



CHILD FRIENDLY AND GENDER RESPONSIVE JUSTICE

Model training module
Facilitator handbook



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INTRODUCTION

This module on child-friendly and gender-responsive justice is designed for law enforcement and justice sector professionals, as well as other competent authorities involved in handling criminal cases involving women and children, whether victims, witnesses, or alleged offenders. The module is designed so that it can be used flexibly:

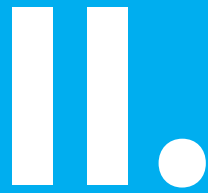
- a) as a short, stand-alone training of a half day or one full day; or
- b) as an additional module integrated into training on gender-based violence or child-friendly justice.

The module employs a mix of training techniques aimed at strengthening participant's knowledge, attitudes, and practices when dealing with criminal cases involving women and children. Each session begins with a short lecture, supported by PowerPoint slides, which provides a basic theoretical overview of the topic. During the lecture, facilitators are encouraged to actively engage participants in sharing their views and experiences. Lectures are followed by participatory exercises, such as case studies, small group discussions, to deepen engagement and reinforce learning.

The training package includes:

- **Facilitators' Handbook**, containing all the information and instructions that trainers need to deliver the module, including lecture notes, a detailed PowerPoint presentation, guidance on participatory exercises, case studies, a sample agenda, and pre-and post-training test to assess changes in participants' knowledge and attitudes.
- **A Participant Handbook**, covering all of the content in the training programme. It will serve as important background reading material for participants, and also act as a reference guide that participants can use after the training.
- **Further Reading**, with each handbook providing a list of further reading, including hyperlinks to relevant international standards, handbooks, reports, and other key documents.

This training package was developed by Ms. Shelley Casey, an international UNICEF consultant, with technical contributions from UNICEF Viet Nam. The materials were finalised based on feedback from pilot training workshops conducted by the Judicial Academy, Hanoi Law University, the University of Procuracy, and the Viet Nam Lawyers Association.



LEARNING OBJECTIVES AND TRAINING OUTLINE

Learning Objectives

At the end of this module, participants will::

- ✓ Understand the concept of child – friendly and gender-responsive justice;
- ✓ Be sensitized on why a special approach is necessary when handling cases involving women and children;
- ✓ Appreciate the dynamics of gender-based violence and the impact of victimization on women and children;
- ✓ Be sensitised to the gendered factors that influence offending by women and girls, and the importance of addressing their special needs and vulnerabilities;
- ✓ Understand the main challenges and barriers for women and children in the criminal justice system;
- ✓ Be sensitized to common gender stereotypes, myths and misperceptions about domestic and family violence;
- ✓ Be familiar with practical steps they can take to be more child- friendly and gender-responsive.

Session Guide	Time
Presentation: What is child-friendly and gender responsive justice?	20 mins
Presentation: Challenges and barriers that women and children face in the criminal justice system	30 mins
Small Group Discussion: Case Study	50 mins
Presentation: Gender Myths and Stereotypes	15 mins
Plenary Exercise: Myths about domestic and sexual violence	30 mins
Presentation: Practice actions to be more gender-responsive	30 mins
Small Group Discussion: What can I do?	30 mins
Total Teaching Time	3.5 hours
Materials Required:	
Laptop, projector, PowerPoint, flip-chart paper, markers, copies of Handout: Case Studies.	



WHAT IS CHILD - FRIENDLY AND GENDER - RESPONSIVE JUSTICE?



Presentation: 20 mins

Give an introductory presentation on the concept of child-friendly and gender-responsive justice using PowerPoint slides 1 to 16

- Highlight that gender equity requires more than just treating men and women the same. Ensuring equal access to justice for women and children requires everyone involved in criminal proceedings to understand the differences between men and women, and accommodate women and children's special needs.
- At slide 8, note that justice professionals have special obligations when dealing with children since they are too young to properly defend or protect their own legal rights. This task **cannot** simply be left to the child's parent or legal representative alone, since often the parents themselves are unable or unwilling to fully defend and protect their child's rights, particularly in cases where a child has been harmed by a family member. Governments, and therefore all competent authorities, have an added responsibility to protect children.
- After slide 9, ask participants if they agree that criminal proceedings have been designed primarily with adults in mind. Ask if any of the participants have experience with children's case, and what steps they took to facilitate the child's participation or to be more child-friendly. Are children able to participate effectively in criminal proceedings, and why or why not?
- After slide 10, ask participants if they agree that women face more disadvantages than men in the criminal justice system. In what way?
- After slide 11, ask participants to think about cases involving crimes of violence that they've dealt with. What is the typical context for a crime of violence committed against a man? Against a woman or girl?
- At slide 12, reinforce the importance of protecting women and children from secondary victimisation. Note that being treated insensitively during the criminal proceedings both makes it harder for the victim to recover, and also makes victims reluctant to participate in the criminal proceedings. Without victim cooperation, the government cannot achieve its objectives in combatting gender-based violence.
- At slide 13, reinforce that it is not just female victims who are especially vulnerable, but also females in conflict with the law.
- Emphasise that offending by females is often influenced by a history of abuse or trauma. For example, a young girl who has been sexually abused by her step-father and has run away from home may turn to theft or other crimes as a means of survival. She would also be very vulnerable to falling prey to traffickers or being exploited through prostitution. Women who use drugs to cope with their past trauma are at risk of spiralling into a life of crime to support their addiction. Often the underlying abuse has never been reported or detected, so justice professionals must always be sensitive to signs of a female offender's potential history of trauma, and seek to better understand the background and circumstances that led to her current situation.

