them remorsefully.”***
- **Prepare them in advance for the hearing:**
 - *“If the lawyer prepares them well, then they will not have the expectation that okay, this evening I will know that I will go to mum or dad, but they will know that they will probably not get the answers right away.”*
- ***“There should not be an open trial if there is a child.”***
- **The child should decide whether or not to have the parents in the courtroom:**
 - *“I think children should be able to choose whether they want their parents to be in the courtroom or not.”*
 - *“I imagine that children are constantly looking at their parents, what they can say, while seeing the reaction of their parents, that their mother is nervous if something is said about them or shocked if they hear something back. Very difficult.”*
 - *“If the child chooses not to have the parents in the courtroom, then they should have for example their sister or their uncle, anyone who is safe for them.”*

Feelings that a child may have in connection with the trial:

- **Compliance:**
 - *“I think it’s just like a test, so that you know the questions, you know what you’re doing, but at the same time you’re worried what if you are still uncertain about*

what you want.”

- **Freezing, stalling**
 - *“If the question is formulated in a different way, I would freeze there and then. I was prepared that this will surely be asked, and they don’t ask this and I believe this will be the answer to all the questions.”*
- **Shock:**
 - *“I would be shocked so much because I would then realize the reality that this is really happening now and I am asked about it. So, I don’t know that it seems a little raw, it is certain that they need this information because they need to assess the situation, but it seems very raw that ‘Do they usually quarrel? With whom would you like to spend more time?’. This is so stressful”*
- **Stress:**
 - *“I would stress very much during the whole thing, because I know that there is no good answer, but for some reason I would feel that there is and there should be a good answer. (...) All family programmes would go out of my head.”*
- **Loss:**
 - *“It’s good to know how good it was, what you would like to have again, but that it will never be so ever again, for a child to understand that you will never see it anymore that your parents are in the same house or say in a sentence that mum and dad, no such thing.”*
 - *“Children obviously have a real experience of how bad it is at home, but then think about how good and beautiful it was, then how bad it is, and now the spotlight is on you to say what you want for it to be better.”*
- **Betrayal:**
 - *“You tell what mum says about dad, dad about mum, both of them are bad, both of them scold each other, and you will stay with one. So if you now badmouthed your father, no, not badmouthed him, but told what he did, and then stayed with him, then it can be so bad. I would feel very bad if I stayed with my father after that, but I said bad things about him in court, because I told the facts and then after that facing him, hi dad, I have just told the judge what you did, it feels like betrayal.”*
- **Uselessness, unwantedness:**
 - *“It is not good for the judge to accept that (the child) speaks only in half sentences, because the child would feel that they didn’t say anything but it was enough, they were not interested in them.”*

Questions raised in connection with the court trial:

- **How the decision will change the child’s life:**
 - *“For someone without many divorced families in their surroundings, or who is not talking to such persons, then they might not know:
 - *How long will this last?*
 - *Is it supervised by someone?*
 - *Will this case be re-heard?*
 - *Does this start tomorrow?”*
 - *What will happen if I am unable to go once?*
 - *How formal will this be? Will a police officer always take me there and see if I am there or will this change every year?*
 - *Is this only going to be like this for a year?”**

- *“If I want to go with my friends in the summer, will I be separated from my friends for two weeks when I’m sent to dad or mum?”*
- *“What does this mean now? How, in which house? What do I write on my residence card if I have two weeks here, two weeks there?”*
- *“Where do I celebrate my birthday?”*
- **How rigorous and final is the decision:**
 - *“What if they don’t like it? Can it be changed?”*
 - *“Is it checked? How strict is this ‘two weeks here — two weeks there?’”*
- **How important is their opinion:**
 - *“For example, at the age of 14, I could decide where I wanted to be. But is there still a need to insist on this (judicial decision)?”*
- **Who can help the child to process the decision:**
 - *“How can I process not to feel that I have been unnecessarily stressing, I said my negative opinion about one of my parents. Is there a therapist to talk to?”*
- **To which part of the trial can they go:**
 - *“I don’t know whether you can go to such a trial?”*

Information that a child may need:

- *“The best interests of the child should be considered and they should be told that they want the best for them, and no matter the outcome, they will not be at fault. It is important to tell them this, so that they do not feel a sense of guilt or feel that they betrayed one of the parents.”*

Meeting the family-support worker:

Expectations of children about the family-support worker:

- **They will be sympathetic or too formal:**
 - *“The family-support worker is someone who will either be very sympathetic to you and be very nice and you’ll see that they are very eager to help you, and you can get a kind of trusted person or support. Or they will be someone who seems to you as very formal, so you can’t stand them.”*
- **Can help children understand their situation:**
 - *“By showing a more playful side, they can reassure the child that their father did not disappear from Earth and they will probably see him, but won’t promise anything because it is a very big disappointment if it does not turn out to be true.”*
- **Should carefully analyse the situation:**
 - *“In my opinion, if they have a neighbour with whom they have a good relationship, then it would be possible to get information from them as well (...) whether they had heard shouting, whether they had seen that there was physical violence”*
 - *“I would look very much at the reaction of the child (as a family-support worker), that okay, the parent lies and the child does not dare to intervene, but maybe (...) you have such a behaviour there that you cannot disguise (as a child).*

- *“I believe that family-support workers should receive training so that they can recognise body language and know what is what, because a lot of things can be identified such as if someone is lying or doesn’t feel comfortable.”*
- **Give a realistic picture and advice of the situation to the family:**
 - *“A family-support worker can help you see things from their experience.”*
 - *“They can also give advice.”*
 - *“A lawyer is much more formal, and deals mostly with the trial. A family-support worker could be someone who is not formal but helping mentally, but rather about things that don’t depend on formalities.”*

Feelings that a child may have in connection with meeting the family-support worker:

