

PARTICIPATION IN CHILD PROTECTION AND FAMILY JUSTICE: THE CHILD'S EXPERIENCE

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Abstract

Child's hearing in judicial proceedings that concern them is mandatory in countries that have ratified the Convention on the Rights of the Child, but knowledge about the children's own experience of participation is still limited. This study addressed children's perceptions of their participation in protective and family justice in Portugal.

Eight young people were interviewed, who had been heard in family, protective and/or criminal proceedings. They were, on average, 14 years old, involved in 2 judicial proceedings in different areas, and 2 hearings. The information obtained in the interviews was analyzed with content analysis.

The young people emphasized the importance of the child's hearing, considered that they were able to express their opinion and that the court took this opinion into account in the decision; they mentioned their lack of preparation for involvement in protective and family justice, which may have raised their concerns about the hearing and the decision that would be made; they presented some suggestions to improve justice for children.

This study contributes to expanding knowledge of the experience of children's involvement in a child-friendly judicial system, a context that is still little addressed in the literature.

Keywords Child's hearing, children's rights, family justice, protective justice, qualitative study

Listening to children's views and to their experience of their own lives means recognising the child as an expert in the lived experience of being in their family (Cashmore & Parkinson, 2009). Accordingly, their views and wishes should be included, prioritised, and discussed in decision-making on matters that concern their interests (Cashmore, 2011; Cashmore et al., 2009; Henderson-Dekort et al., 2021). Hearing the child directly may enable decision-makers to see the child about whom a decision is being made and to appreciate the intensity of the child's wishes. It may also allow decision-makers to gauge the child's maturity, a factor to be considered when determining the weight to be given to the child's views, to perceive the potential impact of deciding against those wishes, and to anticipate how an agreement that runs counter to those wishes might be implemented (Cashmore & Parkinson, 2007).

Article 12 of the Convention on the Rights of the Child (CRC) stipulates that the child has the right to express their views in matters affecting them, to have those views given due weight in accordance with their age and maturity, and the right to be heard, preferably directly, in judicial and administrative proceedings affecting them (United Nations, 1989). This provision

falls within the set of participation rights, although the term “participation” is not explicit in the CRC (Gerdtz-Andresen, 2021; Henderson-Dekort et al., 2021; Kosher & Ben-Arieh, 2020). In order to support the effective implementation of Article 12, a guiding document was produced to assist the adaptation of national legislation (Committee on the Rights of the Child, 2009). At the European level, a set of guidelines was approved which, while not legally binding, constitute a guide to good practice for legislators and professionals, with a view to harmonising and adapting national judicial systems to the rights enshrined in the CRC, and enabling them to incorporate children's specific needs (Council of Europe, 2011).

In family justice, research has found that children do not want to make the decision themselves (Bell, 2016; Birnbaum et al., 2011; Birnbaum & Saini, 2012; Cashmore, 2002, 2011; Cashmore et al., 2009), but they typically want to participate in the decision-making process. They want to be informed about what is happening; they want to be consulted and to have their views taken seriously; they want flexible arrangements that can adapt to their changing needs; and they want to be able to speak with the judge if they wish to do so (Byrnes, 2011; Cashmore, 2002, 2003; McIntosh, 2009; Cashmore et al., 2007; Tisdall et al., 2004). However, those involved in contexts of violence or abuse tend to consider that children, even the youngest, should be able to choose their residence and the contact they will have with family members following parental separation (Cashmore, 2011; Cashmore et al., 2009). In child protection justice, children want to be informed, to be present at hearings in their cases, and to be consulted, so that they can express their wishes regarding where they want to live, with whom they want to have contact, how often, and who can make decisions on their behalf (Byrnes, 2011; Cashmore, 2002, 2003; Kratky & Schröder-Abé, 2020; Weisz et al., 2011).

Research has identified benefits associated with children's participation in decision-making processes concerning matters that are important in their lives. Studies indicate that children's presence at hearings in their cases, particularly when they are encouraged to express their views, can promote self-confidence, self-efficacy, self-esteem, and autonomy (Cashmore, 2002; Cashmore et al., 2009; Kriz & Roundtree-Swain, 2017; Leeson, 2007; Rap et al., 2019; Vis et al., 2011), as well as feelings of safety and wellbeing (Woodman et al., 2018; Woolfson et al., 2010). It can protect them from abuse and help them recover from victimisation (Balsells et al., 2017; Cossar et al., 2016; Dillon et al., 2016; Kosher et al., 2020; Vis et al., 2012). It can help them accept decisions and feel committed to them (Vis et al., 2011; Woolfson et al., 2010). It may also improve their understanding of the process and of decisions taken, and foster their trust in the judge and/or the judicial system (Block et al., 2010; Rap et al., 2019; Weisz et al., 2011).

In the family domain, participation can reduce children's anxiety (Byrnes, 2011) and mitigate the negative impacts of family breakdown (Cashmore, 2003; Cashmore et al., 2009). In this area of justice, children's exposure to the often-present interparental conflict was for many years a reason to avoid children's presence in court, due to the negative impacts such exposure could have on them (Cashmore et al., 2009; Hayes & Birnbaum, 2020). However, cases that reach court are those in which parents do not reach agreement regarding parenting after separation, meaning that children have likely already been exposed to interparental conflict for a shorter or longer period (Bell, 2016; Birnbaum et al., 2011). At the judicial stage, the aim is to understand what is important for children's wellbeing and how they will adjust to changes, while parental roles are being redefined (Bell, 2016; Cashmore et al., 2008, 2009; Hayes et al., 2020).

The recognition that parents' interests may not align with the child's best interests (Birnbaum et al., 2012; Hayes et al., 2020) provides a further argument in favour of children's direct participation, so that the court can determine the child's best interests, as required by Article 3 of the CRC (UN, 1989), and assess whether the child's views may have been influenced by one of the parents (Byrnes, 2011; Cashmore, 2003; Cashmore et al., 2009). Conversely, children's non-participation may lead to incorrect decisions with negative impacts that can persist throughout their lives, or may lead children to rebel, attempting to assert their position in maladaptive ways (Bell, 2016; Leeson, 2007; McIntosh, 2009; van Bijleveld et al., 2015).

Beyond the benefits for children themselves, their participation can also have positive effects at other levels. Taking children's views into account tends to result in more effective interventions, making them more responsive to children's needs, wishes, and expectations (Archard & Skivenes, 2009; Cashmore, 2002; Kosher et al., 2020; van Ufford, 2023; van Bijleveld et al., 2015; Vis et al., 2011). It contributes to ensuring more accurate, inclusive, and relevant decisions by enabling a more rigorous assessment of children's emotional states, their concerns, and their perceptions of what matters for their future (Balsells et al., 2017; Bessell, 2011; Cashmore, 2002, 2011; Committee, 2009; Henderson-Dekort et al., 2021; Krappmann, 2010; Kratky et al., 2020; Kriz et al., 2017; McCafferty & Garcia, 2023; Mol, 2019). It also promotes improvements in the quality of child protection services, making them more child-centred, more grounded in what children understand to be their needs, and more responsive to individual differences (Kosher et al., 2020; Kriz et al., 2017; Vis et al., 2011; Woodman et al., 2018; Woolfson et al., 2010).

From the Convention's perspective, the child's right to be protected from abuse and neglect cannot relegate their other rights to secondary positions. Equally, the child's right to participate in decision-making about their life, by expressing their views, should not receive more attention than their right to protection when they are vulnerable (Bouma et al., 2018; Committee, 2009; Gerds-Andresen, 2021; Henderson-Dekort et al., 2021; James & Lane, 2018; Sanz-Caballero, 2021). However, safeguarding the child's wellbeing while also taking their views into account is a difficult and complex balance. Managing this tension between participation and protection, and determining the weight to be given to the child's views, depends directly on the professionals involved. Child development, trauma, neglect, abuse, or other difficulties influence the assessment of children's needs and the process of taking their views into account (Gerds-Andresen, 2021; James et al., 2018; Woodman et al., 2023).