- After slide 14, ask participants if they have ever had a case involving a women or girl in conflict with the law? In their experience, how do female offenders differ from males?
- When presenting the list of key components of a child-friendly and gender-responsive criminal justice system, note that all of these components are things that participants have within their power to do, and they can all, through their day-to-day work, make a positive contribution to gender-responsive justice.



Presentation: 30 mins

Give a presentation on challenges and barriers to women and children in the criminal justice system using PowerPoint slides 17 to 38.

- Reinforce the importance of all justice professionals having a good understanding of the gendered challenges and barriers that women and girls face in criminal justice proceedings. It is only by viewing the proceedings from their perspective that we can better understand what we need to do to overcome these barriers.
- At slide 20, note that traditional patriarchal norms can consciously or sub-consciously influence **all** of our thinking – male or female. As law enforcement or justice professionals, it is important to be alert to these unconscious biases from how we were raised.
- Ask participants how they think traditional norms around sex and sexuality impact on women and girls who have been sexually abused.
- After slide 24, ask participants if they have ever been involved in a case where a child was physically or sexually abused by a family member. What impact did this have on the family? On the child? How do you think a child would feel having to file a complaint or testify against someone they love?
- With respect to the dynamics of gender-based violence, highlight that these crimes are very different from other law violations because of the intimate context in which they occur. Sometimes women are perceived negatively as being uncooperative, or are blamed for not reporting domestic violence, when in fact there are many legitimate reasons why they may lack confidence in the criminal justice system.
- Note that perpetrators of domestic violence often use controlling, isolating and threatening behaviour to dominate a victim - known as “coercive control.” Over time, this can significantly undermine a woman’s sense of confidence and self-worth, and make it very hard for her to seek help, even when she is being harmed.
- With respect to fear of retaliation, note that many international studies have shown that reporting domestic violence often triggers a strong reaction from the perpetrator, and women are at greatest risk of being re-victimised or killed immediately after they report. Perpetrators often use threats against the women or her children to ensure her silence.

- Highlight that the very intimate and personal nature of gender-based violence makes it difficult for victims to come forward, since they risk backlash or pressure from their family and community.
- At slide 28, ask participants if they agree that it is common to blame or be judgemental towards women and girls who have been victims of violence. Ask if anyone has an example of this type of attitude.
- At slide 31, reinforce that a victim's first interaction with the police or other competent authority can have a significant impact on her trust in the criminal justice system. Women who are treated harshly, insensitively, or who are pressured to reconcile and not file a formal complaint will continue to suffer in silence.
- After slide 33, ask participants if they have ever been involved in a case where mediation or reconciliation was used to resolve a case of gender-based violence. Do they think it was an appropriate solution? Why or why not?
- When discussing females in conflict with the law, note that the intention is not to say that women should never be held liable for their criminal acts. But at all stages of the criminal proceedings, law enforcement and justice professionals must take into account the different background, circumstances and experiences of female vs male offenders and adapt, as appropriate, to be more gender-responsive.
- After slide 37, ask participants for their experience in handling cases involving a woman or child from an ethnic minority group. What added challenges or barriers to women and children from ethnic minority groups face? Are there cultural factors that impact on their ability to participate confidently in criminal proceedings?



Small Group Discussion: Case Study: 50 mins

30 mins small group discussion, 10 mins report back, 10 mins plenary

Divide participants into 3 groups. Give each group some flip-chart paper and a marker, and ask them to nominate a person to be the note-taker and to report back to the plenary group.

Distribute Handout 1 - Case Studies. Ask Group 1 to discuss the story of Phuong, Group 2 to discuss the story of Ha, and Group 3 the story of Hien. Show slide 39 with the diagram of the different stages of the criminal justice system:



Ask participants to review their story, and consider, standing in the shoes of the women/girl, what challenges or difficulties she would face at each stage of the criminal proceedings. Give participants 30 minutes to discuss, and then have each group report back to the plenary.

Once all groups have presented, engage in a plenary discussion about intersectionality and added vulnerability:

- Ask participants to consider the story of Phuong. If Phuong was from an ethnic minority group, what added challenges or difficulties would she face? What about Ha, if she was from an ethnic minority group? And what about Hien?
- Now consider that Phuong has a disability, for example she is deaf. What added challenges or difficulties would she face? What about Ha, if she was deaf? And what about Hien?

Reinforce that standing in women and children's shoes and trying to understand, from their perspective, the challenges and barriers they face when engaging with law enforcement and justice professionals is the first step to being more gender-responsive.



Handout – Case Studies

Story of Phuong

Phuong is 40 years old and has been married to Tran for 20 years. They have 3 daughters aged 17, 15 and 5 years. Tran regularly yells at his wife, calling her lazy and useless, and beats her. He is very controlling, and often keeps Phuong from visiting her family and friends. Phuong agrees in order to keep the peace. Tran controls the family finances, giving Phuong a small allowance for the groceries and requiring her to provide receipts for everything she spends. He regularly criticizes her cooking, her cleaning and her parenting. She feels constantly intimidated and fearful. After each violent incident, Tran always apologises and promises not to beat her again, but it happens again and again. He often threatens Phuong that he will kill her if she leaves him, or that she will never see her children again. Yesterday, Tran came home after drinking with his friends and got angry with Phuong because his dinner was not ready. He beat Phuong severely and choked her until she fell to the floor unconscious. The oldest daughter ran to a neighbour for help.