- **Calmness:**
 - *“After meeting the family-support worker, (the child) should calm down, because they know what to expect during the next occasions, so maybe they have a clearer picture on what happened (...). I think it is reassuring when a family-support worker is available and the child realizes that the family support worker is not some kind of witch or wizard.”*
 - *“They will have a recurring role, not a new person every time, but someone who will be a familiar face, whether in court or elsewhere.”*
 - *“Family-support worker could be a safe point of reference for the child.”*
- **Stress:**
 - *“I believe the parents are also prepared if they know that someone is coming to the family (...), the children are also told to put on these clothes, to put things in certain places and to say certain things. They are subject to a stressful situation like this.”*
- **Confusion, dislike:**
 - *“It is certain that I would have a fake feeling if a family-support worker would come, and the whole house were to be cleaned, I would need to wear nice clothes (...) I would dislike the parent, who would make me do this because even unintentionally I would feel that they have something to hide, if everything has to be set up, I mean not that they have something to hide, but that it is not true (...) It would be a hostile feeling that as we live now, it is not adequate, and then I would start to think why the family-support worker cannot see the way we live as it is. And then this causes a feeling of confusion in many people, if the way we live is good, and you want me to stay with you, why should we lie to the family-support worker who decides about better placement?”*
- **Tension, discomfort:**
 - *“They will surely enter their comfort zone. Someone doesn’t even like it if a stranger enters their room, especially if they won’t like to check on where they live, what they do and be asked to talk about it. A family-support worker might see how much the child is neglected because their room is messy, but it is messy because of them, they like it this way, however it needs to be tidied because a family support worker is coming.”*

Questions arising when meeting a family-support worker:

- **What is the role of a family-support worker?**
 - *“Who are they (the family-support worker)”*
 - *“What is their task?”*
 - *“What will they do exactly?”*
 - *“Why is a conversation needed with them?”*
 - *“In the same way also the following steps, so that we are now here, we go to the court at this time, whether I am going there as well, I also submit a paper in which I describe that...”*
- **What does the family-support worker think about the case?**
 - *“I would surely ask them (the family-support worker) what do you think (of the family situation)? I want to know what they see, how they think things will be?”*
 - *“They can tell me what they think about the case.”*

Meeting the mediator:

Expectations of children about the mediator:

- **There should be a situation where children can speak freely:**
 - *“Someone (mediator) whom you can tell things without filters because if you are talking to the mother, then it is necessary to filter out what you think she’s done wrong, because she is now divorcing and you don’t want to hurt her feelings, talking to a father, you have to filter the same thing in reverse, with grandparents, who would want to hear bad things about their own child (...)”*
- **Listen carefully to the child:**
 - *“Do not interrupt.”*
 - *“Do not comment or make faces.”*
 - *“You should feel that they are interested in and believe what you say.”*
 - *“However small the harm is (...) they should understand why it is painful (for the child).”*
 - *“Do not be biased.”*

Feelings that a child may have in connection with meeting the mediator:

- **Joy:**
 - *“If someone is in a good mood and really has a good attitude..., then they are happy to have someone who finally listens and they can talk about it and they really asks these questions, because they would not talk about it within the family because the family is involved in the situation, we don’t talk about it with friends, not with a teacher, maybe it feels good to be able to talk about it with someone, maybe they cannot open up otherwise.”*
- **Relief:**
 - *“Relief comes to my mind as a feeling.”*
 - *“There may not be such a relationship for (the child) with their mother to talk about it. And I think it is a very good thing that the mediator is able to mediate.”*
- **Disappointment, confusion:**
 - *“I associated it very much with that (psychologist). (...) When a psychologist*

was assigned to someone, (...) they were happy to talk to someone (...) but did not receive a psychologist afterwards. In my view, it is bad for the children to feel that they are able to talk, but then what if not. You may just call them and ask for help, and then they may be such (...) we are not able to talk more (...). And to whom do they speak afterwards?"

Questions about meeting the mediator:

- **What is the role of the mediator**
 - *"Who is a mediator?"*
 - *"What does a mediator mean?"*
 - *"What will they do?"*
 - *"What do they want to know?"*
 - *"What is their purpose?"*
 - *"Why were they assigned?"*
 - *"What will they ask?"*
 - *"What will they review?"*
 - *"Are they the same as family-support workers or are they not professionals? Or is it one step up, in the same category of a lawyer and will they now look at me with piercing eyes?"*
- **Who are they going to tell what they have talked about with the child:**
 - *"Okay, if you don't tell my parents, but you're going to tell the lawyer and the judge and I'm going to hear it face to face in court on a tape (...) okay, so what are you going to tell (the mediator) (the judge), so why are we talking if it's just between us?"*
- **How the mediator should use the children's opinions:**
 - *"The most relevant information that can move this situation forward should be used, but rephrased, in their own words... but your own opinion, your own words, your emotions will stay confidential. Then this is a sure feeling that you are not talking to the wall unnecessarily, but you are not going to be quoted in front of your parents either."*

Meeting the judicial expert:

Expectations of children about the judicial expert:

- **Do not force or rush the child!**
 - *"They should be asked a question if they want to talk about that specific topic, i.e. in my opinion a professional can sense when children close themselves up."*
 - *"Do not rush, let them take their time."*
- **Let the adult and the child introduce themselves. The judicial expert should not use prior information about the child when they first meet.**
 - *"It's too familiar if I'm called by my name immediately."*
 - *"I should not go there as if I went to a know-it-all person."*
 - *"It would make me nervous if I enter and I am immediately greeted by an unknown stranger that 'Hello... (the name of the child)'".*
- **It should be a conversation, not a questioning.**
 - *"It would be good for them to receive some thoughts or feedback that helps them become stronger, and they would not feel that they have only been giving out*

what they wanted to (...), but also that it was worth coming, in addition to repeating everything.”

