

Vesna Katalinić,

Brave Phone, Zagreb, Croatia, vesna@hrabritelefon.hr

Jana Kujundžić,

University of Essex, England

Božidar Nikša Tarabić,

University of Zagreb, Croatia

Lana Petö Kujundžić,

County court in Zagreb, Croatia

SECONDARY SCHOOL PUPIL'S KNOWLEDGE OF COURT PROCEEDING AND THEIR PERCEPTION OF COURTS WITHIN CROATIAN LEGAL SYSTEM

Received: 23 Jan 2018

Accepted: 15 Mar 2018

ABSTRACT

The research aimed to make an initial assessment of pupil's perception of courts and basic knowledge of court proceeding within Croatian legal system.

Pen-and-paper form questionnaire was used. The questionnaire consisted of both closed and open-ended questions, with the emphasis on the latter. Subjects were 113 conveniently sampled 14-to-18 years-old secondary school pupils with no prior legal knowledge education (77.2%) or real-life court proceedings experience (90%).

Only a part of the results are presented. In all, 68.3% of the pupils consider their legal knowledge as being insufficient. Only 5.9% knew the age of the threshold of the majority, and they prefer being questioned by one as opposed to multiple experts. The overwhelming majority believes that minor perpetrator should be accompanied to the court by their parents and the defence attorney. Principal components analysis of the court-related anticipated negative emotions yielded two emotional clusters with the first delineating behaviourally passive but cognitively more self-directed and reflective orientation and the other behaviourally more proactive. Pupils report wanting to be included in decision making, their voice to be heard and

at the same time seem to displace their liability to their parents. They believe the court is important, just, sometimes scary, without prejudice, formal and cold.

Pupils demonstrate a low level of court-related knowledge even when it comes to basic concepts and at the same time express the need to be given an active role in court proceedings.

Keywords: children; legal knowledge; perception; court proceeding

INTRODUCTION

Traditional beliefs hold that courtroom context, with its emphasis on formality, the seriousness of the task, consequences and error promotes eyewitness testimony (Saywitz & Nathanson, 1993). However, this is put under scrutiny when the witness is a child. Courtroom setting and procedures, while possible agents in promoting testimony validity, reliability and relevant information retrieval in adults, being unfamiliar and incomprehensible to the child, might be distracting, confusing and hence stressful, interfering with information retrieval (Nathanson & Saywitz, 2003), resulting in lower testimony reliability and perceived validity. In a mock trial study by Saywitz and Nathanson (1993) children, aged eight to ten, questioned at court showed impaired memory performance as opposed to

those questioned at school. Authors also found a negative correlation between perceptions of courtroom related stress and number of correct items reported during free recall. Similar results were obtained while testing another group of eight to ten-year-olds two-week period memory accuracy of a staged event, involving physical touch, with questioning taking part in courtroom versus small private room. Nathanson and Saywitz (2003) found that courtroom environment was associated with higher heart rate, greater heart rate variability (as a proxy for anxiety) and impaired memory performance (less information recalled). What is even more striking, "27% of children interviewed in the courtroom failed to recall the staged event at all in response to free-recall instructions in comparison with only 7.5% of children interviewed in the private room."(p. 82), $X^2(80) = 5.29, p < .05$. They also revealed low-to-medium negative association ($r = -.27$) between heart rate reactivity and correct responses to specific, close-ended, questions.

In a study by Flin, Stevenson and Davies (1989) children expressed concerns that they would feel "worried", "nervous", "scared" and "frightened". In general, it seems that children perceive court as a stressful place (Freshwater & Aldridge, 1994) for a myriad of reasons. However, some of them seem to be more prominent than others. Flin, Stevenson and Davies (1989) noted children find that the main reasons for such concerns were: "'fear of not being believed' and (often as a consequence) 'fear of being sent to jail'. Other reasons were: '(a) not being able to understand or answer the questions correctly; (b) not knowing what to do; (c) fear of being on their own and of not knowing anyone in the court; (d) having to speak up in front of a large adult audience and (e) fear of seeing the accused or of retribution from the accused.'" (p. 292-293); as well as the lack of respect for the child's integrity (Back, Gustafssona, Larsson, & Berteröc, 2011). In a study by Freshwater and Aldridge (1994) 50% or more children expressed being very scared of the "The accused being found not guilty", "Not being believed by the judge" (p. 189), and not knowing what is expected of them in the courtroom. Lack of understanding and negative attitudes towards courts

are common (Block, Oranb, Oranc, Baumrindd, & Goodmane, 2010).