Story of Ha

Ha is 14 years old and lives with her mother, step-father, and 11 year-old sister. Ha's parents divorced when she was 10 and her mother got re-married to Chien last year. Initially Ha had a good relationship with her stepfather Chien, but lately he has started to ask questions that make her feel uncomfortable, like "I saw you talking to a boy yesterday, are you having sex with your boyfriend?". Twice while Ha was changing in her room, she caught Chien watching her. Last night she woke up to find Chien sitting on the side of her bed. He smelled of alcohol. He told Ha that she was very special, and while patting her hair he slide a hand into her underwear and put his fingers in her vagina. Ha froze and didn't know what to do.

The next morning Ha told her mother what had happened, but the mother said Ha must have been dreaming, and told her not to make up stories and cause trouble. Ha was scared and confided to her Auntie, who took her to the police.

Story of Hien

Hien is 21 years old and has been arrested as part of a police raid on a brothel. Hien ran away from her home in a village in Quang Binh province when she was 15 years old. She has a 6 month-old baby and lives with her boyfriend, who is a drug dealer. He is sometimes physically and emotionally abusive to her. Hien had two methamphetamine pills on her when she was arrested, but says they were not hers and she has not taken any drugs since she got pregnant with her baby.

IV.

GENDER MYTHS AND STEREOTYPES



Presentation: 10 mins

Give a brief presentation on gender myths and stereotypes using PowerPoint slides 40 to 44.

- Highlight that often myths and stereotypes about gender-based violence are rooted in cultural norms and traditions.
- At slide 42, note that these traditional notions about the characteristics and traits of men and women have a long history in Viet Nam, based on Confucian tradition.
- Ask participants if they think these traditional Confucian concepts still influence the way people think about men and women today. How do they think these traditional stereotypes about women and men's roles and characteristics impact on how women and girls are treated in the criminal justice system?



Plenary Activity: 30 mins

Myths about Domestic and Sexual Violence

Start this session by tell participants that we will now be exploring some of common myths and misperceptions about gender-based violence.

Ask all participants to stand in the middle of the room (move furniture aside if necessary), and advise that you will be reading out a series of statements. Participants who agree should move to the right. Participants who disagree should move to the left.

Read out the first statement below. After participants have moved, read out the correct answer and the reason for it. Engage participants in a debate about whether they agree / disagree, and if your explanations has changed their opinion. Then continue on to the next statements.

Statement	Answer
Domestic violence is a private, family matter. Agree or Disagree?	Violence against women and children violates Vietnam laws and has significant impact on families, communities and the country as a whole. It is important for abusers to know that domestic violence will not be tolerated and his always a serious violation.

Statement	Answer
<p>Alcohol is a major cause of domestic violence. Agree or Disagree?</p>	<p>Although alcohol is often associated with domestic violence, it does not cause the violence. Many men who beat their wives do not drink. Men who drink and beat their wives usually do not beat other family members, friends or strangers; they direct their violence only at their wives. And men who abuse their wives often continue to do so even after they stop drinking. An abuser may use alcohol as an excuse for the violence, or alcohol may prevent him from realizing the level of force he is using, but alcohol is not the cause. Domestic violence and alcohol abuse must be understood and treated as independent problems.</p>
<p>Women are victims of domestic violence due to their “mistakes” - if she just behaved better this would not happen. Agree or Disagree?</p>	<p>This statement reflects old thinking that men have the right to physically discipline their wives. This is not the case now. No one deserves to be abused, and violence is never justified regardless of what the wife says or does. Even when husbands might have a reason to be angry, they have no right to express their anger violently. Many victims make numerous attempts to change their behaviour in the hope that this will stop the abuse, or blame themselves because they have been consistently told that the violence is all their faults. Believing that the wife is participating in the dynamic of the violence and must also change her behaviour for the violence to stop is a myth because only the abuser has the ability to stop the violence.</p>
<p>Men who abuse are violent because they cannot control their anger and frustration. Agree or Disagree?</p>	<p>Domestic violence is intentional conduct, and abusers are not out of control. Their violence is carefully targeted to certain people at certain times and places. They generally do not attack their friends, other family members, or people at work, no matter how angry they may be. They often choose their tactics carefully - they abuse their partners only in private, or may take steps to ensure that they do not leave visible evidence of the abuse.</p>

Statement	Answer
<p>Even if there is some violence, it is always best for families to stay together. Agree or Disagree?</p>	<p>State policy emphasizes the importance of happy families. However, violence threatens the stability of the family and negatively impacts all family members, including the children who witness the violence. Women who are experiencing violence should never be encouraged or coerced to remain in an abusive situation for the sake of the children or family harmony.</p>
<p>If domestic violence does not produce serious injuries, it is not a serious matter that requires State intervention. Agree or Disagree?</p>	<p>Domestic violence is a pattern of coercion and control. It commonly includes the repeated use of different tactics such as intimidation, threats, economic deprivation, isolation and psychological abuse. The various forms of abuse are used by men to maintain power and control over their wives or girlfriends. Research shows that abusers usually escalate violent behaviour in frequency and intensity over time.</p>
<p>Rape is a crime of lust or passion. Agree or Disagree?</p>	<p>Rape is an act of violence and aggression in which the perpetrator uses sex to gain power and control over the victim. Sexual excitement does not justify non-consensual sex, and there is no situation in which an individual cannot control his sexual urges.</p>
<p>Rape happens only to young, pretty or desirable women and girls. Agree or Disagree?</p>	<p>There is no “typical” sexual violence victim. Sexual violence can happen to anyone, regardless of race, age or other factors. The belief that sexual violence victims are young and attractive is often related to the mistaken belief that rape is about sexual desire, rather than violence, and that the attractiveness of the victim is one of the causes of the crime.</p>
<p>A medical examination can conclusively determine whether a person has been raped or not. Agree or Disagree?</p>	<p>Sexual violence often leaves no physical evidence that can be detected through medical examination. Many unwanted and forced sexual acts do not result in physical injuries, and just because a person has no physical injuries does not mean they were not raped. Only approximately 1/3 of rape victims sustain visible physical injuries. There is no scientific or medical basis for using hymen size or integrity to determine whether a girl is a “virgin” or has experienced vaginal penetration.</p>