- **Behave naturally with the children.**

- *“It should be natural. (...) If I see that, in principle, they would not do this (...) it should not be forced to do so.”*

Feelings that a child may have in connection with meeting a judicial expert:

- **Positive:**

- *“I believe that it is certainly positive that the judicial expert has an attitude to ask questions if they don’t understand something, I think this is a positive thing in a way that also if there are questions (in the child) about the whole case, then they are able to answer them.”*

- **Security:**

- *“They can feel a sense of security here.”*

- **Nervousness:**

- *“But after a while (...) they can get really nervous, because they have been told at least three times that they have to tell everything, and then what's the relationship with mum, what's the relationship with dad, and then after a while I think it's very important to be understanding that they might be bored and really nervous because they have told everything, but they have not had any results.”*

Questions in connection with meeting a judicial expert:

- **What happens?**

- *“(The child) would surely ask what is happening now and why is it necessary?”*
- *“The child is likely to know that the parents are fighting for them and they would ask that person about it (...) where (at which parent) would they be placed now? I would be interested in what they (my parents) said. So, I would also ask what they think will be likely (...), where will I be placed, how will everything be?”*
- *“When will this be all over?”*

- **Who decides?**

- *“Can’t I decide with whom I want to be?”*

- **What is the meaning of it?**

- *“I would ask: what for? We had the family-support worker, they didn’t do anything and they talked to me, we had the mediator, they also talked to me, and nothing happened, they talked at court, nothing happened there either, now they transferred me to a third or fourth person who is talking to me in the same way, what does it matter if I tell the same story to so many people and nothing happens. In other words, some insurance or explanation is needed to understand why it is necessary to tell the same story with some changes here and there to so many different people, (...) if nothing has been achieved so far. (...) I would not trust anyone after this.”*

- **Is the conversation recorded? How many times does the child need to say things?**

- *“Is the conversation recorded?”*

- *“I think it’s confusing. They seat you in front of a random person (...) I think it is also tiring, burdensome and anxiety-raising if these questions are asked, and then if it is recorded as well, that only makes it worse.”*
- *“I think it is realistic not to have to tell so many people the whole story, because it was a traumatic thing that happened (with the child). Sending the child to a psychologist first, where they pour their heart out, get counselling, find reassurance there, I don't think it is recorded. (...) Then when they pull themselves together a bit, get external support from the psychologist, and then they are seated in a room, telling everything more coherently and then it should be recorded so that they would not have to tell everybody what they think every single time.”*
- *“The number of times children need to tell the story also depends on how long this procedure lasts (...) if this is something that lasts for half a year, then much can change during that time.”*

Specific questions about professionals

In addition to the cases, we also talked to the children about some specific issues. Collective thinking and free discussion have started on particular topics. The sentences of the children who participated in the consultation were written down after a facilitator question.

Who will communicate the court decision?

- **Parent:**
 - *“It’s better for the parent to say it, it should be the parent rather than a professional.”*
 - *“We cannot expect the family to sit down in a fairy-tale way and to talk about how the week will be like, the way it will be shared.”*
 - *“I cannot imagine how you can say objectively that ‘you are staying with me.’”*
- **Judge:**
 - *“I’m thinking whether it would be better for the children to be absent or worse if they were there (at the trial)? The judge states that they go to their mother, but the children start crying that they do not want to do so, then it would not be good.”*
 - *“I think they should be present (the children at the court decision) because then the parent will not communicate it to them as they see fit. And I would certainly try to send them to a psychologist (...) I would recommend therapy for the children. (...) If I were the judge I would say in this formal language and then say that the children can stay with their mother and be able to stay with the father on these days.”*
- **Psychologist:**
 - *“I have this idea now that a psychologist could have the two children seated, someone they already know, and then they could tell them nicely. But there was the counter-argument that if it is not the mother or the father telling, then you still have some hope that, if I don’t like the decision, the psychologist might be*

able to help, and then this is a disappointment (...) because it is unlikely, that they will be able to do so. (...) I do not believe that it is for the parents to say, because they are clearly biased, they wanted the children for themselves.”

What would be the best way to convey the children’s opinions to the judge and how should it be taken into account? How should the judge decide?

- *“The child needs to be heard, but someone needs to talk to them beforehand, so it is not the situation that we have them standing there and say what they want only one time, and they don't even know what that is.”*
- *“The judge hears an emotional reaction from the child I think a judge needs to consider the facts, but not only the facts, and also how the child honestly feels. (...) If the situation is not as such, not an extreme case, then I would clearly give it to the parent (where the child wants to go).”*
- *“I believe that judges should go to such training, like a body language course.”*
- *“In any case, the child needs to be listened to, taken into account and an expert should help to make a decision where the child would feel better, but where it would be better for them, and where the parent would best be a parent for the child.”*
- *“Dad earns a lot, but the child would often be alone, but it would be good for them with their mother, but many of them would live in a small place, I don't know whether this can be done that the court says that the children will go to their mother at that time, and then the state would provide them with a larger home or something.”*
- *“Someone may be very rich (...) but they still would be stingy to give a thousand forints per week as pocket money to their child, but they have a pair of new shoes every day, so the money does not mean anything.”*

Should professionals listen to the opinion of a child on the placement of half siblings?

- *“If I live with them, I think they should.”*
- *“The reason why children need to be listened to is that there is no one else in the family, apart from the children and parents.”*
- *“I think they should be listened to, but not necessarily taken into account as strictly (...) because it is not really their life and the child’s opinion should be better taken into account about their own placement, but if the situation is that they do not have a good relationship, it should be taken into account.”*
- *“They will rather take the side of their own parent, this is an influenced opinion.”*

How should professionals treat the children? What should professionals pay attention to when talking to children? What are children’s expectations about the professionals?

- **Be a trusted person for the child:**
 - *“I believe that a professional should behave as if the child trusted them (...) because only then will something really happen if they believe that this child trusts them. (...) Tell them (the child) that their own opinion is needed, do not let others blame them.”*