One of the culprits might be the lack of legal knowledge. Even the ones working directly with children, such as guardians ad litem, seem to overestimate children's legal knowledge, which might lead to less than optimal preparation for their involvement in subsequent legal proceedings (Eltringham & Aldridge, 2000). This can be addressed with pre-trial preparation program consisting of legal knowledge education (roles and functions of courtroom participants), stress inoculation training, and a mock trial which are found to result in significant decrease in children's (4-17 years old) anticipatory anxiety (Nathanson & Saywitz, 2015). Adequate explanation resulting in understanding could even promote involvement in children under ten years old (Thomas & O'Kane, 1999). Some authors, therefore, conclude that legal knowledge education might help lower the stress and potential trauma experienced by child witnesses (Davies, Devere, & Verbitsky, 2004). Even if that is not the case, i.e. where no association was found between anxiety levels, legal knowledge and past court experience, "children with greater understanding and exposure use the "I don't know" response less frequently, report more information in free recall, and provide more correct responses to specific questions." (Nathanson & Saywitz, 2003, p. 87).

Knowledge of legal terms commonly used with children in court appears to advance with age. Flin, Stevenson and Davies (1989) conclude that ten-years-olds seem to be almost as competent as the adults. It seems this improvement happens regardless of, e.g. television viewing (Saywitz, Jaenicke, & Camparo, 1990), which might imply more emphasis should be given on cognitive development and the importance of preparing children for court using the age-appropriate language and way of presenting that is well informed in both child's cognitive and emotional development. Through an examination of age-related patterns of errors, Saywitz et al. (1990) also outline a potential legal terms knowledge acquisition pattern (with no intervention/education) where "children move from the lack of understanding to misperceptions before finally reaching an accurate understanding" (p. 532). Besides age itself, direct exper-

rence also seems to be related to the accuracy of children's legal knowledge (Cooper, Wallin, Quas, & Lyon, 2010). However, it is argued that the mere exposure is still not enough and that even the children involved in legal proceedings need help understanding some aspects of the process (Cooper et al., 2010).

Expanding children's knowledge of their rights, responsibilities, legal terms and proceedings might play a vital role, way beyond lowering children's anxiety levels and promoting information recall. One study shows that fifteen-year-olds, provided with the information about their rights in counselling, were capable of recognizing their rights violation and form the ideas of how to protect them (Belter & Grisso, 1984), which also might be generalized on the courtroom settings. Educating children on legal proceedings as part of the curricula might advance this course of development, enabling children to understand not just of how legal system works, but additionally empowering them by improving their understanding of how the world works as well.

At times, general knowledge debate is sometimes downsampled to children's rights debate. While trying to summarize different approaches, elaborating on the balance between the child's right of self-determination (wishes, interests, goals, etc.), and the adults' duty to protect the child, by doing what is in child's best interest, Thomas and O'Kane (1998) find themselves entangled in what sometimes can be seen as incomprehensible reticulum of many possible and often opposite views. However, it is beyond doubt that: "Children need to know what will take place in the courtroom, who will be involved and exactly what is expected of them" (Flin, Stevenson, & Davies, 1989, p. 286).

Only recently had it became the focus of interest that when considering the possible outcomes, we should consider child's well-being beyond the period of involvement in legal proceedings, with its impact on child's entire life (Walsh, 2015). Therefore the shift towards integrated collaboration between clinicians and courts in promoting long-term child well-being seems to be promising (Casanueva et al., 2013). The first step in achieving that is undoubtedly giving the child an opportunity of being listened to. While social workers perception of why children want

to be included in decision-making was that they just want to get what they want, children, on the other hand, gave substantially more emphasis on being listened to, expressing their opinion and being supported (Thomas & O'Kane, 1998). Children often wish to have a more significant influence on court decisions (Block et al., 2010), they want a chance to have a say (Cashmore, 2002), want to be included and given information (Thomas & O'Kane, 1999).

According to the Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice (Council of Europe, 2010), adopted by the Committee on the 17th of November 2010, child-friendly justice takes care of the children before, during and after the court proceedings. It is especially important that the child is informed and counselled from the first interaction with the legal system or other governmental bodies such as the police, immigration office, educational, health or social welfare institutions. Children need to be informed about their rights, especially about the specific rights in the court or administrative procedures that they are a part of, or they could be a part of. Children need to be aware of available resources which can prevent violation of their rights. Relevant information for children needs to include expected duration of the procedure, types and ways of using legal remedies and other complaint mechanisms. Children should be informed about the legal system and procedures and their role at every stage of the process. Information should also include the opportunities of support in the judicial and administrative proceedings provided to children. The child should be informed of available services from the organizations dealing with health, psychological help, social welfare and translation and how they can use these services.