Statement	Answer
<p>Some women and girls are to blame for what happened to them, either because they were wearing sexy clothes that incited the man, or they put themselves in a dangerous situation. Agree or Disagree?</p>	<p>Victims never deserve to be raped, and sexual violence is never their fault. “No” means “no,” no matter what the situation or circumstances. It does not matter if the victim was drinking or using drugs, if she was out at night alone, or if the perpetrators believed the victim was dressed seductively. No one asks to be raped, and the responsibility and blame lie with the perpetrator.</p>
<p>Rape of a girl under the legal age of consent is not really a serious crime if there is a “love” relationship. Agree or Disagree?</p>	<p>Sexual acts with a child under the age of consent is always a serious crime. The legal age of consent recognises that children need extra protection because they can be exploited or manipulated into sexual acts by adults. Often sex offenders deliberately seek out children who are especially vulnerable and in need of affection, use grooming tactics to manipulate the child and gain their trust, and take advantage of the child’s love and attachment for their own sexual purposes. This can causes significant, long-term psychological harm to the child.</p>
<p>A victim of sexual violence will report everything at the first available opportunity. Agree or Disagree?</p>	<p>There are many barriers to reporting sexual violence, and many victims do not immediately report. Often the trauma experienced by the victim prevents her from feel safe and confident enough to report immediately.</p>
<p>Women and girls who seek to avenge slights or to extort money often fabricate rape charges. Agree or Disagree?</p>	<p>It is not common for women and girls to falsely report rape. There is an over-estimation of the scale of false allegations by procedure conducting bodies. This feeds into a culture of scepticism and leads to loss of confidence between victims and the criminal justice system.</p>

End the session by noting that many of these myths about gender-based violence are based on stereotypes about women, tend to minimise the responsibility of perpetrators, and shift blame to the victim by calling into question their personal characteristics and behaviour. Law enforcement and justice professionals need to be aware of these myths and ensure they do not follow them when making decisions regarding how to handle a case, and in how they treat victims.

V.

**PRACTICAL ACTIONS TO BE
MORE CHILD-FRIENDLY AND
GENDER-RESPONSIVE**



Presentation: 30 mins

Give a presentation on practical actions to be more child-friendly and gender-responsive using PowerPoint slides 45 to 65.

- At slide 45, highlight that being gender-responsive doesn't mean all cases involving women and children must be handled by female professionals. Some women are child-friendly and gender-sensitive and some are not. Men can be just as sensitive and effective as women. Knowledge, attitudes and skills are more important than a person's gender.
- At slide 48, note that it is important for everyone to think critically about unconscious biases or traditional thinking that may be influencing our perceptions about a case. Everyone in society has unconscious biases, and we need to be proactive in recognising and countering them.
- At slide 50, reinforce the importance of taking steps to ensure a woman's/child's well-being and safety at all stages of the criminal proceedings. Women and children need to feel safe and supported for them to be able to participate effectively in the proceedings.
- At slide 51, note that law enforcement and justice professionals can better ensure victims' safety by: supporting her to develop a safety plan and to apply for non-contact and other protection orders, taking steps to minimise direct contact with the perpetrator during all procedural acts, and taking the safety of the victim and their families into account when making decisions about the necessity of applying preventative and coercive measures against the accused/defendant and when sanctioning offenders.
- Highlight that children who have been abused by a family member may need to be removed from their home for their own safety. However, because this can be quite distressing for children, wherever possible priority should be given to removing the perpetrator, rather than the child.
- At slide 52 with respect to privacy, note that fear of public exposure is often a key reason that women and children choose not to report gender-based violence, and having the case widely known in the community can cause stigma, shame and negatively impact on their recovery. It is therefore critical that privacy be maintained at all times.
- At slide 53, emphasise that for women and children to feel empowered and supported in the criminal proceedings, they need to be actively involved in the case and kept informed about what is happening. This means ensuring that women and children have appropriate information about their options, and are consulted at all stages.
- Note that in children's cases, actions sometimes need to be taken to protect the child, in the child's best interest, even if the child does not agree. However, children's views and opinions should always be sought and given due consideration, and when decisions need to be made that go against their wishes, the reason should be explained to them.

- At slide 55, note that police stations, courthouses and standard criminal procedures can be foreign and intimidating to women and children. Simple adaptations can help put them at ease and empower them to participate more effectively.
- At slide 57, emphasise that all forms of gender-based violence constitute a serious crime, and it is important to send a clear message that violence against women and children will not be tolerated.
- At slide 59, with respect to inter-agency coordination, ask participants what other agencies and organisations they have worked with in dealing with cases involving women and children? Do they think inter-agency collaboration is working well? Why or why not?
- Note that in relation to children, it is important to cooperate with competent child protection authorities, and be familiar with the reporting obligations and procedures for cases of violence against children.
- At slide 60, note that whilst it can sometimes be more difficult to be sympathetic towards offenders as compared to victims, it is important for law enforcement and justice professionals to be mindful of a female offender's background and circumstances.
- Reinforce that female offenders are less likely to commit crimes of violence and typically do not pose a significant threat to public safety. At all stages of the proceedings, careful consideration needs to be given to their background, vulnerability and special needs.



Small Group Discussion: What Can I do? 30 mins

20 mins discussion, 10 mins report back

Break participants into small groups (6-8 people). Ask each group to nominate a reporter to report back to the plenary group, and give them flip-chart paper and a marker.