- **Assure the children that the situation is not their fault:**
 - *“Even if the child has an opinion or knows the facts, they want to win the trust of a parent in question, it is necessary to say every time, several times that their opinion is important and it is not their fault.”*
- **Don’t be self-conscious:**
 - *“Even if the child does not have any sympathy for the professional,, they should not panic, but start to approach things from further away.”*
- **Care for the child and the case:**
 - *“For the child to see that they are not-only here because it is their work-related duty because they are obligated to do it and they find this tiresome, on the contrary, the case should be important for them.”*
- **Be accessible or let it be clear who the child can contact:**
 - *“Let someone be there for them (the child) a bit.”*
- **Children should get the information they need:**
 - *“It seems to me that a large (information) package is not good, it is like the seventh class in a day, and you have not been able to pay attention for a long time. But not something coming from everyone, that’s not good either. Maybe a psychologist could give information, then talk about it, then next time information again, and discuss their feelings again . It is easier to digest it this way, so then they can talk about it there and then they can think about it later on.”*
 - *“It would be good to get a paper that says that you’ll go here this time, this is when the final decision will be made, then the family-support worker will come, they will do this...”*
 - *“Do not give a child the information that they are not interested in (...) They should only answer if a child asks something and they should be encouraged to ask and if asked, then they should not get a sugar-coated response (...) if you want to know, I’ll answer you, but if you don't ask, I will not tell you, unless something is very important.”*
 - *“If a child is not interested, they are fed up with the issue of divorce, they only want to get over it, they should not tell this to them over and over again, until it is final. (...) they do not need such half-information.”*
 - *“They would need to know, because they are involved in it, this is determining their daily lives, knowing what is going around, but if it does not open up to them or it’s not a stable thing, they should not yet be included, because it will only be more burdensome for the child.”*
- **Be a stable professional in the process, whom the child can constantly count on:**
 - *“I think it should be guaranteed during a divorce period, for example at the beginning and at the end of it for a certain period.”*
 - *“They should be such a comfort person. The children would trust them . Whom (the child) tries to get to know, so that they are not necessarily just talking about divorce, divorce, divorce.”*
- **It should not always be about the divorce:**

- *“Do not want to discuss divorce at all costs, sometimes just talk about something else.”*
- **Indicate the situation for the school:**
 - *“In the case of every divorce, I would let the school know, or somehow indicate it to the school, so that the school psychologist knows about it. (...) I would also tell teachers if, let’s say, this child suddenly starts to decline in their results, then do not say in front of the class ‘what happened to you now, because you are so down’.”*
 - *“I believe that professionals should assess the ability of the parent to do so and to act on the basis of it, because if the parent neglects the child, then obviously professionals should write to the school, but if they see that the parent decently cares about the child, I think it is possible to ask the parent to inform the school.”*
- **Good professionals should work in good working conditions:**
 - *“This is something that is valid for the whole country (...) to raise the salaries because professionals in the public sphere have very low salaries, and conditions should also be improved, it is also difficult to get into university, they should make it easier.”*
 - *“They should also be supervised, so that they do not only do their job on paper, but also in reality.”*
 - *“It may be more helpful if there is no professional, than there is a bad one.”*

Fourth session – The family

“What needs not to be changed necessarily, should not be changed. Or only together.”

Background

The previous sessions focused on the difficulties and challenges regarding professionals. For this reason, the facilitators decided to organize this family event in the spirit of “good practice”. At this stage, the children created the imaginary family they were discussing at the session. The created family faced the whole process of divorce. We defined three periods based on the topics previously chosen by the children:

1. the decision on divorce, sharing the reasons for separation
2. changes in every-day life
3. ,new people joining the small family (new partner of the parent and their children)

The characters of the family members were created by the children:

- **parents:**
 - Margit — the mother; 42 years old; does yoga, reads
 - Alfonz — the father; 45 years old; fishing is his hobby
- **children:**
 - Réka — 10 years old, her hobby is horse riding
 - Baltazár — 14 years old, a gamer
 - Kevin — 18 years old, has a motorcycle, does smaller trades with sneaker shoes

- Lajos — the cat; 18 years old

With regard to the reasons for separation, the children taking part in the consultation stated:

- parents should tell their decision to the children together, at home, rather than taking them out of their usual, safe environment
 - *“Home is the safest place.”*
- what will be the role of the children in the divorce:
 - *“It should be said to the parents that even they (the parents) do not have all the answers. They will be part of it and we (the children) will be as well. If you want, we may discuss it even from the court’s perspective, if not, then not. We want to achieve a good thing, so therefore you are needed as well, because you will also be affected.”*
- how it will be afterwards (contact, who will move out, etc.):
 - *“Children may ask what will happen later, but the parent does not even know the answer. It should be said that even they (the parents) don’t have all the answers. But we figure it out together; they will be part of it and so will we.”*
- talk more than once — conveying the information ideally is not done once
- it is not the fault of the child if the parents do not feel mentally well
- they need to be assured that things are changing now, but they are still unconditionally loved and they can count on them
 - *“It is sure that (life) will change, but not so many things will change, and if (the children) are assured that they are loved and that their feelings are important, I don’t think that many things can go wrong.”*

During the sharing:

- Talk, do not communicate facts — give reasons, but in a digestible way; divorce due to a third party is a very sensitive issue, because the children will blame the parent who has found a new partner
 - *“Something needs to be said, but surely don’t say that there is someone else in the picture. That should be discussed later.”*
- provide sufficient time for them
 - *“At the beginning, (the child) will look at (the parent) with a different eye. Obviously, it will not feel good, but it’s part of the deal that they take it out on the parent. Who else could they take it out on? It’s better to get it out of their system rather than holding it back.”*
- do not quarrel in front of the children.

What will certainly change in every-day life?

- financial situation will change — Réka may not be able to go horse riding
- the scheme of family holidays, picnics, lunches, visiting grandmothers will be different
- division of housework
- family roles

- trust — it is changing even in an ideal situation — " (the child) *thought that their parents love each other. Then, they do not.*'
- Have to be more independent if you live with a single parent — transport, housework, shopping; children mature faster
- learning (who learns with them, where, when)
- time spent at home and contact with the rest of the family - "*Maybe they (the children) spend more time at home, but maybe they go out more, they don't want to see the discord in the family, everyone has something amiss. They either get much closer to or much further from each other.*"

How should the family deal with changes in everyday life?

"Do not let the its 'mother's day' or the its 'father's day' 'system' cancel everything. It is not a programme or an occupation, but it rather means that you're at home here or there. You might go out more from your mum's place as well."

- parents should not feel the need to compete
- parents should not want to change the habits of their child
- schedules help — there should be a system that the family develops together; the day of training should not be the 'father's day', as the weekend should not be permanent for either parent,
- the permission and support of both parents are important, e.g. in case of camps; and parents should share 50-50 % of school, camping etc. costs
- the parents should communicate with each other — the child might try to circumvent them, e.g., if one does not allow, goes to another, or asks both for money for the same programme
- the parents should help each other to understand the situation of the child
- the children should always be able to say that they need the other parent on a particular issue
 - respect the fact that their child has given trust for one of their parents for something
 - but if it is about the child's health or possible abuse, self-harm, they should share it with each other
- children should not be included in situations where divorce is communicated to other family members
- keep things usual as much as possible — including hobbies and other fun activities
- have the same set of rules at both parents' homes'
- talk to the child according to their age and maturity and discuss the distribution of tasks

What should be taken into account if the parent has a new partner?