As a legal right, the concept of participation is guided by Article 12, but in practice it has been understood in different ways (van Ufford, 2023). This variability in definition, together with the absence of a clear operationalisation of the concept, may limit understanding of the purpose of children's participation and create obstacles to their full participation, contributing to the gap, documented by research, between the right to participate and the realisation of that right (Kennan et al., 2019; Koziel et al., 2023; Kriz et al., 2015; Rap et al., 2019; Skaug et al., 2021; Strømland et al., 2022; van Bijleveld et al., 2015; van Ufford, 2023; Vis et al., 2012). As reasons for limiting or not promoting children's participation, professionals identify organisational and methodological constraints, a lack of child-centred processes, discontinuities and difficulties in relationships with children, and a lack of time and knowledge regarding participatory practices (Balsells et al., 2017; Cashmore, 2011; Cashmore et al., 2008, 2009; Falch-Eriksen et al., 2021; Kennan et al., 2019; Koziel et al., 2023; Kriz et al., 2017; McCafferty et al., 2023; Strømland et al., 2022; Toros, 2020; van Bijleveld et al., 2015; Vis et al., 2012; Woodman et al., 2023). Grounded in concerns

about children's secondary victimisation (Quas & Sumaroka, 2011; Whitcomb, 2003), professionals have also indicated that factors such as children's age, immaturity, vulnerability, or need for protection lead them to consider participation potentially harmful (Balsells et al., 2017; Cossar et al., 2016; Gerds-Andresen, 2021; Rap et al., 2019; Sani, 2013; Toros & Falch-Eriksen, 2021; van Bijleveld et al., 2015; Vis et al., 2012, 2011; Woodman et al., 2018). These arguments can, however, be regarded as protectionist, insofar as they fail to respect children's rights by not allowing them to participate in determining their best interests when they are in a situation of vulnerability (Committee, 2009; Kosher et al., 2020; Mol, 2019; van Ufford, 2023).

Specifically in the child protection field, given the often intrusive nature of interventions, within which children's participation is central (Skauge et al., 2021), children report having received little or no information, having been consulted only minimally on matters of concern to them and insufficiently involved, not having been listened to in decision-making about important aspects of their lives, or, even when heard, that their views were not valued (Balsells et al., 2017; Bell, 2016; Bessell, 2011; Block et al., 2010; Cashmore, 2002; Cashmore et al., 2023; Claasen & Spies, 2017; Cossar et al., 2016; Falch-Eriksen et al., 2021; Kriz et al., 2017; Leeson, 2007; McCafferty et al., 2023; Rap et al., 2019; van Bijleveld et al., 2015; Vis et al., 2012; Woolfson et al., 2010). In an earlier study, a systematic review of children's perceptions of their participation experiences in child protection and family justice, and, as victims and witnesses, in criminal justice, we found results consistent with these. The studies included in that review focused almost exclusively on legal systems of Anglo-Saxon origin, highlighting the lack of knowledge regarding legal systems of a different nature, notably those most common in European countries (Leiria & Nunes, 2023; Saunders et al., 2020).

By adopting a qualitative methodology grounded directly in participants' experiences (León & Montero, 2007), with a view to collecting information at a depth that quantitative studies do not allow, the present study aims to investigate children's and young people's perceptions of their experience of participation in child protection and family justice in a European country, namely Portugal. More specifically, we aim to describe their experience of participation in the justice system, to understand the preparation they consider they received for that participation, to examine the concerns their participation raised for them, to identify how they perceive the extent to which the court took their views into account, and to ascertain what they suggest in order to improve the child-friendliness of justice.

Method

Participants

The sample for this study was purposive and non-probabilistic, and comprised eight young people, four boys and four girls, who had directly participated in judicial proceedings, that is, having attended one or more court hearings conducted by a judicial magistrate, within the context of the proceedings in which they were, at the time of their participation in the present study, currently involved or had previously been involved. Their ages ranged from 10 to 20 years ($M = 14.25$ years; $SD = 3.41$), with girls having a mean age of 15.25 ($SD = 4.43$) and boys a mean age of 13.25 ($SD = 2.22$).

Participants' educational level ranged from the 4th grade to the first year of higher education. With the exception of one participant, who was Brazilian, all other young people held

Portuguese nationality. Regarding household composition, only one participant lived with both parents, three lived in reconstituted paternal households, and one lived in a single-parent maternal household. The remaining participants did not live with their biological family: one young woman lived with her boyfriend, another lived with her guardian, and one young woman lived in a residential care home for children and young people.

Regarding each young person's involvement in the justice system, we found that the number of judicial proceedings in which each participant had been involved ranged from 1 to 3 ($M = 2.12$; $SD = 0.83$), and the number of hearings before a judicial magistrate (only these were considered) ranged from 1 to 6 ($M = 2.38$; $SD = 1.69$) (Table 2). All participants had been involved in child protection proceedings (processos de promoção e proteção, PPP), with four of these still ongoing at the time of participation in the present study (participants 4, 6, 7, and 8). The involvement of two participants in the judicial system (participants 1 and 4) was limited to child protection justice. In the first case, the PPP ran from 2017 to 2021, ending after the participant turned 18; in the second case, it was still ongoing at the time of participation in the study.

Participant 2's PPP ended in 2022, giving rise to proceedings to modify the regulation of the exercise of parental responsibilities (alteração da regulação do exercício das responsabilidades parentais, ARERP), which were ongoing when the participant took part in this study (the earlier regulation of the exercise of parental responsibilities, RERP, had taken place years earlier following the parents' separation, when the participant was still a young child). Participant 3's involvement in the judicial system began years earlier with criminal proceedings (processo-crime, PC) and, subsequently, proceedings regulating the exercise of parental responsibilities (RERP). In 2023, the young person had a PPP, which had ended by the time of participation in this study. The trajectories of participants 6 and 7 are similar: their involvement in the justice system began with a PC, followed by a PPP, which was ongoing at the time of their participation in the present study. Participant 5 initially had a PPP, followed by RERP. In 2023, ARERP proceedings were initiated, which were ongoing at the time of participation in the study. Participant 8 had RERP proceedings following parental separation and, in 2022, a PPP, which was ongoing when the participant took part in the study (Table 1).

TABLE 1

Participants: involvement in the justice system

Participants	Type and status of proceedings	Start year	No. of court hearings	
			In the proceedings	In other proceedings
1	PP / closed	2017 (to 2021)	1	–
2	ARERP / ongoing	2022	2	PP: 4 + RERP: 0
3	PP / closed	2023 (to 2023)	1	PC: 0 + RERP: 0
4	PP / ongoing	2023	2	–
5	ARERP / ongoing	2023	1	PP: 0 + RERP: 0
6	PP / ongoing	2024	1	PC: 2
7	PP / ongoing	2023	1	PC: 1
8	PP / ongoing	2022	3	RERP: 0

Legend: PP = Child Protection Proceedings; RERP = Regulation of the Exercise of Parental Responsibilities; ARERP = Modification of the Regulation of the Exercise of Parental Responsibilities; PC = Criminal Proceedings

Measures

One of the measures used in this study was a semi-structured interview schedule developed for this purpose, informed by the literature reviewed during the planning of the study. In particular, it was grounded in evidence regarding the (insufficient) information that children themselves report having received prior to their participation, as well as their perceptions of the extent to which their views were taken into account in the court's decision. The interview guide focused on five themes, aligned with the study objectives: description of the hearing; preparation for participation in the proceedings; concerns about involvement in the proceedings; the extent to which the child's views were taken into account; and suggestions for improving child-friendly justice. For clarification, each theme included a set of questions that were asked only if the participant did not address them spontaneously. At the end of the interview, an additional open-ended question invited participants to raise any aspect of their experience of involvement in the justice system that they considered relevant and that had not been covered.

The other measure used in this study was a sociodemographic questionnaire designed to collect participants' individual data: sex, age, school year attended at the time of the interview, nationality, household composition, type of proceedings in which they were or had been involved at the time of the interview, status of the proceedings (i.e., ongoing; closed), the corresponding start year, and the number of court hearings in that or in other proceedings, and, in the latter case, which proceedings.

Procedure

The research project within which the present study is embedded was approved by the Scientific Council of the University of Algarve and received positive opinions from the University of Algarve Ethics Committee (CEUAlg No. 91/2023) and the University of Algarve Data Protection Committee. Data collection was formally authorised by the Instituto de Segurança Social, I. P. (ISS, IP) and by the Director of the residential care home in which one of the interviews was conducted.