At slide 66, ask participants to reflect on the child-friendly and gender-responsive actions in the presentation.

1. Which of these actions are they already using when dealing with cases involving women and children? Are there any other good practices that they use?
2. What additional actions can they take to be more child-friendly and gender-responsive? What can they do differently in their every-day work to improve the handling of cases involving women and children?

Give participants 20 minutes to discuss, then have each group report back to the plenary. Highlight similarities and differences between the groups.

End by noting that many of these actions are simple, low-cost things that **everyone** can do without the need for additional funding. We all have, within our power, the ability to modify our actions and behaviour to better support vulnerable women and children.

VI.

SAMPLE AGENDA



Training on Child-Friendly and Gender-Responsive Justice

08:15 - 8:30	Registration and pre-test
08:30 - 8:45	Welcome and introductions
08:45 - 09:05	Presentation: What is child-friendly and gender responsive justice?
09:05 - 09:30	Presentation: Challenges and barriers that women and children face in the criminal justice system
09:30 - 09:45	Tea Break
09:45 - 10:45	Small Group Discussion: Case Study
10:45 - 11:00	Presentation: Gender Myths and Stereotypes
11:00 - 11:30	Plenary Activity: Myths about domestic and sexual violence
11:30 - 12:00	Presentation: Practical actions to be more gender-responsive
12:00 - 12:30	Small Group Discussion: What can I do?
12:30 - 12:45	Closing remarks and post-test

VII.

SAMPLE POWERPOINT PRESENTATION

CHILD-FRIENDLY AND GENDER-RESPONSIVE JUSTICE



(Sample presentation)

SLIDE 1

Introduction

- Justice officials frequently interact with women and children as victims, witnesses, or offenders.
- These groups face significant barriers in criminal proceedings globally and in Vietnam.
- Equal access to justice requires a proactive, system-wide child-friendly and gender-responsive approach.

SLIDE 2



What is Child-friendly and Gender-responsive Justice?

SLIDE 3

What is Child-friendly Justice?

- A system ensuring children's rights are met based on their maturity and circumstances.
- Key traits:
 - Accessible
 - Age-appropriate
 - Speedy
 - Humane, and
 - Respectful of privacy and dignity.

SLIDE 4

What is Child-friendly Justice?

- Ensuring laws and procedures do not discriminate based on gender.
- Understanding how crime and violence impact men and women, girls and boys differently.
- Using gender-sensitive strategies to promote equitable access to justice.
 - Goals of a Gender-Responsive System
 - ✓ Empower women to report violence confidently.
 - ✓ Respond effectively to minimize re-traumatization.
 - ✓ Provide support and humane treatment throughout the process.

SLIDE 5

Equality Before the Law

- Equality does not always mean identical treatment.
- We must acknowledge the differences between men, women, and children.
- Applying “substantive equality” (different treatment where necessary) ensures equal outcomes.

SLIDE 6



Why a Special Approach is Needed

SLIDE 7

Children are a vulnerable group entitled to special protection

- Children lack the full capacity to understand law or protect their own rights.
- They are often dependent on adults and easily influenced by family dynamics.
- Officials have a duty to ensure children are treated fairly and protected.

SLIDE 8

Justice systems are designed primarily for adults and are intimidating to children

- Legal environments are often intimidating and confusing for children.
- Communication abilities change significantly with age.
- A tailored approach reduces anxiety and allows children to participate effectively.

SLIDE 9

Gender norms and inequalities impact on women and girls' experience in the criminal justice system

- Women are often disadvantaged due to unequal power relations.
- Lack of gender diversity in the workforce and social stereotypes hinder justice.
- Ethnic minority women and women with disabilities face double barriers.

SLIDE 10

Women and men are impacted differently by crime and violence

- Women/children are often harmed by family or acquaintances, complicating the case context.
- They are more susceptible to repeat violence, leading to long-term psychological trauma.

SLIDE 11

Women and children must be protected from secondary victimisation

- Victims can be further traumatized by the justice process itself if it is insensitive.
- The system should focus on restoring the victim's autonomy and respecting privacy.

SLIDE 12

Female offenders differ from males

- Women commit fewer violent crimes; their offenses are often linked to poverty and survival.
- Many have histories of abuse, trauma, mental health issues, or substance addiction.

SLIDE 13

Female offenders differ from males (cont.)

- Many women offend while fleeing domestic violence or exploitation.
- They usually pose a lower risk to the community but require high levels of rehabilitation support.

SLIDE 14

A child-friendly and gender-responsive criminal justice system

- Empower and support women and children to participate.
- Treat everyone with compassion, dignity, and privacy.
- All women and children receive fair and equal treatment, free from discrimination.
- Prioritize safety and protection from further harm.

SLIDE 15

A child-friendly and gender-responsive criminal justice system (cont.)

- Adjust procedures for specific needs and vulnerabilities.
- Use specialized, trained staff free from personal bias.
- Provide clear information, legal advice, and timely assistance.

SLIDE 16



Challenges and Barriers for Women and Children

SLIDE 17

Introduction

- Women and children face numerous legal, social, cultural, procedural and institutional challenges and barriers.
- A key starting point for ensuring child-friendly and gender-responsive justice is recognising these different challenges that women and children encounter in the criminal justice system.

SLIDE 18

Lack of information about their rights and understanding of the criminal justice process

- Many are unaware of their rights or how to report a crime.
- Complex procedures and courtroom environments cause significant psychological pressure.

SLIDE 19

Gender norms

- Patriarchal values may pressure women to remain silent to “keep family peace”.
- “Victim-blaming” in sexual assault cases discourages reporting.