- there is no immediate respect for the new partner, the child needs time to become accustomed to their presence
- do not expect to become friends with the children of the new partner

- it is possible to organize a meeting for the family of the new person; ideally by carrying out a joint activity, e.g. a board game
- children should be able to talk about the new person as much as they want — the parents should not interrogate about the new partner
- be understanding
- the new person should not want to evoke an ‘I already know you’ feeling, however much they have heard about the child
- have programmes without the new family member as well — the new person should not take offense about this
- develop common, specific habits with the new partner and their children
- keep the personal space for the child even if the new person and their children move in
- talking about the situation with the child — if they are unable to tell something, just pay attention; for example, some are unable to use the toilet in an unknown place
- attention should also be paid to individual needs in a way that the message of it will be that it is not a burden; for example, some do not want to ask for food due to respect or fear
- neither stepsiblings, nor parents should be compared to each other
- they should not degrade their own child to get the love of the other’s child
- children should be involved in decisions, e.g., joint school, etc.
- avoid too big gifts

Fifth session — Trusted adults who are ‘huggable’ but not actually hugging

Background

In the first phase of the conversation, we discussed with the participating children who could be the trusted adult and to whom they would open up and from whom they could seek or receive help. We also discussed the emotional and practical parts of this.

How will someone become a “trusted adult”?

- It was a crucial question how the trusted adult was familiar with the child and their family. There was no common position on this; for some people it is better to talk to a complete stranger, others need to know the actors of the story well.
 - *“They know me, they know how I need to be treated, but also my family background; they know the parties, how they are, how they need to be treated.”*
- A trusted person for children can be a:
 - family friend
 - older sibling’s partner
 - grandparent
 - aunt, uncle
 - headteacher, teacher

- school psychologist, mentor
- trainer
- a person they attend a community together and have a closer relationship
- mother of a best friend (conversation, advice, stability)

What should a trusted adult do?

- The children involved do not expect the trusted adult to provide specific, serious assistance, but rather to help them relax, to act as a witness for the sharing of the child, who supports them. It is a person who does not want to solve the problem at all costs, but is able to help the children to talk it out and to feel that they are on their side. For them (the children), it is crucial not to receive pity from these adults.
- It is important for them to be able to ask for emotional support and practical support, but they may need different individuals for each of these roles.

Who should initiate these conversations?

- The children took the approach that these should rather be initiated by the child, but as the conversation progressed, they shifted towards to being contacted and approached by the adult is also good.
- Participating children consciously chose the right occasion considering when they open up and share something with an adult. The chosen trusted adult is approached when they assume that it is both mentally and practically (free time, no discomfort) adequate for their inclusion.

The answers of the children are quoted verbatim below.

Characteristics of a trusted adult:

- *“should be accessible”*
- *“does not take everything seriously”*
- *“be chill, nice”*
- *“be funny”*
- *“should tolerate if I smoke”*
- *“I feel comfortable with them, helps to solve tension; I had an experience that discussing things with them is good”*
- *“does not (always) try to give solutions, listens mainly to my chit-chat”*
- *“how interested I am in their opinion/what can they add to the conversation”*
- *“be motivating”*
- *“for some reason I am interested in their opinion and vision”*
- *“has similar experience”*
- *“should not be an idiot! No slow perception”*
- *“I know that they are reliable if I ask to keep something between us; I know that I can trust them”*
- *“I know them well enough that I know how they will react to what I bring to them”*
- *“has a reassuring voice”*
- *“older, more serious”*

- *“honest, but respectful, respects boundaries”*
- *“should not be an only child”*
- *“I know that they are competent (e.g., psychologist)”*

During the conversation about the divorce a trusted adult:

- *“should not generalize, they do not compare to others”*
- *“they do not quarrel; nor pity me; they do not look at me in a strange way”*
- *“I feel their interest in what I talk about”*
- *“positive, motivated”*
- *“should be enquiring, they also initiate towards me (even proactively initiate to talk)”*
- *“shares their views /able to share their opinion if it is needed”*
- *“should be able to listen carefully; has a real interest in me; does not interrupt me”*
- *“can guide my thoughts”*
- *“should not want to extract all information from me”*
- *“should not blame it on my age, hormones”*
- *“emits a ‘cuddling feeling’”*
- *“does not talk in Pinterest/Facebook quotes”*
- *“should not want to give an adult solution to the problem”*
- *“if I get a cookie, I would talk to anyone”*
- *“does not touch me, not even up on my back, only if I give permission”*

The conversation is only initiated by the child if they know about the adult that:

- *“what (psychological) state they are in”*
- *“how many brain cells they have”*
- *“to what extent do they have common sense”*
- *“I would be looking for someone on the basis of their time schedule, e.g., if I know that they have children, I would not necessarily want to bother them at home”*

After the contact initiated by the child:

- *“must be empathic, should not condemn me”*
- *“does not impose an obligation to continue every time”*
- *“does not make me to be at fault at the end”*
- *“they will not behave differently after receiving my information”*
- *“do not mention later how much I have spoken (not even as a joke)”*

Extra session with the child ambassadors

The series of consultations with the children was complemented by a shorter, extra discussion with the Child Rights Ambassadors of Hintalovon Foundation. The session was divided into two phases;

1. In the first phase, in the context of an ‘opinion line’ exercise, they were to place themselves on an imaginative scale between two extreme options for answering a question, and make a statement, an argument which supports their position on the scale.

The three selected questions concerned three topics from the consultations on which opposing views were expressed. We also held a shorter discussion on these statements.

2. In the second phase, the concept of a ‘comfort person’, which emerged during the consultations, was further detailed.

Opinion line

The answers to each question have been organized according to how they followed each other in the opinion line. Thus, the child who gave the first answer was closer to extreme point ‘A’ and the corresponding statement, and the child who gave the last answer was closer to extreme point ‘B’ and the corresponding statement. The gradations of the statements in the rows below each other, their content, the nuances of what they say, indicate the transitions between points A and B.