Initial referral of children and young people for potential participation in the study was made by professionals from an ISS, IP technical advisory service to the courts, to whom the study had previously been disseminated. Subsequently, preliminary contact was made with each participant and, in the case of minors, with their legal guardian, to provide a brief presentation of the study and to assess willingness to participate. They were explicitly informed that participation was not mandatory, that they could withdraw at any time, that safeguards would be in place during the interview, and that the data collected would be used exclusively for research purposes. Once assent was obtained from the young person and, where applicable, from their guardian, the interview was scheduled and, on the agreed date, conducted in the previously arranged location. Four interviews took place on ISS, IP premises in an interview room. One was conducted in a residential care home, at the participant's placement site, in an office made available by the technical team, with only the young person and the interviewer present. The remaining interviews were conducted in the children's and young people's homes, in their bedrooms. In these cases, the adult with parental responsibility was at home but in a different room. Interviews were conducted by the first author of this article, a psychologist with extensive experience of working with children in the justice context.

Before the interview began, informed consent was obtained from the participant and, where required, from their guardian, through the signature of pre-prepared consent forms approved by the aforementioned entities. These forms included information about the study's aims, methodology, and data processing. The participant's protection during the interview, the exclusive use of the collected data for research purposes, and the possibility of declining participation or withdrawing at any point were reiterated orally. Permission to audio-record the interview was also requested. The initial moments of the meeting were dedicated to establishing rapport with the child or young person, through an explanation of the study's main aims and by emphasising the value of their participation as a privileged informant in a scientific process aimed at (re)understanding individual experience. Subsequently, sociodemographic data were collected. Some of these data were collected with the support of the guardians of the younger children. In some cases, information regarding involvement in the justice system was supplemented with input from the case coordinator (i.e., a professional from the technical advisory service to the courts).

As this was a semi-structured interview, no fixed order was defined for presenting the questions. Accordingly, questions that were addressed spontaneously by the participant were not asked. In conducting the interviews, the aim was to establish a fluent and spontaneous dialogue with the participant while exploring the themes, with as little directiveness as possible. Interviews were conducted between 14 March 2023 and 12 June 2024. They had a mean duration of 11 min 48 s and an average length of 865 words.

Following completion, each recorded interview was transcribed in full into a written format, in accordance with transcription guidelines commonly used in research (Rädiker & Kuckartz, 2020), in order to ensure fidelity to the interviewee's account. After transcription, any references that could enable the identification and/or location of participants were removed, and such data were deleted, as were the audio files containing the recordings. This process enabled an initial familiarisation with the data and marked the beginning of the analysis and interpretation of the information.

The information contained in the interviews was analysed using content analysis (Bardin, 2016), a technique suited to qualitative data which enables, alongside the description of data according to a set of procedures (Bardin, 2016; Hsieh & Shannon, 2005), their interpretation in light of a theoretical reference framework, thereby addressing the guiding objectives of the research (Guerra, 2006). To establish the overarching categories, correspondence was drawn between the research questions and the themes of the interview guide. Coding rules were then defined. The interviews were read and analysed to identify these overarching categories within each interview. The categories were subsequently used to develop codes that best captured participants' statements and, using a qualitative data analysis software package (MAXQDA), the data were progressively coded in accordance with the content defined for each category. Throughout this process, subcategories emerged from the content of participants' responses. In a subsequent phase of analysis, the codes were examined in greater detail and, where necessary, redefined, until the final set of categories was established.

Results

The data analysis process yielded the set of categories that addressed the study objectives: description of the hearing, preparation for participation, involvement in the proceedings, perceptions of the extent to which their views were taken into account, and suggestions for improving child-friendly justice (Table 2). The closing question in the interview guide, an open-ended question, did not elicit any responses from participants and therefore did not give rise to the creation of any category.

TABLE 2

Categories, frequencies, and excerpts from participants' interviews

Categories	No. of participants	No. of coded segments (n)	Discourse excerpts (examples)
Description of the hearing		57	
Number of hearings	8	8	Two times. (Participant 7, 11 years old)
Appraisal of the number of hearings	8	9	"I think I wanted it to be more times, yes, but I also think it's not really possible because the court process always takes a long time... and I was already 17...." (Participant 4, 18 years old)
Who conducted the questioning	8	9	"The judge... the person next to her, who I don't know who it was, and... there were only two people." (Participant 8, 14 years old)
Other attendees during the hearing	8	8	"The judge and a... there was another man there, but I didn't know who he was." (Participant 5, 12 years old)
Understanding of the questions	6	7	"Yes, because the judge always explained, if there was a very difficult word, she always explained, so...." (Participant 4, 18 years old)
Expression of views	8	9	"Yes, I also answered the truth, because there, I couldn't lie... Because I didn't want to lie... if I lied, it meant I wanted to be with my mum... but I actually want to be more with my dad... Telling the truth is more important." (Participant 6, 10 years old)
Views on the hearing	4	7	"I didn't have time and they didn't really give me the option to express and explain the situation and what I was going through at the time... in all the proceedings I had, even in those where I wasn't heard... in the other proceedings as well, because I didn't even have the opportunity to go to court and speak and, when I had the opportunity, it wasn't how I expected it to be... I expected them to give me time to speak and to ask me things properly... to ask my opinion about the situation, how I felt living what I was living at the time, and they only asked me whether I wanted to go back to being with my father or not...." (Participant 3, 14 years old)
Preparation to participate		48	
Prior information	6	9	"I didn't know what was going to happen...." (Participant 6, 10 years old)
Information about the hearing	7	20	"I think... there should be more information about... no one explained to me what it was going to be like...." (Participant 8, 14 years old)
Clarification of doubts	5	5	"I spoke with the colleagues at the residential care home because I didn't know how to talk to the judge. They clarified my doubts...." (Participant 4, 18 years old)
Court decision	7	10	"I don't know if the court decided anything." (Participant 7, 11 years old)

Categories	No. of participants	No. of coded segments (n)	Discourse excerpts (examples)
Knowledge about the end of the proceedings	4	4	"I didn't even know that, I was told, in this case, by the guardian... No, I don't think I received anything... These proceedings (modification of the regulation, child protection) [alteração da regulação; promoção e proteção], for me, are quite mixed up... it's hard to separate the two... I was told that the case had ended... not by the court, I was told, in this case, by my guardian... but I assume the court must have communicated it... if not, he wouldn't have that knowledge... I assume it was by email, I don't know." (Participant 2, 15 years old)
Involvement in the proceedings		30	
Concerns during the proceedings	4	5	"Losing the family... being removed from the family." (Participant 8, 14 years old)
Concerns about the hearing	6	9	"When I was going to be heard, it was the nervousness I had when I went there. And, in this case, what was going to be addressed in the room and what they were going to tell me... because I went there knowing I had a hearing, but I didn't know exactly what it was about until I entered the room and spoke... So, I think it was more that part, the nerves... because I didn't know what was going to happen...." (Participant 2, 15 years old)
Concerns during the hearing	7	9	"I think I had the same concern (that the court would not understand my point of view and would make a decision I didn't agree with), because I felt that I hadn't explained myself enough for them to have material to make a decision." (Participant 3, 14 years old)
Concerns about the decision	4	4	"I was worried about... well, what would happen after that, what the judge's decisions would be." (Participant 6, 10 years old)
Emotional impacts of the decision	2	3	"They told me I wasn't being judged, but I felt judged, didn't I? Because, in the end, I was the one who received a sentence, wasn't I? I was the one who had to go to the institution (...) even though they said I wasn't being judged and that I hadn't done anything wrong, it was still me who was being punished." (Participant 1, 20 years old)
Consideration given to the child's views		20	
Agreement with the decision	7	11	"I didn't agree that they should come to our house because I don't think it was necessary because they had already done that with my aunt... but I did agree with staying with my father." (Participant 5, 12 years old)
Perceived importance given to the child's views	7	9	"Yes, they did... like, they asked me questions and I was being heard... so yes, I felt they were giving it importance." (Participant 7, 11 years old)
Suggestions to improve child-friendly justice		35	
Children's age for hearing	8	9	"I think it depends on the circumstances... but, well, I think from the age of 6 it's not a bad age..." (Participant 1, 20 years old)
Importance of hearing children	8	10	"I believe they should let the child, in this case, talk more about the situation, about what they are going through, about fears and concerns... I think that's really important." (Participant 3, 14 years old)
Who should conduct the questioning	6	6	"The judge themselves... and no one else." (Participant 5, 12 years old)
Improving judicial intervention	2	4	"I'd just like to give my point of view, and that of several people as well... I think the law in Portugal isn't the best of all, even compared with laws abroad, I think there are quite a few shortcomings when it comes to Portuguese law... But not regarding hearing children, not that; I mean, technically it's also included... it would, in a way, have an impact, because it's the court... I would say more how people apply the laws, but in a way I also think the law itself has some shortcomings, but yes, especially how it's applied and what they do with it." (Participant 2, 15 years old)

Categories	No. of participants	No. of coded segments (n)	Discourse excerpts (examples)
Improving children's hearing	4	6	"So, when they go to court, there should be someone there they trust, someone they know, so they feel better (...) it doesn't have to be family, but someone who already has a connection with the child, even if it's small, but it's still a bit more... also so they feel willing to be more sincere and feel safe... It's different, a child who is more at ease, or a child who is more apprehensive, won't speak in the same way." (Participant 1, 20 years old)

Description of the hearing

The number of hearings before a judicial magistrate ranged from a single hearing, reported by three participants, to six hearings, reported by one participant. Two participants had been heard twice, and the remaining two, three times.