SLIDE 20

Gender norms (cont.)

- Boys face stigma regarding “masculinity” when they are victims of abuse.
- Stereotypes about “virtuous” women can unfairly influence the credibility of testimony.
- Due to social norms about gender roles and differences in how boys and girls are raised, women and girls may lack confidence to express themselves and assert their rights.

SLIDE 21

Financial barriers

- Women often lack financial independence, making travel and legal costs difficult.
- Fear of being homeless or losing custody of their children prevents reporting.
- Fear that the perpetrator (often the breadwinner) will lose their job stops reporting.

SLIDE 22

Children's helplessness and dependence

- Children depend on representatives, yet the abuser is often a family member.
- Physical and psychological inferiority makes it hard for children to resist adults.
- Cultural emphasis on obedience keeps children silent.

SLIDE 23

Children's helplessness and dependence (cont.)

- Children abused or neglected by a parent or other family member keep silent for fear of losing the love and stability of their family.
- Perpetrators use "grooming" (emotional manipulation) to exploit children. Child sex offenders often exploit children's need for love and attachment to "groom" a child for sexual abuse.

SLIDE 24

The dynamics of gender-based violence

- GBV often occurs in the context of an intimate and ongoing relationship.
- Victims want the violence to stop, but sometimes do not want to pursue criminal proceedings due to:
 - concerns about the impact it will have on their family and children;
 - financial dependency;
 - pressure or threats;
 - expressions of remorse from the perpetrator.

SLIDE 25

The dynamics of gender-based violence (cont.)

- Perpetrators use control and isolation tactics.
- Chronic psychological abuse erodes self-esteem, making self-protection difficult.

SLIDE 26

Fear of retaliation or further harm

- Threats from the perpetrator are a primary reason victims don't report.
- Victims are at greatest risk of retaliation immediately after they report the crime. Lack of safe shelters or emergency protection orders increases fear.

SLIDE 27

Shame, social stigma and concerns about privacy

- Victim-blaming and trivializing domestic violence are still prevalent.
- Many children fear that they themselves will be punished for what happened to them, will be rejected by their family, or will be taken from their home.

SLIDE 28

Pressure from family and community

- “Family honor” is often prioritized over the victim’s rights.
- Local officials may avoid recording cases to protect community “achievement” titles.
- Due to their young age and immaturity, children in particular can find it difficult to resist pressure from family.

SLIDE 29

Lack of trust or confidence in the criminal justice system

- Victims fear that (mostly male) officials will not understand or protect them.
- Previous negative experiences with authorities reduce the will to cooperate.
- Children who have been abused repeatedly over time may not trust that competent authorities will be able to protect them, particularly where their own parents have been unable to do so.

SLIDE 30

Insensitive or indifferent treatment by procedure conducting authorities

- Indifference or bias from authorities often leads victims to withdraw complaints.
- Cases are sometimes dismissed as “private family matters.”

SLIDE 31

Pressure to use mediation, reconciliation

- International standards discourage mediation in GBV cases due to power imbalances.
- Prioritizing mediation over justice endangers victims and lessens legal accountability.
- Mediation assumes that the parties stand on equal ground for negotiation, which is generally not the case when dealing with violence against women and children.

SLIDE 32

Pressure to use mediation, reconciliation *(cont.)*

- Informal settlements can undermine accountability and treat GBV as less serious.
- Reconciliation may imply victim blame and prioritise family harmony over the victim's safety.

SLIDE 33

Complicated and protracted criminal proceedings

- Repeating testimony multiple times causes "re-victimization."
- Lack of updates on case progress makes victims feel discouraged.

SLIDE 34

Lack of gender-sensitive and trauma-informed handling of women and girls in conflict with the law

- Lack of specialized skills for handling women and girls.
- Improper search procedures can be traumatic for those with a history of abuse.
- Lack of specialised programmes and services to address their specific needs, including lack of facilities to detain juvenile girls separately from adult women.

SLIDE 35

Lack of gender-sensitive and trauma-informed handling of women and girls in conflict with the law (cont.)

- Women are usually primary caregivers; their detention causes severe trauma for themselves and their children.
- Fewer female prisons mean women are held far from home, hindering family visits.

SLIDE 36

Language and cultural barriers

- Ethnic minority women and children face added barriers to accessing justice.
- Interpreter availability, dialect, and training may be inadequate, especially for children.
- Cultural and language differences can affect confidence and communication in court.

SLIDE 37

Disability

- Women and children with disabilities face higher risks of abuse and barriers to justice.
- Access to reporting and courts may be limited by physical, communication, intellectual, or attitudinal barriers.
- They may need additional support and reasonable accommodations to participate effectively in proceedings.

SLIDE 38

**Stories of Phuong, Ha and Hien:
Challenges and barriers they face at each stage
of the criminal proceedings**



SLIDE 39



**Gender Myths and
Stereotypes**

SLIDE 40

Introduction

- Gender-responsive justice can be hindered by stereotypes and myths about GBV.
- Law enforcement and justice professionals may also be influenced by traditional gender roles and expectations.

SLIDE 41

Traditional concept of women

Women should possess four qualities:

- Cong – hard working;
- Dung – attractive appearance;
- Ngon – appropriate speech;
- Hanh – virtuous behaviour.

Traits of “yin” – the negative, darkness and softness.

Characteristics of passivity, piety, submissiveness, preserve family harmony.

Traditional concept of men

Men were thought to be;

- Superior;
- Had an obligation to educate the inferior, the wife and teach her to protect the honour of the family.

Traits of “yang” – the positive, brightness and hardness.