According to the European Law, the right to express one's opinion includes the right to have your an opinion and to obtain relevant information and data without the influence of the public authority and regardless of frontiers (Council of Europe, 1950, Article 10). According to the decisions and the legislation of the Council of Europe, the right of expression is guaranteed by Article 10 of the European Convention on Human Rights (Council of Europe, 1950) and this right may be restricted only in the manner pres-

cribed by law. The United Nations' Handbook for Professionals and Policymakers on Justice in matters involving child victims and witnesses of crime (The United Nations, 2009), points out that the right of the child to get information, consists of two parts: the right of the child to receive the appropriate assistance, to be informed, and the second part refers to information on the actual procedure in which the child participates. It is essential that the information is provided to the child in a language that he/she understands and that such information is understandable to him/her according to their age. Recommendations and guidelines indicate that it is necessary for all institutions to enable the child to be informed of the procedures through leaflets, brochures, verbal explanations which should be provided by teachers, doctors, non-governmental organizations, police, lawyers, judges and the same should be incorporated in the legislation of national states. The results the Flash Eurobarometer survey conducted in 2008 (European Commission, 2008) showed that 76% of the children surveyed were unaware of their rights and 79% did not know who to contact in need of defending their rights. Children were also asked what should the European Union do to promote and protect the rights of children, 88% of respondents said that at EU level there should be more readily accessible information for children.

Most of the references used in this article already represent comprehensive literature overviews regarding children participation in legal proceedings. The reader is therefore encouraged to consult them directly, for he will find them to be the invaluable source of information. These are therefore used only to make a general outline of the field. Therefore, our research aimed to make a broad assessment of children's perception of courts and their knowledge of legal proceedings in Croatian context.

METHODS

PARTICIPANTS

The research was conducted on 113 conveniently sampled secondary school pupils from two secondary schools in Zagreb (Graphic school and First Gymnasium). Pupils mean age was

$M = 15.91$, $SD = 1.010$ (Min = 14, Max = 18), of which $nf = 48$ female and $nm = 60$ male. Only 8 (6.7%) of the pupils report having had prior court experience (unspecified).

PROCEDURE

Data was gathered as part of the initial knowledge assessment prior to the implementation of "The Right(s) court for children" (JUST/2014: JPPI/AG/CHIL/6931) project. The holder of this Project is Terre des Hommes Foundation "Lau-sanne" in Hungary, and for implementation of the Project in Croatia is responsible NGO Brave Phone. The project is co-funded by European Commission. Two-thirds of the pupils included in the sample did not take part in the program.

Pupils were given pen-and-paper form questionnaire which consisted of multiple choice and open-ended questions covering various basic aspects of their knowledge regarding the juridical procedure, of which only a part is presented in this report.

RESULTS

QUANTITATIVE DATA

Legal proceedings related knowledge

Pupils perception of courts regarding respecting children's rights and being child-friendly with favourable outcomes ranges from mildly positive to neutral (Table 1). Beyond that, they do not seem to be very informed. This is, at the most basic level, also evident from what they think the typical courtroom looks like or how much time, on average, a person (witness) spends talking to the judge (Table 2). This may come as a result of their lack of real-life experience with courts as opposed to "fiction" (e.g. TV shows) depicting what is, considered in Croatian terms, mostly not even the remote representation of courtroom setting or legal process.

The majority of pupils $f = 88$ (77.2%) report not having learnt anything about their rights regarding the legal context, as a part of, or during their course of formal education; and $f = 41$ (68.3%) consider their knowledge as being insufficient whilst at the same time, on average, not being especially interested in acqui-

Table 1: Mode of Participation

	M	SD	C	D	S	K	n
Courts respect children rights.	3.61	1.153	4	3	-461	-511	111
Courts are "child-friendly".	2.85	1.084	3	3	092	-337	112
Courts have harmful effects on children.	2.64	1.313	3	3	352	-877	111
I would like to know more of what goes on in the courts.	3.21	1.402	3	3	- 180	-1.153	101

M – mean, *SD* – standard deviation, *C* – median, *D* – mode, *S* – skewness, *K* – kurtosis; *Min* = 1, *Max* = 5

ring additional knowledge/information on the matter (Table 1).