Half of the participants ($n = 4$) considered that they should have been heard more often and/or for longer, in order to be able to convey their views about their situation, although one of them was unable to explain the reasons. Others ($n = 3$) considered that the number of hearings had been sufficient, and the remaining participant stated that they did not know how to assess this issue.

Some young people ($n = 3$) indicated that they had been questioned only by the judge, while others ($n = 3$) reported that, in addition to the judge, other professionals had also asked them questions (public prosecutor, lawyer, psychologist). One participant could not identify who had asked the questions, and another identified the public prosecutor as the person who had questioned them, stating that, in the first of their hearings, another professional had also done so, but by the time of the interview they could no longer remember who that person was.

In addition to the judge, whom they distinguished from the others, participants reported that other professionals were present in the room during the hearing. Some ($n = 5$) identified the roles and/or the number of other professionals present: lawyers, a psychologist, a professional supporting the child during the hearing, child protection system professionals (e.g., a member of the residential care home staff, Social Security staff, a social worker), a court officer, a woman sitting next to them, and another man seated next to the person asking the questions. The remaining participants ($n = 3$) provided responses only by indicating the number of other people present, in addition to the judge, ranging from one to four, without knowing who they were.

Regarding their understanding of the questions asked, most participants ($n = 6$) responded affirmatively. Two participants added that, when they had occasionally experienced difficulties understanding questions due to the complexity of how they were phrased, they had asked for the question to be rephrased, and this had been done.

Almost all participants ($n = 7$) considered that they had been able to convey their sincere views during the hearing. One participant added that, in addition to expressing their opinion, they had also told the truth about what they most wanted, because they believed it was important to tell the truth. One participant responded negatively, explaining that, at the time of the hearing, they felt they did not have much to say or do regarding the situation they were in.

Spontaneously, half of the young people offered an appraisal of the hearing or hearings in which they had participated. Two conveyed a negative perception, one because they considered the judge's approach somewhat inappropriate, and the other because they had expected to be

asked for their views on how they felt about living through the experience they were undergoing and to be given time to explain their situation, but they had been asked only whether they wished to return to living with their father. One participant considered the hearing a positive experience, as the judge had been able to communicate effectively with them and, given that they already had a certain level of maturity at the time, they found it easy to understand things. Another participant felt that the hearing had been a normal situation (sitting down and talking with other people).

Preparation for participation

More than half of the young people ($n = 5$) reported that, prior to going to court, they did not know how the justice system and/or the proceedings worked. Only one participant stated that they had prior knowledge, because they had previously been supported by a psychologist who had provided the necessary information and helped them prepare to attend court.

Regarding information about the hearing to which they had been summoned, some young people ($n = 3$) reported having no prior knowledge of what would take place, whereas others ($n = 2$) stated that they had received this information in advance from professionals involved in their case or through a family member. Finally, two participants considered that they had been adequately informed by the professionals involved about what would happen before their (first) hearing.

Half of the participants ($n = 4$) identified who they had relied on to clarify doubts (guardian, professionals who had prepared them, other young people at the residential care home), and one participant reported having had no one for this purpose.

Most young people ($n = 6$) referred to the decision taken by the court in their cases. One stated that the court itself explained the decision to them, albeit without detail, while others named relatives and professionals (public prosecutor, lawyer). Another participant stated that they did not know whether the court had taken any decision in their proceedings.

Half of the young people ($n = 4$) commented on how they became aware that the proceedings had ended. Two reported having obtained this information from relatives (who received the decision by email), one participant stated that they did not know whether, at the time of the interview, their proceedings had already ended, and another expressed surprise at the concept of proceedings being finalised (in their view, the proceedings had ended when they left the residential care home).

Involvement in the proceedings

Half of the participants ($n = 4$) commented on their concerns during the course of their proceedings. Two reported concerns about not knowing the grounds for the court's decision and about the feared possibility of being removed from their family. One participant reported not knowing what their concerns were, and another stated that they had had no concerns.

Most participants ($n = 6$) referred to concerns experienced in relation to the hearing. Four mentioned: nervousness because they did not know what would happen during the hearing and what would be discussed; fear about the possibility of seeing their parents and about how to speak in court; nervousness about what would happen and the expectation that the judge's

questions would be difficult; and concern about being removed from the family. One participant stated that they were simply nervous, and another reported that they felt annoyed rather than worried, because they did not feel like going to court and wanted adults to resolve matters without involving them.

Almost all young people ($n = 7$) shared their concerns during the hearing: fear that their siblings might also be removed from the family; concern about the decision that would be made, because they felt they had not explained their situation adequately; fear arising from the sense that they did not deserve to be there, as they had done nothing wrong; concern that the judge might become angry with them; and fear of being removed from the family. One participant stated that, during the hearing, they continued to want adults to resolve the problems without their involvement, and another reported that they maintained the nervousness they had experienced prior to the hearing.

Half of the participants ($n = 4$) shared concerns regarding the court's decision: concerns about the decision itself and about what would happen to the case and to the people involved; fear that the court would not understand their point of view and would make a decision with which they did not agree; and concern about what the judge would decide on the basis of what they had said during the hearing. One participant stated that they were not concerned about the decision taken because they believed that the decision (placement in care) would not be implemented quickly.

Spontaneously, some participants ($n = 2$) referred to the impacts of the court's decision after their hearing. One reported feeling punished because they would have to leave their family to go to an institution, while the other reported feeling relieved when they learned of the court's decision, because the decision they did not want, and which they believed would have been wrong, had not been taken.

Consideration given to the child's views

Almost all young people ($n = 7$) commented on whether they agreed with the decision taken by the court. Of these, most ($n = 6$) stated that they agreed with the decision, with two adding that, although they agreed with the decision itself, they disagreed with the terms under which the court required its implementation. One participant expressed disagreement with the decision, considering that the court could have tried other alternatives before deciding to remove them from their family.

When reflecting on the importance the court gave to the views they had expressed, almost all young people ($n = 7$) responded affirmatively, considering that the court had done so. One young person added that they realised later, when their mother communicated the decision taken in their case, that the court had attached importance to their views, although they did not know how what they had said had been assessed. Another young person estimated that the court had given 50% weight to their views, because, in their view, the court had not taken into account how they felt or their perspective on what would be best for them.

Suggestions to improve child-friendly justice

The age that participants (n = 8) considered appropriate for children to be heard in court varied widely, ranging from 5 to 17 years. In half of these cases, the young people indicated that their own age at the time of the interview would be appropriate. Some young people (n = 4) pointed to the lack of maturity of younger children as a constraint on their understanding of reality and, consequently, on their capacity to provide an account.

With regard to their understanding of the importance of children being heard by the court, all young people (n = 8) considered the hearing to be important and provided reasons for their views: because, for the child, it is important to feel heard, although this does not mean that the decision should be based solely on what the child says; because all children have their own views and goals and can sense what is best for them, even those with limited maturity or awareness of the situation; because, unless they speak for themselves about their situation, their fears, and their concerns, the court will not be able to know what they are going through; so that children understand that they have a voice, that they can be heard and trust adults, and that they should not fear parents or anyone who constitutes a threat to them; because the child should also have their own views; so that the child themselves has an understanding of what may happen in their life; because, if the court did not hear the child, it would not be able to know what had really happened because the mother had lied in court; and because, if the mother says one thing and the father says another, the court can find out what the child thinks, as the child tells the truth.