Characteristics of hot tempered, aggressive, authority, easy to anger.

SLIDE 42

Gender myths and stereotypes

- Traditional gender role assumptions still persist despite changing views.
- Myths about GBV can influence law enforcement and justice decisions, especially when victims don't fit stereotypes.

SLIDE 43

Gender myths and stereotypes *(cont.)*

- Focus often wrongly shifts to the victim's demeanour and credibility instead of the perpetrator's responsibility.
- Officials must recognise and avoid myths and stereotypes about GBV influencing their decisions or attitudes.

SLIDE 44



Practical Strategies to be more Child-Friendly and Gender - Responsive

SLIDE 45

Introduction

- Changing attitudes and skills is more vital than expensive infrastructure.
- All law enforcement and justice professionals, regardless of gender, can contribute to this change.

SLIDE 46

Introduction *(cont.)*

- Gender sensitivity is not innate; it depends on knowledge, skills, and motivation.
- Be proactive in understanding the specific barriers faced by women and children.

SLIDE 47

Be mindful of gender myths and bias

- Be proactive in learning about the vulnerabilities and challenges that women and children face in the criminal justice system.
- Think critically about how unconscious bias influences your decisions.
- Be sensitive to the victim's fear and trauma.
- Avoid language or demeanour that reinforces gender stereotypes.
- Do not judge victims based on "virtuous woman" archetypes.

SLIDE 48

Treat women and children with care, dignity, respect and empathy

- Treat all women and children with dignity and respect, and address them in a non-judgmental, empathetic and supportive manner.
- Empower victims, counter victim-blaming, and minimize procedural hardships.
- For children, special consideration must always be given to their young age, vulnerability and level of maturity.

SLIDE 49

Prioritize the victim's well-being and needs

- The first priority should always be to ensure the victim's physical and psychological well-being.
- Ensure that victims are given information about the support services available to them (psycho-social first aid, counselling, medical care, safe shelter, legal advice, financial support)
- Collaborate with other agencies to ensure effective and efficient referral.
- Protect personal information and case records to maintain the victim's dignity. Conduct interviews and hearings in private or with limited personnel.

SLIDE 50

Ensure safety and protection

- Conduct immediate risk assessments and implement protection measures (e.g., shelters, no-contact orders).
- Be proactive in identifying and addressing safety needs, rather than simply relying on the victim to request protection measures.
- Prevent any intimidation or retaliation from the perpetrator.

SLIDE 51

Protect women and children's privacy

- Ensure that women and children's confidentiality is respected.
- Conduct interviews in a closed, private space.
- Keep files securely stored and strictly confidential .
- Ensure that names and identifying information are not disclosed to the media; use pseudonyms.
- Close the court to the public.
- Arrange for victims to testify behind a screen or from outside the courtroom via audio-video link.

SLIDE 52

Inform and maintain communication

- Empower women and children to participate in criminal proceedings.
- Explain their rights, the process, and their role in age-appropriate language.
- Allow them to express concerns and views in decision-making.
- Keep them regularly updated on case progress, delays, and key decisions.

SLIDE 53

Provide effective legal and other assistance

- Women and children need supportive, non-judgemental assistance throughout the justice process to protect their rights:
 - Free legal aid.
 - Support from a specialised victim advocate.
 - Children should be accompanied by a parent or legal representative.
- Adequate support empowers victims, reduces withdrawal, and limits secondary victimisation.

SLIDE 54

Adapt environment and procedures to minimise intimidation

- Use private and child-friendly interview rooms.
- Limit the number of times victims must re-tell their story and restrict direct confrontation between the victim and the defendant.
- Modify the courtroom layout, allowing victims to testify from outside the courtroom via audio-video link; using a screen or curtain to block the victim's view of the defendant.
- Be sensitive to children's language skills and developmental level and adjust communication accordingly.

SLIDE 55

Minimise delays

- Prioritise GBV cases and minimise delays at all stages.
- Delays increase victim distress, signal low importance, raise withdrawal risk, and prolong exposure to threats or retaliation.
- For children, delays can weaken memory and evidence quality.

SLIDE 56

Hold offenders accountable for their actions

- Actively counter victim-blaming in GBV cases.
- Keep the focus on the perpetrator's actions, not the victim's conduct or credibility.
- Use mediation only exceptionally, with the victim's free, informed consent and consideration of power imbalances.
- Never pressure or intimidate women or children into mediation or reconciliation.

SLIDE 57

Always make the child's interests a priority

- In all decisions that concern a child, the best interest of the child must be a primary consideration.
- Sometimes you may need to balance the interests of the child with the interests of other parties involved (parents, accused, community).
- But in weighing all of these interests, what is best for the child must be given priority.

SLIDE 58

Promote inter-agency coordination

- Ensure coordinated, cross-agency responses to violence against women and children.
- Promote close collaboration across law enforcement, justice, and support services to meet victims' needs holistically.

SLIDE 59

Be alert to traumatic life events underlying women's offending behaviour

- Consider gender-specific factors influencing women's and girls' offending.
- Many have histories of violence, coercion, or exploitation affecting mental health and behaviour.
- Use a trauma-informed approach that considers their full background and mitigating circumstances.

SLIDE 60

Take into account the woman's child care responsibilities

- Consider women's caregiving roles throughout the criminal process.
 - Schedule proceedings with childcare responsibilities in mind.
 - Factor pregnancy and dependent children into decisions on arrest, detention, and sentencing.
- Prioritise the best interests and well-being of their children.

SLIDE 61

Minimise invasive body searches

- Body searches, especially strip searches, can be highly distressing for women and girls.
- Many have histories of sexual abuse, making searches potentially traumatic.
- Use only when necessary, conducted by same-gender staff, in private, and as minimally intrusive as possible.