QUESTION 1: To what extent should children get involved in the divorce of their parents?

Extreme point ‘A’: DO NOT GET INVOLVED AT ALL, ONLY KNOW THE MINIMUM.

- *“It is important for them (the children) to get some reasons, but as there are situations that they may not understand, they may be harmed.”*
- *“I think that they (the children) need to know what is happening, but they cannot have a say in the divorce itself.”*
- *“Depends on the age. It is the decision is of the parents.”*
- *“They should have a say on the issues that concern them.”*
- *“Depending on age and parenting.”*
- *“They will inevitably feel (the change) that has a profound impact on their life.”*

Extreme point ‘B’: KNOW, SEE AND GET INVOLVED IN EVERYTHING.

QUESTION 2: To what extent does a potential trusted adult need to know the family and life circumstances of the child directly in order to be able to support the child well?

Extreme point ‘A’: THEY HAVE TO KNOW THE FAMILY WELL.

- *“They should be aware of all information; thus, if the child misrepresents something that would prompt them to take action, they cannot be fooled”*
- *“It is good if they know the family because then they are able to mediate towards the parents”*
- *“Even if they know the family, they cannot be so close, like a good friend of the father — don’t take anyone’s side, be neutral”*

- *“Depends on the person; it may be good for children to have one like this and one like that; without information, it is easier for them to look at situations from a child’s perspective”*
- *“If they have information about the family, it is easier for the child to trust that they will be able to provide relevant advice”*
- *“Having information makes it possible to provide more than general advice”*
- *“It is positive if they do not belong to neither parent because then they will not be biased.”*

Extreme point ‘B’: HAVE NO DIRECT CONTACT AT ALL WITH THE FAMILY EXCEPT FOR THE CHILD.

QUESTION 3: To what extent should the judge take the opinion of the children into account?

Extreme point ‘A’: THE JUDGE SHOULD DECIDE AS THE CHILD SAYS.

- *“The divorce is a trauma in itself; therefore, if the child goes to the parent they don’t want to go to, it worsens the situation.”*
- *“The opinion of the child should be heard in any case, but the judge has to see it from the outside.”*
- *“If the child has a clear and strong opinion, it should be taken into account; if a child says that I do not want to live there, there must be serious reasons for it.”*
- *“The necessity for building on the opinion of the child also depends on age.”*
- *“The parents’ own commitments also influence where the child will go, so it is not for the child alone to decide.”*
- *“The judge should make the decision, but should ask the child before finalizing it and it should override the decision of the judge.”*
- *“The opinion of a child can change very much in such a shocking situation; in addition, the parent, if they drank a lot before, may restrain themselves in this period in order to manipulate the child and the situation.”*

Extreme point ‘B’: THE JUDGE SHOULD NOT EVEN HEAR THE CHILD.

The comfort person

In the expert phase of the consultations, the presence of a professional who could support the children was identified by the children as the ‘comfort person’. We discussed, with child rights ambassador their work and qualities.

- their purpose is to provide emotional support to children; the parents’ ties provided the foundation of the child’s support, which has now ceased to exist

- it is good for a comfort person to inform children about who the family support worker is, because the parents may be biased
- in the case of divorce proceedings, children could be offered a comfort person ex officio
- should be offered to everyone, but different types of professionals should be available for each age group
- it would be feasible from the age of 8
- children should meet briefly with them
- should be patient, friendly, informed about child rights and opportunities and communicate with them in a way that children understand
- this may be a shorter process, perhaps a longer one
- children can choose whether they prefer the comfort person to be a man or a woman and who should be it at all
- a comfort person is different from a trusted adult; they are a situational, interim solution — they are a “*sensible set of information*”.

Conclusions

During Spring 2022, we spoke with 12 Hungarian teenagers about what aspects should be considered by the justice system when it comes to the separation of parents. The children shared their perspectives enthusiastically and easily during the 5x90 minutes group consultations and the accompanying complementary opportunities. It was a general experience that children, impacted by separation, have never or almost never spoken about these topics – not even with their friends – and that it felt liberating and encouraging to have the attention of adults. The most important lessons from the interviews are the following.

1. Consideration of the best interests of children. What should adults look for when considering the best interests of children?

- Children mentioned a range of material, emotional and practical aspects which overlapped with those suggested by the Council of Europe. They highlighted, for example, the mental state of parents, the relationship of parents with children and their upbringing, and the importance of taking into account the children's views as well.
- Ensuring stability and trying to minimise changes in the children's life, such as keeping their hobbies or doing the same exercises, were also important aspects.
- An often-recurring theme was the different experiences of siblings, whose interests - according to the children - should be considered individually. In their case, maintaining a sibling relationship is a key aspect, but this does not mean that there is no need to weigh in their interests individually.

- The age of the children came up at almost every analysed topic. Age played a role not only in evaluating which parent the child should be with, or their supervision, but also in decisions on from whom and how they ask for help.
- The discussion about the best interests of children and the consultations as a whole showed that no argument or proposal could be generalized and even in this small sample the views of the children were rather varied. When looking at the best interests of children, it was therefore considered more important for them to have an individual assessment.
- The children expressed the wish that the consideration of children's best interests should not be about choosing the lesser of two evils, but really about knowing and striving for the best interests of the children.
- Identifying the best interests of the children does not necessarily mean that they will be well, and it is important to pay particular attention to this (the best interests of children are not equal to their well-being).

2. The role of children in the proceedings. What role should children play in parental separation? How actively do they want to be involved?