Most young people (n = 6) presented their perspective on who should question children during the hearing. One young person suggested someone trusted by the child (a teacher, a family member). Others (n = 3) indicated the judge, the person who makes the decisions and who must know how to speak with a child. The remaining participants (n = 2) indicated that, in addition to the judge, other professionals should also be involved (a lawyer; a professional from the technical advisory service to the courts).

Regarding what should be different and/or improved in children's court hearings, some participants (n = 2) proposed improving judicial intervention. One considered that, before removing children from the family, the court should intervene within the family itself, providing support and requiring behavioural change on the part of parents (e.g., attendance at positive parenting courses, psychological support), and only subsequently, if that intervention did not succeed, should children be removed from the family. The other participant considered that Portuguese legislation should be improved, as it has certain shortcomings (which were not specified), although not so much with regard directly to hearing children, and that the way the law is applied should also be improved.

Half of the participants (n = 4) commented on ways to improve children's hearings. One of them, drawing on their own (positive) experience, considered that there was nothing to improve. Those who offered suggestions referred to: the presence of someone known to the child and/or trusted by them, sitting alongside them during the hearing, not only to provide emotional support (for example, holding their hand) and help them feel safer, but also to encourage the child to be sincere, since, in their view, a child who feels at ease and a child who feels apprehensive do not speak in the same way; the need to improve professionals' attitudes towards the child so that the child feels more at ease and, in that way, safer and better able to explain themselves; and improving the language used, in terms of both vocabulary and the way questions are asked,

so that they can be more easily understood by children. One participant offered advice to other children: not to feel nervous in court and to try to think positively.

Discussion

The present study aimed to investigate children's perceptions of their experience of participation in child protection and family justice in Portugal, a country in which, as in other European countries, the legal system is characterised as inquisitorial, in contrast to adversarial systems of Anglo-Saxon origin (Saunders et al., 2020). During the preparation of the wider research project within which this study is situated, the scarcity of literature relating to these countries was clear, and this constituted one of the arguments for undertaking the study.

The variability in the number of hearings for each child and in the types of proceedings (i.e., child protection, parental responsibilities, criminal) in which children are involved reflects the need to address children's victimisation within the family context from different perspectives, which may heighten their vulnerability (Quas et al., 2011; Whitcomb, 2003). Research has shown that, on the one hand, children's opportunities to participate decrease when they are assessed as vulnerable and in need of protection and, on the other hand, that younger children are typically regarded as particularly vulnerable (Bessell, 2011; Kriz & Roundtree-Swain, 2017; Leeson, 2007; Strømmland et al., 2022; van Bijleveld et al., 2015). In addition to other reasons identified by professionals (e.g., organisational and methodological constraints; professionals' own difficulties) (Balsells et al., 2017; Falch-Eriksen et al., 2021; Koziel et al., 2023; McCafferty et al., 2023; van Bijleveld et al., 2015), this may also be related to the justice system's need, in its interventions, to prevent children's secondary victimisation (Council of Europe, 2011).

In this study, despite the fact that guidelines for child-friendly justice have been transposed into national legislation, the perceptions shared by some young people regarding their experience of participation were not positive. This points to the presence of factors in the judicial system's response that contribute to distress in children and young people who, due to the reasons for their involvement in the justice system, are already in a situation of vulnerability. Conversely, given that the child's best interests must prevail over any other interests at stake and must be determined with the child's own participation, as set out in Article 3 of the CRC (Henderson-De-kort et al., 2021; UN, 1989), the balance between participation and protection rights is relevant (Committee, 2009; Council of Europe, 2011) and may help to explain the diversity of children's experiences. In practice, however, achieving this balance is difficult. The tension between the right to participation and the right to protection, which is more visible in child protection justice, may intensify children's vulnerability (Archard & Skivenes, 2009b; Cashmore et al., 2023; Gerdts-Andresen, 2021; Koziel et al., 2023; Woodman et al., 2023), insofar as those involved in this area of justice have experienced some form of abuse or neglect within the family (Milojevich et al., 2016).

Protective intervention requires weighing the child's continued placement within the family against the need for removal (Milojevich et al., 2016; Quas et al., 2011), a possibility of which adolescents, due to a greater capacity to understand their situation compared with younger children, are more readily aware and, from this perspective, may be more vulnerable. In the present study, one adolescent participant reported that the concerns experienced during their involvement, up

to the point at which they learned of the court's decision, remained centred on the fear of being removed from the family.

The findings of this study are consistent with what research has increasingly emphasised regarding children's desire to have a voice and to participate in decision-making processes on matters that are relevant to their lives (Archard & Skivenes, 2009; Birnbaum & Saini, 2013; Byrnes, 2011; Cashmore, 2002, 2011; Cashmore & Parkinson, 2009; Kratky & Schröder-Abé, 2020; Kriz & Roundtree-Swain, 2017; van Bijleveld et al., 2015; Weisz et al., 2011). However, in our study, unlike what was found by Block et al. (2010), in which almost two thirds of children felt that they had not been able to convey their wishes to the judge (Block et al., 2010), the young people considered that they had been able to express their views during the hearing.

We also found parallels with empirical research on children's participation experiences, which shows that they often feel they were not listened to or questioned sufficiently (Block et al., 2010; Cashmore et al., 2023; Cossar et al., 2016; Kriz et al., 2017; van Bijleveld et al., 2015; Woodman et al., 2018), or that, despite being consulted, they did not have the opportunities they would have wished to present their views (Bessell, 2011).

The judge's role in questioning children, as illustrated in this study, relates to characteristics intrinsic to the legal system itself. The literature indicates that, in judicial systems commonly described as inquisitorial, the judge plays an active role in conducting questioning and children's participation is more facilitated, compared with Anglo-Saxon systems in which lawyers assume the central role and confront one another, contributing to a lower likelihood of children participating in the proceedings (Milojevich et al., 2016; Saunders et al., 2020; Thomson et al., 2015).

The lack of information prior to participation is also reported in other studies, which have emphasised that the limited legal knowledge of children involved in judicial proceedings (Block et al., 2010; Claasen et al., 2017; Quas et al., 2009; Saunders et al., 2020) is one of the factors that most constrains their full participation in proceedings affecting them (Block et al., 2010; Committee, 2009; Kennan et al., 2018; Kriz et al., 2017; Quas et al., 2011; Quas et al., 2009; Strømmland et al., 2022). In the present study, the lack of information and, consequently, limited preparation for involvement in the justice system was more evident in child protection and family justice. This observation may be related to judicial practices that may not yet be systematically implemented in these contexts, unlike what is observed in the criminal justice context, in which research over recent decades has generated a consistent body of knowledge on children's involvement as victims or witnesses, contributing to the development of preparation programmes for such involvement (Peterson et al., 2020; Quas et al., 2012; Whitcomb, 2003).

Explaining the decision to the child, particularly if it runs counter to their wishes, is a recommended practice as part of the provision of relevant information, so that the child understands how the court reached its decision, how their views were taken into account, and what role those views played in the process. All of these aspects can help the child to understand the court's reasoning and to accept the decision more readily (Archard et al., 2009; Block et al., 2010; Byrnes, 2011; Cashmore, 2003; Cashmore et al., 2007; Committee, 2009).

In the literature consulted, we did not find very specific references regarding the concerns experienced by children throughout their involvement in the justice system, but the findings of our study can be linked to some relevant evidence. Bell (2016) notes that increased information about the legal system alleviates children's concerns, and in the study by Quas et al. (2009), children who were more informed about the legal system reported lower levels of stress (Bell, 2016;

Quas et al., 2009). In our study, the results suggest that children who considered themselves more informed had fewer concerns regarding their involvement, which reinforces the importance of preparation aimed at reducing anxiety and increasing knowledge, insofar as anxiety is the strongest predictor of (negative) attitudes towards the judicial system and knowledge predicts more positive attitudes (Block et al., 2010).