Accordingly, only $f = 7$ (5.9%) pupils knew that, in Croatia, the threshold of majority is 14 years of age, and just $f = 4$ (3.4%) were aware, that legally, this means they are no longer considered children and are held accountable of any form of misdemeanour or criminal activity.

Despite their lack of even the basic knowledge regarding legal process, they firmly believe that children should be given an active role, i.e. that

Table 2. Basic courtroom space (inventory) and time perception

Typical court inventory	f	%
Judge bench	117	98.30
Court reporter table	96	80.70
Jury box	87	73.10
Public gallery	23	19.30
Witness stand	111	93.30
Prosecutor table	115	96.60
Defence attorney table	111	93.30
Time spent talking to the judge	f	%
Few minutes	21	20.19
Half an hour	44	42.31
About one hour	20	19.23
More than one hour	19	18.27

multiple answer questions, checkbox

their voice (opinion) should be heard and taken into consideration, especially on the matters that involve direct repercussion on their own lives, such as parenting arrangements or dependency process ($M = 4.56$, $SD = 0.78$, $Min = 1$, $Max = 5$, $n = 113$).

Court-related Affect

When considering how taking part in court trial would affect them emotionally pupils anticipate somewhat lower comfort levels while talking to multiple experts than only one (e.g. social worker, psychologist or a judge), with the overall anticipated comfort levels being neutral (Table 3).

They also, indirectly, report the importance of fostering the basic need for safety via the perceived importance of a trusting person (in this case parent) accompanying minor perpetrators to the court (Table 4).

Authors also considered different negative emotional clusters that may arise when being called to court. Pupils were therefore asked to approximate each of the nine listed emotions perceived intensity, ranging from 0 – not at all to 10 – high intensity, amongst which fear was perceived as potentially the most intense emotion they would feel (Table 5). The data was analysed using principal component analysis with Promax rotation ($kappa = 4$). To determine the number of components following criteria were used: Kaiser's eigenvalue greater than one, parallel analysis (Hayton, Allen & Scarpello, 2004) and MAP test (Velicer, Eaton & Fava, 2000).

All of the estimates converged, supporting two-

Table 3. Univariate Analysis of Variance of anticipated comfort level while talking to various experts inside or outside the courtroom

		M	SD	N	Type III Sum of Squares	df	Mean Square	F	p
Social worker or psychologists	subset I (Scheffe)	5.21	2.656	233	249.950	2	124.975	16.062	.000
Judge		5.16	3.056	233					
Multiple experts	subset II (Scheffe)	3.91	2.624	230	6.982	1	6.982	.897	.344
Inside courtroom		4.66	2.780	347					
Outside courtroom		4.86	2.911	349	4.588	2	2.294	.295	.745
Social worker or psychologists	inside courtroom	5.22	2.686	116					
	outside courtroom	5.20	2.637	117	4.588	2	2.294	.295	.745
Judge	inside courtroom	4.97	2.935	116					
	outside courtroom	5.34	3.174	117	4.588	2	2.294	.295	.745
Multiple experts	inside courtroom	3.78	2.509	115					
	outside courtroom	4.03	2.740	115					

Min = 0 (very uncomfortable), Max = 10 (very comfortable);
Levene's Test of Equality of Error Variances $F = 2.037$, $df1 = 5$, $df2 = 690$, $p = .072$

component structure (Table 5). Component 1 - is mostly saturated with feelings of fear, guilt and shame; which may be a sign of behaviourally passive but cognitively more self-directed and reflective orientation, while Component 2 - might be a more behaviourally proactive - fight orientation (Table 6).

Interestingly, girls score higher on Component 1 while boys on Component 2 (Table 7). However, due to the small sample size, all of the observed differences were not found to be statistically significant.

Table 4. Number of pupils believing it is important for a minor perpetrator (person between 14 and 18 years of age) to be accompanied to the court by:

	f	%
... their parents.	108	90.80
... their defence attorney.	99	83.20
... social worker.	67	56.30
... doctor (general practitioner or paediatrician).	8	6.70

multiple answer questions, checkbox

Table 5. Principal components analysis (variance explained and number of components assessment) and descriptive statistics