- Every child is comfortable with different levels of involvement, which can vary not only individually but also over time.
- Although there is also a perspective that children should be left alone as much as possible, children say that this is nearly impossible because of the behaviour of the given parent.
- The children highlighted that they (the children) shouldn't be burdened with the responsibility of the decision.
- Parental influence was felt to be unavoidable and they agreed that it should be ensured that the children are able to decide (and do it freely) whether the parent is present when they share something (either in court or otherwise in a confidential conversation).
- Children's participation in divorce proceedings also evokes a lot of negative feelings in the children. Some of these come from their encounters with the justice system, child protection and official agencies, some from fear of their relationship with their parents and other important relationships, and to a lesser extent from their anxieties about the future. Although they believe it is important to take their views into account, the process is generally perceived as difficult and unpleasant.
- The motivation of not trying to cause any trouble for the parent is a determining factor in the involvement/willingness to be involved for the children. They are protective of their parents, and they evaluate to what extent their role may risk the wellbeing of the parent and the relationship with them.
- Children felt that it was important to achieve a real impact when they expressed their views. Their hearing also unintentionally creates expectations and leaves them feeling

- frustrated and angry and lacking confidence if they feel like they have spoken unnecessarily or that they have only met a formal requirement.
- Likewise, emphasizing that something is being done for their benefit can also be burdensome and confusing if not coupled with a genuine curiosity and diligence to know exactly what the child's situation is.
 - It is important for them to be prepared and they do not want to express their views for the first time in court/live in an official session.
 - They would like to have their views heard by a professional who understands the importance of body language and is able to understand their feelings. It was emphasized that it is not only the objectively ascertainable facts that should be considered.
 - They need to be believed, should not be regarded as biased in the case, and should be taken seriously.
 - They also need regular reassurance (both verbal and in actions) that their views matter.

3. Taking into account the opinion of children: How should the opinion of the child be taken into account by the judge in divorce proceedings?

- It is essential for professionals to be conscious that children find this situation similar to an exam, where they feel like they and their families are judged. They are affected by the emotions and they need clear reassurance that their best interests are guiding every person or process. In Hungary, children's experience of authority figures tends to be that they have to prove something, they are to blame, and their interests are rarely sought.
- Children's views are influenced by the possible competition of parents or blame placed on children: the role of the children should be interpreted with this dynamic in mind.
- Children acknowledge that the court covers more ground regarding the divorce proceedings, it is not the intention that the child should make a decision. They do not think that their opinion would be equal to their best interests.
- Several expressed that the judge has to be an outside observer and has to see that the children's opinion is an input to their decision, which helps to "fine-tune" and clarify it.
- It is also good to listen to the children regarding the placement of half siblings, as they also form part of the family.
- The children felt that often children's opinions are uncertain, change and are subject to influence, but that if for any given reason they have a strong opinion regarding who they want to stay with, since it is obvious to them then it should definitely be given more weight or it should even be a deciding factor (above a certain age). However, the child's reasoning is also very important.

4. Information for children: What information do children need?

- The divorce of parents is usually taboo and is rarely discussed even among peers, so they feel like they have limited access to information. However, in most of the situations and conversations, the children highlighted that they would like to know in advance what is about to happen, be informed, and be prepared for a scenario .
- They would like to know in advance how long will it take to make a decision, from whom, when and by what means will they receive answers and they would also like to know the perspectives, of how long before a decision is made. They would like to be informed regarding the trial, to understand the course of the proceeding, to comprehend what is at stake, and to acknowledge the roles and powers of professionals (who is analysing each aspect of the proceeding, which circumstances are being considered).
- They want to know what influence they have on certain events during the proceeding, how do the professionals use their opinions, and what their options are (what their parent's involvement allows them to do).
- They require support in understanding what is considered as relevant information in such a hearing and what is not (e.g., they feel that sometimes appearances play a big role, however, the judge, mediator, family support worker wants to know something else).
- It would help them if they knew the motives behind their parents' behaviour so that they can possibly avoid their influence.
- It is important to emphasize that they need to tell the truth because it is in their best interests. It should be addressed whether the truth is harmful for them. For example, they may have been taught that it is better to keep quiet regarding family matters or they may have experienced anomalies in their parents' behaviour in the presence of public officials, which may create confusion about revealing the genuine situation and their sincere feelings.
- They are particularly interested in the practical issues that affect their daily lives.
- The manner in which the judge informs the children about the decision and how the children finds out about the judgement needs to be taken into account and requires special attention. It is of great importance for the children to receive feedback which confirms that their opinion was taken into consideration and their notification is particularly important where the final decision would be contrary to their opinion.
- It is also worth talking to children about the normativity of traditional and other family models, even if this does not directly reduce the stress around expressing opinions.
- Consideration should be given to the fact, that usually children may hear little formal information, even if the professional has used child-friendly language. Formal encounters can be emotionally upsetting, preventing them from paying attention to sensitive information. (see two points below)
- Children see it favourably if there is a constant person to accompany them through the process who also helps informing them (see next point).

- Children prefer to have more opportunities to gather information, receive them from different people, as well as not to feel overwhelmed by loads of information at the same time.
- They also found the written paper leaflets useful to read later at their convenience and pace.

5. Request for help: Who would children turn to for help? Which trusted adults can support children during the divorce of their parents?

- Children wish to talk to someone about their situation and related questions and feelings due to their parents' divorce.
- Adults often assume that children have a well-established opinion about their parents' divorce and how to organise their own lives, but in reality they need help (through focused conversations) in forming their opinions. Children often referred to the parents' influence as being decisive and to the importance of their parents' well-being and their relationship with their parents. They need to be strengthened in their point of view and in paying attention to their emotions, as it is often becoming secondary or has never been in the focus at all. Conversations based on trust help them to form their own opinions.
- This may also be supported by the fact that, on the one hand, they expect professionals to have objectivity, but they also seek their views on their chances and the outcome of the case and gather information to shape their attitudes.
- The important question is therefore not only the "who", but also in what areas should help be provided to the children
- Children do not feel that they have adults to turn to in a divorce proceeding (or do not know that there are adults available) who are specifically looking out for their feelings and well-being. Whenever there was a discussion regarding a trusted person and their qualities, they overwhelmingly associated it with someone who had insight into the situation, not just their perspective.
- They would like to have someone around who provides them emotional security.
- Children have complex needs towards trusted adults. How and to whom they turn to is influenced by their prior opinion of the adult; how much information they know about them and their family; the behaviour of the adult in question; and how their conversations affect the relationship between them.
- Children thought a lot about whether it helps to build trust if this person knows the family and the case. There was no consensus regarding this question and it cannot be excluded that children were confused by the different types of conversations. However, the children concluded that it was not so much the position as the attitude that that is important.
- They stated that it was good if the person in question has some information about them, but that it should be transparent where these came from, and that they would not 'use'

these in talking to the child — including not to say their name in advance if that is when they first meet.