The perception that their views were taken into account by the court is a markedly different conclusion from those reported in other studies, according to which children often feel that their views are not considered (Bell, 2016; Bessell, 2011; Block et al., 2010; Claasen et al., 2017; Falch-Eriksen et al., 2021; Kriz et al., 2017; Leeson, 2007; Woolfson et al., 2010). By contrast, when children perceive that their views have been taken into account, as occurred in the present study, they report feelings of empowerment and emotional wellbeing (Balsells et al., 2017; Cossar et al., 2016; Leeson, 2007).

Young people's perspectives on their own role and on the aims of their hearing in proceedings relevant to their lives are close to the notion of the child as an expert in the lived experience of being in their family (Cashmore et al., 2009; Henderson-Dekort et al., 2021), and are consistent with what research has proposed as an appropriate role for children involved in judicial proceedings that affect them (Cashmore, 2003; Cashmore et al., 2007, 2009; Tisdall et al., 2004; Weisz et al., 2011). Also in line with the literature, the young people reported wanting to be involved and to have a say in the decision-making process, and did not indicate a desire to make the decision themselves (Cashmore, 2002). They considered that children need to be old enough to understand what is happening and that they can and should be heard (Cashmore et al., 2008), preferably by the judge, to whom they attribute decision-making power (Cashmore et al., 2007). Their proposals for improving children's hearings, specifically ensuring emotional support and improving the language used by professionals (i.e., vocabulary and the formulation of questions), are aspects raised by participants in the present study and are also highlighted in European guidelines grounded in scientific evidence (Council of Europe, 2011; Whitcomb, 2003), and are reflected in Portuguese legislation.

Conclusion

The present study, grounded in ethical principles and child-centred in its approach, elicited children's views on matters of concern to them and, although the study aims were not established with their input, it operationalised their right to participation.

The qualitative methodology adopted limits the generalisability of the findings, but enabled a deeper understanding of children's participation experiences, clarifying this knowledge in a way that a quantitative methodology would not allow. The most significant limitation of the study concerned the sample, namely its nature and small size, which also restrict generalisability, as it is not representative of all children and young people involved in judicial proceedings within child protection and family justice. Even so, assembling the sample proved difficult, as some children and/or their parents declined to participate at initial contact or withdrew during the early stages of the procedure. However, key reference studies that have provided important insights into the experiences of children involved in judicial proceedings have also used samples of similar or even smaller size (Back et al., 2011; Claasen et al., 2017; Dillon et al., 2016; Kriz et

al., 2017; Leeson, 2007). Difficulties in assembling samples comprising children and/or families involved in these areas of justice are documented in the literature. Samples are typically small because many children are very young or have experienced significant trauma, or because the nature of the problems (Goodman et al., 1992; Quas et al., 2012).

Although the interviews were anonymised and no personal content was considered in the analysis, the young participants conveyed, as requested, their views and some information about their own experience, based on the information available to them. Their accounts of events, or the interpretations they drew from them, potentially shaped by their limited knowledge, may not correspond exactly to what occurred, which, in any case, was not the object of the study. Their sequential or simultaneous involvement in more than one type of proceedings, which may intensify their vulnerability, and the different decisions taken in each set of proceedings, which may affect them in different ways and may also affect their relationships with parents/caregivers (Quas et al., 2011), are other factors that may have influenced their perceptions of their own participation experience. The intended non-directiveness in conducting the interviews was not always fully achieved, as, in addition to issues related to individual development, each young person's life experiences, and specifically those that led to their involvement in judicial proceedings, may have affected their cognitive, emotional, or motivational functioning and created additional difficulties in recounting their experiences.

Although the findings are neither generalisable nor representative of the experiences of all children and young people involved in family and child protection proceedings, they nonetheless clarified aspects of children's and young people's participation experiences in judicial contexts and highlight important issues to be considered in future research. In this way, the study contributes to expanding knowledge regarding the participation of children and young people in judicial proceedings that concern them, as provided for in Article 12 of the CRC.

The findings also suggest the need for professionals, in their day-to-day practice, to actively promote child-centred processes by taking account of children's needs and characteristics, as well as their expectations regarding participation. Integrating, within professional practice, preparation of children for participation (for example, providing information about the roles and functions of each actor, including the child, clarifying the aims of participation, and explaining decisions) is a relevant aspect whose importance emerged from this study and may contribute to more positive perceptions of participation among children, as well as to better judicial decisions.

We recognise that, for the realisation of children's rights, and specifically with regard to their participation, which is intended to be full, in matters affecting them, it is important to continue consulting children about their participation experiences and to extend that participation to research itself, as occurred in the present study. Children's participation in research is relevant because, in addition to enabling their perspectives to exert greater influence on judicial practice, thereby supporting better judicial decisions, it may also inform laws and policies that are sensitive to children's needs and characteristics.

The fact that the findings are situated within a single geographical context highlights the need to further develop research in other jurisdictions and/or countries, particularly in Europe, in order to identify commonalities and divergences. Longitudinal studies could assess how children's views evolve over time, and cross-sectional collaborative studies, national or international, could help to detect patterns, dynamics, and shared practices, as well as to identify barriers and facilitators to children's participation. Deepening consultation with children about

their participation experiences may also enable the identification of the key aspects on which preparation for involvement in child protection and family justice should focus, a need highlighted by this study, and support the development of preparation programmes and/or manuals tailored to different age groups (younger children; adolescents/young people) and to each area of justice (child protection; parental responsibilities).

Understanding these aspects also suggests the need to contextualise children's experiences within judicial practices for hearing children. Detailed research into these practices would make it possible to develop improved approaches to promoting meaningful children's participation. Another line of inquiry suggested by the present study concerns how the child's views expressed during the hearing are considered in accordance with their age and maturity, and how those views are integrated into the court's decision, as required by Article 12 of the CRC.

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AUTHOR INSTRUCTIONS

Elaboration and submission of articles

The preparation and submission of papers for the *Psique* journal abides to international scientific standards, contingent upon the fulfillment of several requirements listed below:

1. Papers submitted for publication must be original. The authors sign a declaration (Appendix 1) where they warrant that:

- A) are in fact the authors and are fully responsible for the content of their paper;
- B) that their work abides to the international ethical and methodological standards within the field of Psychology proposed by the American Psychological Association – APA) and by the European Science Foundation (European Code of Conduct for Integrity of Research);
- C) and that, they have not simultaneously submitted the paper for publication elsewhere.
- D) The journal will use all means to guarantee the above criteria, namely, to request proof of documents and through the use of plagiarism software (Urkund). Authors will be informed in case of indicators of plagiarism, and can comment on these indicators before the rejection of the manuscript.

2. Copyright of the publication is vested in *Psique*, while the copyright of texts rests with the individual author(s); in case of later republication elsewhere, reference to the *Psique* publication should be indicated. The journal does not carry out any embargo on the articles. The author(s) may disclose the article in auto archive systems or in institutional repositories.

3. Submitted papers may be sent as an attached file to the Editorial Coordination of the journal *Psique*: Odete Nunes (onunes@autonoma.pt; psique@autonoma.pt).

4. The first page of the paper must contain the author(s)' identification, institution, city and country, as well as a contact e-mail address of all the authors of the paper.

5. Texts may be presented in Portuguese, Castilian, French or English.

6. Proposed papers will be subjected to blind peer review carried out by at least two specialists (PhD in Psychology) from the journal's Editorial Council, the majority of whom are external referees to Universidade Autónoma de Lisboa.

7. These are the steps involved in the process of manuscript submission and acceptance:

Manuscripts are received by the journal's editor and sent to reviewers, specialists in Psychology. Our is a double-blind peer-review system: both reviewers' and author's anonymity is preserved;

Reviewers will assess manuscripts and express their opinion on their quality and pertinence for the journal's aim and scope and may should suggest specific improvements. In case both reviewers disagree on their assessment, the editor may assess the manuscript and decide about its publication or request the opinion of a third reviewer;

Authors will be informed of the editorial decision, which may be:

- a) Accepted (the manuscript is accepted for publication as it is);
- b) Conditionally accepted (requires minor revisions), in this case the paper may be accepted by

the editor once the author introduces minor revisions;

c) Invited to re-submit after major revisions (the theme is of interest, yet the manuscript needs major revisions). In this case, authors are advised to rewrite the manuscript in accordance to reviewers' suggestions and re-submit it. Re-submitted manuscripts are sent to reviewers for re-assessment;

d) Rejected (when the manuscript does not meet the criteria for publication).