Emotion	Communalities		Eigenvalues	Paralel test		MAP test		Extraction Sums of Squared Loadings			M	SD	C
	Initial	Extraction		M	p	χ^2	χ^4	% of Variance	Cumulative %	Promax			
Fear	1	.641	3.443	1.207	1.276	.121	.030	38.26	38.26	31.1	6.42	3.026	7
Shame	1	.625	1.891	1.138	1.176	.077	.012	21.01	59.27	26.8	4.92	3.557	5
Surprise	1	.202	.986	1.088	1.125	.055	.007				4.68	3.051	5
Anger	1	.675	.654	1.037	1.074	.092	.021				4.66	3.330	5
Guilt	1	.541	.587	.994	1.022	.132	.033				4.59	3.405	5
Sadness	1	.597	.516	.954	.987	.210	.109				4.49	3.230	5
Desperateness	1	.678	.397	.909	.939	.303	.171				4.34	3.315	5
Hatred	1	.743	.310	.864	.897	.442	.334				3.91	3.444	4
Disgust	1	.632	.215	.808	.857	1.000	1.000				3.81	3.523	3

Kaiser-Meyer-Olkin Measure of Sampling Adequacy = .736;

Bartlett's Test of Sphericity Approximation Chi-Square = 342.837, df = 36, p = .000

Table 6. Principal components analysis: Component and Promax-rotation (pattern and structure) matrices

Emotion	Component Matrix		Pattern Matrix		Structure Matrix	
	1	2	1	2	1	2
Fear	0.598	0.532	0.839	-0.205	0.776	0.051
Shame	0.682	0.400	0.802	-0.041	0.790	0.204
Guilt	0.642	0.360	0.743	-0.024	0.735	0.203
Sadness	0.750	0.187	0.693	0.190	0.751	0.402
Desperateness	0.823	-0.017	0.595	0.416	0.722	0.598
Surprise	0.113	0.435	0.409	-0.350	0.302	-0.225
Anger	0.620	-0.539	0.055	0.803	0.301	0.820
Hatred	0.612	-0.606	-0.001	0.862	0.262	0.862
Disgust	0.443	-0.660	-0.166	0.830	0.087	0.779

Table 7. Average score and standard deviation on each component regarding gender

Component	Gender	N	M	SD
1	Male	44	4.67	2.185
	Female	58	5.35	2.202
2	Male	44	4.19	3.026
	Female	57	3.93	2.713

QUALITATIVE DATA

Open-ended questions covered four domains, the meaning of: "child in judicial procedure", "court", "judge" and "state attorney". The responses were analysed using thematic analysis approach.

The child in a judicial procedure

While describing what means being a "child" in a juridical procedure, pupils mostly relate to the aspect of age: "P25 Being younger than 18, being a minor". They also see their age as the main determinant of which rights they have been given or are jet to obtain as they are coming of age. They seem to be strong advocates of both children's rights in general "P96 Yes, we are minors, but never the less we have our own rights.", "P91 ... to be acknowledged having your children's rights"; and age-related/dependant rights of a child such as participation in decision making, the right to education, to play, to love and be loved, to childhood and freedom.

Some of them even consider the notion that having certain rights also conveys some form of "obligation" "P114 Under-age person with its rights and obligations". However, most of them still does not seem to be thinking in terms of duties/responsibilities with only one pupil claiming the full responsibility for one's acts emerging from being given the freedom of making their own choices "P97A child is a minor who can act voluntarily, but may also be responsible for its actions.". At the same time other pupils are more eager to shift their liability to their pa-

rents "P110 That means that I am a minor and that my parents have to take the responsibility for my actions", or at least being liable to a lesser extent themselves "P112 Being a minor means being not fully responsible for some criminal offenses", "P53 (...) tolerating criminal offenses", "P53 ... lower penalties when not abiding the law". There are also more pessimistic ones, claiming that being a child means "P34 This means having no rights, not being heard or given proper respect."

Besides the fact that some see parents as their proxies when it comes to liability, parents and their roles, in general, seem to be a somewhat important emerging theme "P19 Being a child means having parents, that are taking care of me", "P52 Being a child means having someone who cares about you and is responsible for you.", "P117... up until the age of 18, parents are your legal guardians".

Pupils also seem to be, at least in part, aware of the developmental perspective "P41 Person who is not developed fully (physically and psychologically)", "P66 Person who is still growing up, getting to know the world that surrounds her", "P29 Not being able to understand the law and comprehend the danger", "P118 It means you are not aware of what you are doing and that you see the world as a joke".

Although, as a group, pupils demonstrate the ability to cover various important aspects of contemporary issues concerning of what it means to be a child in a juridical procedure, these seem to be a product of "shared cognition", with an individual pupil in most cases mentioning and elaborating only one of them. This either might be indicative of the lack of overall understanding or focusing on just those aspects they find personally important.