SLIDE 62

Minimise application of deprivation of liberty

- Avoid separating women from family/community without careful consideration of their circumstances.
- Prefer non-custodial measures, especially for pregnant women and those with minor children.
- Use custody only for serious or violent offences or where there is ongoing risk, considering children's best interests.
- For girls, deprivation of liberty should be a last resort, limited to violent offences posing a community threat.

SLIDE 63

Accommodate the special needs of women in detention and prison

- Place women and girls in facilities close to home to maintain family contact.
- Provide child-friendly spaces for visits and for mothers with infants.
- Ensure facilities meet women's hygiene needs and provide gender-specific, mental health, and trauma-informed care.
- Separate girls from adult women.

SLIDE 64

Tailor reform measures to women and girls' specific needs

- Female offenders are more likely to have experienced trauma, abuse, and family conflict.
- Reform programs should address trauma, strengthen relationships and family functioning, build on strengths, boost confidence, and provide mental health and substance abuse support.

SLIDE 65

- Which of these actions are you already using when dealing with cases involving women and children? Are there any other good practices that you use?
- What additional actions can you take to be more child-friendly and gender-responsive? What can you do differently in your every-day work to improve the handling of cases involving women and children?

SLIDE 66

VIII.

SAMPLE PRE- AND POST-TRAINING TEST

1. Please indicate whether the following statements are true or false, by circling the appropriate answer.

a) Being gender-responsive means always treating men and women the same.	True	False
b) Secondary victimisation is where a person feels further victimised by the way that they are treated by justice professionals	True	False
c) Only women justice professionals should work with women and girls who are victims, so male justice professionals do not need to be trained on gender-responsive justice.	True	False
d) Victims of gender-based violence are at greatest risk of retaliation immediately after they report the crime.	True	False
e) There are no significant differences in the personal backgrounds and characteristics of male and female offenders.	True	False
f) It is safe and appropriate for girls in conflict with the law to be detained together with adult women.	True	False

2. Please indicate the extent to which you agree with the following statements:

	Strongly Disagree	Disagree	Agree	Strongly Agree
a) Most victims are knowledgeable about the criminal justice system and their rights and responsibilities.				
b) Sometimes it is necessary to take actions that may harm the wellbeing of a victim of gender-based violence, if it means that we can catch the perpetrator(s) of the crime.				

	Strongly Disagree	Disagree	Agree	Strongly Agree
c) Because of gender stereotypes and unequal power relations between women and men, women tend to face more disadvantaged in the criminal justice system.				
d) Domestic violence is best addressed through reconciliation and intervention from the family.				
e) If a woman was truly raped, there would be obvious signs of injury that can be detected in a medical exam.				

IX.

FURTHER READING

International Standards

- UN [Convention on the Elimination of Violence against Women](#) (CEDAW)
- UN [Convention on the Rights of the Child](#) (CRC)
- UN [Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power](#)
- UN [Standard Minimum Rules for the Administration of Juvenile Justice](#) (Beijing Rules)
- UN [Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders](#) (the Bangkok Rules)
- UN [Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime](#)
- UN [Principles and Guidelines on Access to Legal Aid in Criminal Systems](#)
- UN [Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice](#)
- UN [Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice](#), <https://digitallibrary.un.org/record/780633?ln=en>
- CEDAW Committee [General Recommendations No. 35](#) (2017) on Gender-based Violence against Women
- UN Committee on the Rights of the Child [General Comment No. 24](#) (2019) on Children's Rights in the Child Justice System

Other

- Fleming, E. et al. (2021) [Adopting a Gender- Responsive Approach for Women in the Justice System: A Resource Guide](#). Council of State Governments Justice Center
- Le Thi Thuc et. al. (2015) [Access to Justice in the Plural Legal System in Viet Nam: A Case Study of Women Domestic Violence Survivors](#). UN Women.
- Skinnider, E. et. al. (2017) [The Trial of Rape: Understanding the Criminal Justice Sector Response to Sexual Violence in Thailand and Viet Nam](#)
- Skinnide, E. (2018) [Towards Gender- Responsive Criminal Justice: Good Practices Southeast Asia in Responding to Violence against Women](#). Thailand Institute of Criminal Justice
- UNICEF, UNFPA and UNWomen (2020) [Ending violence against women and children in Viet Nam: Opportunities and challenges for collaborative and integrative approaches](#).
- UNODC and UNICEF (2009) [Handbook for Professionals and Policymakers on Justice in Matters involving Child Victims and Witnesses of Crime](#).
- UNODC and UNWomen (2014) [Handbook on Effective Prosecution Responses to Violence against](#)

[Women and Girls](#). Criminal Justice Handbook Series

UNODC and UNWomen (2021) [Handbook on Gender-Responsive Police Services for Women and Girls Subject to Violence](#)

UNODC (2019) [Handbook for the Judiciary on Effective Criminal Justice Responses to Gender-based Violence against Women and Girls](#)

UNODC (2020) [Toolkit on Gender-Responsive Non-Custodial Measures](#)

UNWomen et al (2015) [Essential Services Package for Women and Girls Subject to Violence](#): Module 3 Justice and Policing

UNWomen (2018) [Essential Services Package for Women and Girls Subject to Violence in Viet Nam: Baseline Assessment Report](#)

UNWomen (2017) [Access to Criminal Justice by Women subjected to Violence in Viet Nam: Women's Justice Perception Study](#).

UN Women Advocacy Brief: [Pathway to a Gender-Responsive Criminal Justice System in Viet Nam](#).