8. The common indicator for sending the original files is “.doc”.

9. There is a 30 pages limit to the size of papers, excluding the reference list, tables and illustrations.

10. The images, (diagrams, maps, tables and graphs) should be indicated and identified in accordance with the last edition of the Publication Manual of American Psychological Association (APA).

11. The structure of the paper should follow the guidelines set forth in the last edition of the Publication Manual of APA. The title, the summary, and the keywords, should be presented in the original language of the paper and in English. The summary should not exceed 200 words and the keywords should not be more than five.

12. Text quotations and bibliography references shall be in accordance with the guidelines of the last edition of the Publication Manual of APA, for example:

A. Scientific Journal Papers: Herbst-Damm, K. L., & Kulik, J. A. (2005). Volunteer support, marital status, and the survival times of terminally ill patients. *Health Psychology*, 24, 225-229. <https://doi.org/10.1037/0278-6133.24.2.225>

B. Books: Mitchell, T. R., & Larson, J. R., Jr. (1987). *People in organizations: An introduction to organizational behavior* (3rd ed.). McGraw-Hill.

C. Book Chapters: Bjork, R. A. (1989). Retrieval inhibition as an adaptive mechanism in human memory. In H. L. Roediger III & F. I. M. Craik (Eds.), *Varieties of memory & consciousness* (pp. 309–330). Erlbaum.

13. Whenever necessary, and without any interference to its inclusion in the “.doc” document, the original files of tables and figures may be sent separately, in JPEG, TIFF or XLS format.

14. Footnotes should be in accordance with the guidelines of the last edition of the Publication Manual of APA.

15. Psique publishes five types of papers:

A) Empirical papers that present reports of original research.

B) Literature reviews papers that develop research synthesis, meta-analyses, and critical evaluations of material that has already been published.

C) Theoretical papers in which the author develops advances in theory based on previous published literature.

D) Methodological papers that present new methodological approaches, modifications of existing methods or discussions of quantitative and qualitative data analytic approaches to scientific research.

E) Case studies, reports of case material obtained while working with an individual, a group, a community or an organization.

16. The journal Psique has a limit of one paper by the same author in each issue.

17. The editorial board of Psique, responsible for the evaluation of the manuscripts to be published, is constituted by, at least, 75% members from academic institutions outside the hosting institution of Psique.

18. The publication of *Psique* is semi-annual, from the year of 2018, with publication date from January 1st to June 30th and from July 1st to December 31st.

19. *Psyche* subscribes to the codes of ethics and good editorial practices, namely:

The Code of Conduct and Best-Practice Guidelines for Journal Editors, from the Committee on Publication Ethics: Committee on Publication Ethics (2011). Code of Conduct and Best-Practice Guidelines for Journal Editors. Retrieved from http://publicationethics.org/files/Code_of_conduct_for_journal_editors_Mar11.pdf

The White Paper on Promoting Integrity in Scientific Journal Publications, Council of Science Editors – Scott-Lichter, D. & Editorial Policy Committee, Council of Science Editors (2012). CSE's White Paper on Promoting Integrity in Scientific Journal Publications. Retrieved from https://www.councilscienceeditors.org/wp-content/uploads/entire_whitepaper.pdf

In case of publication they permit the use of their work under a CC-BY license [<http://creativecommons.org/licenses/by/3.0/>], which allows others to copy, distribute and transmit the work as well as to adapt the work and to make commercial use of it.

For more details on the ethical obligations of authors, reviewers and editorial coordination, consult the Publication Ethics and Best- Practice Guidelines tab.

21. The editorial process is totally free of costs for the authors. *Psyche* is a non-profit scientific publication.

APPENDIX 1

Lisbon, xx xx 20xx

Dear authors

The editorial coordination of Psique asks the authors of the manuscript titled “xxx”, to be published in volume xxx, to sign below in agreement to granting Psique the Copyright for the publication of the paper in printed and online forms. The granting of the copyright to Psique is only legitimate if all authors sign this

agreement.

By signing this document, the authors guarantee that the article submitted for publication is original, exclusively of their authorship and that it respected the international ethical and methodological standards in the scientific field of Psychology, namely the ones proposed by the American Psychological Association (APA) and the European Science Foundation (European Code of Conduct for Integrity of Research). Authors are fully responsible for what is written in the articles and ensure that they do not submit the work simultaneously to another journal for publication.

Psyche holds the copyright of the entire publication. However, each author has the copyright of his own text. If authors decide to later republish it elsewhere, they are asked to refer to the publication in Psique. The journal publishes in open access, does not carry out any embargo on the articles and authors can share the article in auto file systems or in institutional repositories.

Below are the full names of the authors for signature:

XXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX

Odete Nunes
Editor in Chief of Psique

INSTRUÇÕES AOS AUTORES

Elaboração e submissão de artigos

A elaboração e submissão de artigos para a revista *Psique* subordina-se aos padrões científicos internacionais, de acordo com as seguintes condições:

1. Os artigos submetidos para publicação têm de ser originais e inéditos. Os autores assinam uma declaração (Anexo 1) onde garantem:

- A) Que realizaram o trabalho que apresentam e que são integralmente responsáveis pelo que está escrito nos artigos;
- B) Que respeitaram os padrões éticos e metodológicos internacionais vigentes na área científica da Psicologia, propostos pela *American Psychological Association (APA)* e pela *European Science Foundation (European Code of Conduct for Integrity of Research)*;
- C) E que não submeteram o trabalho simultaneamente a outra revista para publicação;
- D) A revista usará de todos os meios para garantir os anteriores critérios, designadamente, podendo pedir prova de documentos e através do uso de um software de plágio (Urkund). Os autores serão informados no caso de existirem indicadores de plágio, podendo pronunciar-se sobre esses indicadores antes da rejeição do artigo.

2. A *Psique* detém os direitos de autor sobre a publicação, no entanto, cada autor tem o copyright do seu próprio texto; no caso de o republicar mais tarde noutro local, pede-se a referência à publicação na *Psique*. A revista não procede a qualquer embargo dos artigos. O(s) autor(s) pode divulgar o artigo em sistemas de auto arquivo ou em repositórios institucionais.

3. Os artigos enviados para submissão devem ser remetidos em suporte eletrónico à Coordenação Editorial: Odete Nunes (onunes@autonoma.pt; psique@autonoma.pt).

4. Na primeira página do artigo deve constar a nome completo do(s) autor(es), sem siglas, a respetiva filiação, local e país, bem como o(s) e-mail(s) de contacto de todos os autores do artigo.

5. Os textos podem ser apresentados em português, castelhano, francês e inglês.

6. Os artigos propostos são submetidos a um processo de arbitragem científica, de revisão cega por pares (*blind peer review*) feita por, pelo menos, dois especialistas (Doutorados em Psicologia) que fazem parte do Conselho Editorial da revista, e cuja maioria é externa à Universidade Autónoma de Lisboa.

7. O processo de submissão e avaliação dos manuscritos submetidos seguirá os seguintes passos:

Os artigos são recebidos pelo Editor da revista e enviados para dois revisores. Os artigos serão enviados sem o nome dos autores para os revisores. Todo o processo de avaliação dos artigos é feito sob o anonimato dos autores para garantir uma “revisão cega por pares”. No processo de avaliação, os revisores também serão mantidos anónimos para os autores;

Os revisores avaliarão os artigos e expressarão a sua opinião sobre a qualidade do artigo, sobre a pertinência da sua publicação na revista e poderão indicar sugestões de melhoria tão específicas quanto possível para a reformulação do artigo. No caso das opiniões dos revisores serem discordantes, o Editor poderá decidir sobre a publicação, após a sua própria análise ao artigo, ou pode pedir um outro parecer a um terceiro revisor;

Os autores serão informados da decisão editorial, num período médio de três meses, que pode consistir em:

- A) Aceite (o manuscrito foi aceite para publicação na sua forma atual);
- B) Aceite condicionalmente, mediante pequenas reformulações, neste caso, após as alterações introduzidas, o artigo reformulado pode ser aceite pelo editor;
- C) Convidado a re-submeter após reformulações substanciais (o tema interessa à revista, porém, o artigo necessita de uma reformulação profunda). Nestes casos, os autores são convidados a reformular o artigo de acordo com as sugestões dos revisores e a re-submeter à revista. Após a reformulação dos artigos, estes serão enviados novamente aos revisores para uma segunda avaliação;
- D) Rejeitado (quando foi considerado que o manuscrito não cumpriu os critérios para publicação na revista).