- They would need a person who supports them and does not want to solve their problems, who is ‘huggable’, but does not hug them, and certainly does not feel sorry for them. Not biased, capable of objectivity.
- Children are in general untrusting towards officials, including the support network itself.
- Individual differences can also be expected in the development of trust among children, but similar needs have emerged along the lines of their attitudes.
- An important aspect was how accessible and approachable these people are, because even if they are familiar with them and have previous positive experiences, they are very conscious and careful in choosing the right moment — they do not want to “disturb”.
- In general, it is difficult for children to ask for help from adults. This is particularly true when experts are available at a specific time and place indicated by adults, as the children might not be able to open up right there and then. They would like to have more control regarding when and how they can ask for help, moreover they emphasized the availability of reliable and foreseeable social support.
- The children expressed that, depending on their age, different professional may be necessary, in order to be able to talk to these professionals easily.
- When it comes to persons of trust, the children were thinking of people that they knew at the beginning of the divorce proceeding, regardless of whether this was based on an informal relationship (e.g., aunt, parent of a friend) or a formal relationship (school psychologist).
- In addition, they also added that it would be good to have a supporting expert whom they would get to know at the beginning and would be there throughout the process, accompanying and narrating it. They, functioning as an ‘information hub for feelings’, would help children navigate the process and if needed would support them emotionally. This expert would be called a ‘comfort person’. It was suggested that they should receive, together with the divorce application, the introduction of professionals as individuals (and not of the profession itself) to be able to choose one who is sympathetic to them. The children were also concerned about the relationship between the parent and the comfort person, and the extent to which parents trust the trusted person chosen by the children.
- They consider it important to know the framework of the help and relationship, including how long they can help them. Once a good relationship has been established with someone, they may find it difficult to let go of it, while time is needed to open up.

Limitations

- As with qualitative research, the views of the children presented above are not representative. It reflects the views of a small sample and should be interpreted taking

into account that only boys took part in the extra session and only half of the participants had divorced parents.

- Half of the participants' parents were divorced, others had more indirect experiences. This needs to be taken into account when interpreting the results, but we have felt a positive aspect of this type of mixture of the group. Children in our sample, whose parents lived together, often fulfil a supporting role for their peers' experiences, moreover they also knew many other children's stories. For the affected children, their wider perspective represented the multitude of factors that play into the decisions around divorce and instead of sharing their own stories they helped to keep the focus of the consultation.
- The results might be distorted by the fact that children who are aiming to make a change or are eager to be involved in the decision are more likely to be included in the sample. Presumably, those children who would prefer to be left out of the decisions concerning the divorce, are less motivated to participate in a multiple consultation process. This was referred to (and somewhat counterbalanced by) the extra session with the child rights ambassadors, with whom we have been working together for a long period of time, and they did not join us specifically because of this particular topic. On this occasion, the opinions appeared more strongly of those who did not want to be involved or take a role in the decisions surrounding the divorce. According to our experience, this attitude was mainly typical for boys.
- Due to the broad formulation of the research questions and the expressed interest of the children, a number of issues have been raised, over which the Council of Europe may not have such an influence — particularly in relation to family functioning. However, learning about these experiences can help professionals to see what children are going through in a more comprehensive way.
- Furthermore, not all ideas or opinions have been explored because of the scope of the discussions. To explore these in more depth, it is worth organising further focused discussions, surveys or a more interactive dialogue between children and their 'sponsors'.

Recommendations to the Council of Europe

While the recommendations of Hintalovon are finalised and included in the summary of the child consultation process in Italy, Portugal and Hungary, the following ideas were put forward by Hintalovon after sessions in Hungary had finished.

- "Children's mouths" summaries of what they want, how they can help them and their discussions, by target group
- Map of children's feelings about professionals for their decision-making
- Collection of existing child-friendly materials (professionals, rights, guides)
- Preparation of materials for parents, to be disseminated through professionals
- Child-friendly materials about their most important rights around divorce and how to take their views into account
- Development and promotion of standards about trauma informed procedure and justice system

- Integrated, multisectoral support and teamwork among professionals who help or contact children during parental separation.

Methodological experiences of the child consultations

- The formulation of relevant research questions requires close cooperation between the sponsor and the organization(s) responsible for the methodology for the consultation of children. Effective involvement of children and effective capacity building will be supported if the sponsor (in this case the expert group) can be as specific as possible about the issues on which it wishes to consult children. Although the broadly defined questions provide space for taking into account individual aspects, but at the same time, it also makes the preparation more difficult, and risk more superficial answers due to time constraints or the less comprehensible nature of the topic. They can also result in the participants being immersed in a question in which the client has no or has only indirect authority/influence - and thus the children will not feel their influence either.
- Flexible, broadly formulated research questions give partner organisations more room for manoeuvre, too, but also make it more burdensome when it comes to recruiting. This is due to the fact that the final methodology can only be developed, once the partner organizations have been identified, as the quality participation of children presupposes that their backgrounds are taken into account.
- Recruitment through parents is difficult when the subject of the consultation is related to parenthood. In such cases, it is particularly advantageous if the partner organisations facilitating the child consultation already have an established relationship with children.
- Despite the sensitivity of the topic, the small group settings proved to be a safe and effective way to learn about the children's opinions. While studies on divorce were mostly based on individual interviews among children, our study took place in group settings. Part of the reason for this was that we were not interested in the children's individual stories, but rather in their general, systematic suggestions and feedback. According to our experience, the four-person settings particularly helped the children to open up, strengthened their sense of security, and due to the sincerity and depth of the conversations, even friendships were born.
- Efforts can be made to diversify child participation methodologies. Several methods are suitable for taking children's views into account, organisation of group child consultations, where children's views are obtained through a written report from the sponsoring external organization(s) being only one option. Depending on the purpose, other options are worth considering, including the organisation of workshops where Council of Europe experts and children were able to consult directly, facilitated by a professional organisation. Besides project-based approaches, it is also worth considering the development of feedback mechanisms in the family law or child protection process inherently, in which children can express their views voluntarily and anonymously after participating in a meeting or hearing. Alternative methodologies should also be explored given that the subtasks of the above-mentioned children's consultation (from preparation to report writing) are resource-intensive and cannot usually be covered by the remuneration available.