The Court

When describing how they see courts, pupil's descriptions were mostly marked by a negative emotional charge. Although pupils find the court to be important "P34 Important decisions are made there, it's a big and reverberative room.", just, "P68 The court is fair, just.", "P115 Just (but not always), sometimes scary (depending on whether you are a perpetrator or a victim)", formal and without prejudices "P7 It does not

treat people differently regarding their age or gender." With a substantial number of answers relating to fear "P3, A court is a serious place. I believe that people going to court feel terrified.", anxiety "P63 I have no idea. I do not think I would feel comfortable in the court.", "P59 (...) and a terrible atmosphere. I mean, I cannot know, I have not been in court yet.", coldness "P82 The court is cold, dreary.", "P113 (...) It seems like a cold place, mostly with brown (dark) furniture.", tension and stress "P29 Court table, jury boxes, witness stand, a prosecutorial and defence table, it's stressful."

The Judge

Pupils see the judges like the ones making the decisions "P87 A person who decides in court.", assessing and determining if someone's guilty "P20 legal professional that judges who is and to what extent guilty of committing a criminal offense." and accordingly, if the person is found guilty, punish the accused (perpetrator), "P54 The judge is the person who decides the culprit and the innocent and then punishes him.". Although not part of Croatian legal practice, some of the pupils also mention the jury, as a party in the decision-making process "P117 Judge bench with court reporter table, prosecution and defendants benches, witness stand and the jury box.", "P49 The judge prescribes the sentence unless the jury is present (jury trial)". Again, only a small number of pupils gave what can be seen as somewhat comprehensible description, "P41 A person who knows the law, respects human and children rights, makes reasonable decisions, without taking sides", which include mechanisms and procedures such as physical and non-physical evidence, "P119 A person who makes a decision based on the evidence and witness testimony", as the basis upon which the judge, in accordance with the applicable law regulations "P9 The judge is the person who prescribes the sentences for criminal offenses", comes to a legally binding decision.

The State Attorney

The state attorney is described as a lawyer who is paid by and appointed by the State, and who either represents States interests "P4 This is a person who, regardless of the subject of the

crime, always represents the state and is on its side.", or the interests of the party to which he was, due to financial inability to pay a lawyer themselves, appointed to (victim, witness, perpetrator, etc.). "P95 The lawyer they give you when you cannot afford a lawyer, so the state provides one to represent you." In addition to advocacy, they perceive the state attorney as someone who decides to initiate a lawsuit.

DISCUSSION

What reader has to bear in mind is that more than 90% of the pupils that participated in the study have never had any real-life experience with courts, which has been, besides age, seen to be related with children legal knowledge (Cooper et al., 2010). No direct exposure may also account for their lack of interest on the matter seeing it as not relevant enough, and contrary to previous research (e.g. Block et al., 2010), having no clear attitudes towards courts, with the majority of them rating their own knowledge as insufficient. This probably suggests that, although the information is available, in combination with it not being delivered as part of the curricula, they rarely ever engage in or have the opportunity to explore general characteristic of the juridical system further. While that may seem like a minor problem it might result in long-term aversion towards legal system and overall ignorance and lack of understanding of what is considered legal, what constitutes an offence, what is the scope of one's rights and where lies the delineation between rights and responsibility, how to protect ones' and others rights and how to keep oneself from engaging in behaviors that might be considered as the breaching of law. It almost seems as we are letting young people develop their moral and legal reasoning by trial and error, social learning and other implicit means of knowledge transfer and acquisition (highly dependent on the context they live in) whilst expecting them to take full responsibility for their deeds, without giving them proper education on the matter – never really preparing them to be full-fledged citizens explicitly informed of what is expected of them.

It is therefore no wonder that, in line with the previous research (Flin et al., 1989; Freshwater & Aldridge, 1994) the most anticipated emoti-

ons when called to court were fear, sadness and surprise, with two emotion cluster orientation emerging, one which presumes passive and the other more active and aggressive orientation, almost as they were referring to the primal, "fight-or-flight / freeze" reactions. This might, in the most part be mediated by pupils lack of overall understanding of the legal process resulting in the absence of more elaborate cognitive and behavioural problem solving and stress management strategies in the legal proceedings context. It should be noted that what seems to be the average level of emotional intensity, when it comes to a mere prediction, as what is the case in this study, might actually be higher in a mock trial or real-life court preceding participation. Subsequent inquiries, when exploring expected emotions and their intensities, should also make a distinction of the role in which the child (pupil) would imagine himself or herself in: e.g. victim, perpetrator, witness, etc.

Pupils need to be supported and protected by important (trusting) others is also evident from the overall majority of the pupils expressing they find it important for a minor perpetrator to be accompanied to the court by their parents and defence attorney.

Having only a limited understanding of what various experts roles are, it comes as a no surprise the only anticipated comfort level differences were found in terms of being more comfortable with being questioned by one as opposed to multiple experts.

When it comes to legal knowledge, pupils seem to understand that children, due to their age (cognitive and emotional development) are treated differently within the legal system than adults, or at least should be. While not showing a complete understanding of what that might mean, they seem to pinpoint one of the main issues when it comes to children in legal proceedings - their need to be involved in the process and the right to be heard (Thomas & O'Kane, 1999; Cashmore, 2002; Block et al., 2010) as supported by the Article 12 of the Convention on the Rights of the Child (The United Nations, 1989). Their overall legal knowledge seems to be quite basic, reflecting mostly what can be extrapolated from the limited exposure, such as TV shows.

This study, intended as a research report on which further course of exploring pupils' knowledge and perception of legal system will be planned, almost makes it questionable if a more detailed research design if similar to this one, given the overall lack of pupils knowledge of legal system would result in any further and meaningful advances in our understanding. Combination of a mock trial with a staged event and legal knowledge acquisition program intervention might be more insightful and is proposed instead. One should also, when possible, conduct interviews for they might result in more detailed descriptions than responses made in writing, which although being elicited with open-ended enquires provide no easy way of inviting pupils to further explore and elaborate their views at the same time resembling school exams structure, which on itself may be a source of stress, especially on something they had no prior education on.

Also, almost non-to-little contemporary literature offers extensive cross-disciplinary, theoretical integration, by which we mean including psychological theories, beyond moral reasoning, covering overall cognitive and emotional development and its repercussions on children participation in legal proceedings. This article does not do it either, it rather serves as a brief research report, an initial exploration on which such extensive integration through further research planning and data gathering is yet to be made.

CONCLUSION

Pupils rate their legal knowledge as insufficient and are only partially interested in advancing it, probably resulting in what seems like not clearly defined attitudes whether courts are child-friendly or harmful to the children. When it comes to their active participation, they emphasize the importance of being involved and having an opportunity to have a say, while feeling more comfortable talking to one than multiple experts. They express the importance of social support and expect to be treated differently than adults. In sum, pupils overall lack of knowledge regarding legal terms and proceedings seems to make them not very informative

participants and illuminates the need for educational programs on what might be one of the basic pillars of modern society – law and order.

REFERENCES

Back, C., Gustafssona, P. A., Larsson, I., & Berteröc, C. (2011). Managing the legal proceedings: An interpretative phenomenological analysis of sexually abused children's experience with the legal process. *Child Abuse & Neglect, 35*(1), 50-57. <http://dx.doi.org/10.1016/j.chiabu.2010.08.004>

Belter, RW., & Grisso, T. (1984). Children's Recognition of Rights Violations in Counseling. *Professional Psychology: Research And Practice, 15*(6), 899-910. <http://dx.doi.org/10.1037/0735-7028.15.6.899>

Block, S. D., Oranb, H., Oranc, D., Baumrindd, N., & Goodmane, G. S. (2010). Abused and neglected children in court: Knowledge and attitudes. *Child Abuse & Neglect, 34*(9), 659-670. <http://dx.doi.org/10.1016/j.chiabu.2010.02.003> <http://dx.doi.org/10.1016/j.chiabu.2010.02.003>

Casanueva, C., Goldman Fraser, J., Gilbert, A., Maze, C., Katz, L., Ullery, M. A.,... Lederman, C. (2013). Evaluation of the Miami Child Well-Being Court Model: Safety, Permanency, and Well-Being Findings. *Child Welfare, 92*(3), 73-96.

Cashmore, J. (2002). Promoting the participation of children and young people in care. *Child Abuse & Neglect, 26*(8), 837-747. [http://dx.doi.org/10.1016/S0145-2134\(02\)00353-8](http://dx.doi.org/10.1016/S0145-2134(02)00353-8)

Cooper, A., Wallin, A. R., Quas, J. A., & Lyon, T. D. (2010). Maltreated and Nonmaltreated Children's Knowledge of the Juvenile Dependency Court System. *Child Maltreatment, 15*(3), 255-260. <http://dx.doi.org/10.1177/1077559510364056>

Council of Europe. (1950). Convention for the Protection of Human Rights and Fundamental Freedoms. *Council of Europe Treaty Series 005*. Strasbourg: Council of Europe.

Council of Europe. (2010). Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice. Strasbourg: Council of Europe Publishing.

Davies, E., Devere, H., & Verbitsky, J. (2004). Court Education for Young Witnesses: Evaluation of the

Pilot Service in Aotearoa, New Zealand. *Psychiatry, Psychology and Law, 11*(2), 226-235. <http://dx.doi.org/10.1375/pplt.2004.11.2.226>

Eltringham, S., & Aldridge, J. (2000). The Extent of Children's Knowledge of Court as Estimated By Guardians ad Litem. *Child Abuse Review, 9*(4), 275-286. [http://dx.doi.org/10.1002/1099-0852\(200007/08\)9:4<275::aid-car618>3.0.co;2-w](http://dx.doi.org/10.1002/1099-0852(200007/08)9:4<275::aid-car618>3.0.co;2-w)

European Commission. (2008). *Flash Eurobarometer 235: The Rights of the Child - Analytical report*. Retrieved from http://ec.europa.eu/commfrontoffice/publicopinion/flash/fl_235_en.pdf

Flin, R. H., Stevenson, Y., & Davies, G. M. (1989). Children's knowledge of court proceedings. *British Journal of Psychology, 80*(3), 285-297. <http://dx.doi.org/10.1111/j.2044-8295.1989.tb02321.x>

Freshwater, K., & Aldridge, J. (1994). The Knowledge and Fears about Court of Child Witnesses, Schoolchildren and Adults. *Child Abuse Review, 3*(3), 183-195. <http://dx.doi.org/10.1002/car.2380030307>

Hayton, J. C., Allen, D. G., & Scarpello, V. (2004). Factor Retention Decisions in Exploratory Factor Analysis: A Tutorial on Parallel Analysis. *Organizational Research Methods, 7*(2), 191-205. <http://dx.doi.org/10.1177/1094428104263675>

Nathanson, R., & Saywitz, K. J. (2003). The Effects of the Courtroom Context on Children's Memory and Anxiety. *The Journal of Psychiatry & Law, 31*(1), 67-98.

Nathanson, R., & Saywitz, K. J. (2015). Preparing Children for Court: Effects of a Model Court Education Program on Children's Anticipatory Anxiety. *Behavioral Sciences and the Law, 33*(4), 459-475. <http://dx.doi.org/10.1002/bsl.2191>

Saywitz, K. J., & Nathanson, R. (1993). Children's testimony and their perceptions of stress in and out of the courtroom. *Child Abuse & Neglect, 17*(5), 613-622. [http://dx.doi.org/10.1016/0145-2134\(93\)90083-h](http://dx.doi.org/10.1016/0145-2134(93)90083-h)

Saywitz, K., Jaenicke, C., & Camparo, L. (1990). Children's Knowledge of Legal Terminology. *Law and Human Behavior, 14*(6), 523-535. <http://dx.doi.org/10.1007/BF01044879>

Thomas, N., & O'Kane, C. (1998). When children's wishes and feelings clash with their 'best interests'. *The International Journal of Children's Rights, 6*(2), 137-154. <http://dx.doi.org/10.1163/15718189820494003>

Thomas, N., & O'Kane, C. (1999). Children's participation in reviews and planning meetings when they are 'looked after' in middle childhood. *Child and Family Social Work, 4*(3), 221-230. <http://dx.doi.org/10.1046/j.1365-2206.1999.00112.x>

Velicer, W. F., Eaton, C. A., & Fava, J. L. (2000). Construct explication through factor or component analysis: A review and evaluation of alternative procedures for determining the number of factors or components. In S. Messick, R.D. Goffin, & E. Helmes (Eds.), *Problems and Solutions in Human Assessment* (pp. 41-71). Boston, MA: Kluwer.

The United Nations. (1989). Convention on the Rights of the Child. *Treaty Series, 1577*, 3.

The United Nations (2009). *Handbook for Professionals and Policymakers on Justice in matters involving child victims and witnesses of crime*. Vienna: United Nations Office on Drugs and Crime.

Walsh, A. M. (2015). Legal Permanency Isn't Everything: Readdressing The Need For Well-Being Indicators In *Child Protection Courts*. *Family Court Review, 53*(2), 326-335. <http://dx.doi.org/10.1111/fcre.12151>