8. A linguagem de base para o envio dos ficheiros originais é “.doc”.

9. A dimensão dos artigos tem um limite de 30 páginas, excluindo a lista de referências bibliográficas, tabelas e figuras.

10. As imagens (esquemas, mapas, tabelas e gráficos) deverão ser referidos e identificados em obediência à última edição do *Publication Manual of the American Psychological Association* (APA).

11. A estrutura dos artigos deve obedecer às regras da última edição do Manual de Publicações da APA. O título e o resumo devem ser escritos na língua original do artigo e em inglês, bem como as palavras-chave do artigo. O resumo tem uma dimensão limite até 200 palavras e seguem-se-lhe as palavras-chave, no máximo de cinco.

12. As citações e referências bibliográficas são feitas de acordo com as normas da última edição do Manual de Publicações da APA, por exemplo:

- A) Artigos de Revista Científica: Herbst-Damm, K. L., & Kulik, J. A. (2005). Volunteer support, marital status, and the survival times of terminally ill patients. *Health Psychology*, 24, 225-229. <https://doi.org/10.1037/0278-6133.24.2.225>
- B) Livros de Autor: Mitchell, T. R., & Larson, J. R., Jr. (1987). *People in organizations: An introduction to organizational behavior* (3rd ed.). McGraw-Hill;
- C) Capítulos de Livros: Bjork, R. A. (1989). Retrieval inhibition as an adaptive mechanism in human memory. In H. L. Roediger III & F. I. M. Craik (Eds.), *Varieties of memory & consciousness* (pp. 309-330). Erlbaum.

13. Sempre que se justifique, sem prejuízo da sua inclusão no documento em “.doc”, os ficheiros originais dos quadros e figuras podem ser enviados em separado, em formato JPEG, TIFF ou XLS.

14. As notas de rodapé são feitas de acordo com as normas da última edição do Manual de Publicações da APA.

15. A Psique publica cinco tipos de artigos:

- A) Artigos empíricos que apresentam relatórios de investigações científicas originais.
- B) Artigos de revisão de literatura que desenvolvem análises críticas de material anteriormente publicado.
- C) Artigos teóricos em que o autor desenvolve avanços sobre teorias inovadoras ou anteriormente publicadas.
- D) Artigos metodológicos que apresentam novas abordagens metodológicas, modificação de métodos existentes ou discussões sobre as abordagens quantitativas ou qualitativas na investigação científica.

E) Estudos de caso que reportam material de casos obtidos ao longo do trabalho com indivíduos, grupos, uma comunidade ou uma organização.

16. A revista *Psique* tem um limite máximo de publicação de um artigo de um mesmo autor em cada volume.

17. O conselho editorial da *Psique*, responsável pela avaliação dos artigos publicados, é constituído em, pelo menos, 75% por membros de instituições académicas externas à instituição de acolhimento da *Psique*.

18. A publicação é semestral, com data de publicação de 1 de janeiro a 31 de junho e de 1 de julho a 31 de dezembro.

19. A *Psique* subescreve os códigos de ética e boas práticas editoriais, designadamente:

O Code of Conduct and Best-Practice Guidelines for Journal Editors, do Committee on Publication Ethics – Committee on Publication Ethics (2011). Code of Conduct and Best-Practice Guidelines for Journal Editors. Retrieved from http://publicationethics.org/files/Code_of_conduct_for_journal_editors_Mar11.pdf

O White Paper on Promoting Integrity in Scientific Journal Publications, da Council of Science Editors – Scott-Lichter, D. & Editorial Policy Committee, Council of Science Editors (2012). CSE's White Paper on Promoting Integrity in Scientific Journal Publications. Retrieved from https://www.councilscienceeditors.org/wp-content/uploads/entire_whitepaper.pdf

Para mais detalhes sobre obrigações éticas dos autores, revisores e coordenação editorial, consultar o separador Ética Editorial e Boas Práticas.

20. Em nenhuma etapa do processo editorial se estabelecem custos para os autores. A *Psique* é uma publicação científica sem fins lucrativos.

21. Em caso de publicação, os autores permitem o uso do seu trabalho através da utilização da licença creative commons, CC-BY [<https://creativecommons.org/licenses/by/4.0/>], que permite a cópia, distribuição e transmissão do conteúdo, assim como a sua adaptação para uso comercial.

APÊNDICE 1

Lisboa, x de x de 20xx

A Revista Psique solicita que os autores do manuscrito intitulado “xxx”, a ser publicado no volume xxx, concedam os direitos autorais do manuscrito para publicação na forma impressa e eletrónica. Informamos que a concessão dos direitos autorais só será legítima, se todos os autores assinarem a presente carta.

Ao assinar o presente documento os autores garantem que o artigo submetido para publicação é original, é exclusivamente da sua autoria e que respeitou os padrões éticos e metodológicos internacionais vigentes na área científica da Psicologia, propostos pela American Psychological Association (APA) e pela European Science Foundation (European Code of Conduct for Integrity of Research). Os autores são integralmente responsáveis pelo que está escrito nos artigos e garantem que não submeteram o trabalho simultaneamente a outra revista para publicação.

A Psique detém os direitos de autor sobre o conjunto da publicação, no entanto, cada autor tem os direitos de autor do copyright do seu próprio texto. No caso de o republicar mais tarde, noutra local, pede-se a referência à publicação na Psique. A revista publica em acesso aberto, não procede a qualquer embargo dos artigos e os autores podem divulgar o artigo em sistemas de auto arquivo ou em repositórios institucionais.

Seguem abaixo os nomes completos dos autores por extenso para assinatura:

XXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX

Odete Nunes
Editor Diretor Psique

REVIEWERS INSTRUCTIONS

Article Review

The articles submitted to be published in *Psique* will be evaluated by two experts in the scientific domain of the paper, Ph.D in Psychology.

These are the steps involved in the process of manuscript submission and acceptance/rejection:

1. Manuscripts are received by the journal's editor in chief and after a preliminary analysis will be sent to two reviewers, in a double-blind peer-review system. Both reviewers' and author's anonymity is preserved;
2. Reviewers will assess the manuscripts and express their opinion on the quality and pertinence for the journal's aims and scope and should suggest specific reformulations to improve the quality of the manuscript.
3. In case both reviewers disagree on their assessment, the editor in chief may assess the manuscript and decide about its publication or request the opinion of a third reviewer.

Each reviewer should carefully read the manuscript and issue a justified and reasoned report on the appropriateness of manuscript for publication in *Psique*. The dimensions to consider in the evaluation process are the following:

1. Relevance and up to date of the theme of the manuscript for the scientific field of Psychology;
2. Coverage, adequacy and up to date of the analyzed scientific literature;
3. Appropriateness of the methodological procedures in relation to the objectives of the study;
4. Clarity of writing and correction of the article structure, according to the APA structure criteria;
5. Validity of the results obtained in relation to the objectives and the methodological procedures developed;
6. Scope, articulation and in depth of the discussion of the results obtained;
7. Formal correction of bibliographical references, formulas and tables; according to the APA formal criteria.

For guidelines on the ethical criteria in the editorial process please read the Publication Ethics and Best-Practice Guidelines.

Authors will be informed of the editorial decision, usually during the period of three months, which may be:

- a) Accepted (the manuscript is accepted for publication as it is);
- b) Conditionally accepted (requires minor reformulations), in this case the paper may be accepted by the editor once the author introduces the minor reformulations;
- c) Invited to re-submit after major revisions (the theme is of interest, yet the manuscript needs major revisions). In this case, authors are advised to rewrite the manuscript in accordance to reviewers' suggestions and re-submit it. Re-submitted manuscripts are sent to reviewers for re-assessment;
- d) Rejected (when the manuscript does not meet the criteria for publication).

On the link below you will find the evaluation format for the evaluation of manuscripts submitted to *Psique* [Manuscript Evaluation Sheet](#).

INSTRUÇÕES AOS REVISORES

Revisão de artigos

Os artigos submetidos para serem publicados em *Psique* serão avaliados por dois especialistas no domínio científico do estudo, doutorados em Psicologia.

As etapas envolvidas no processo de submissão e aceitação / rejeição dos manuscritos são as seguintes:

1. Os manuscritos são recebidos pelo editor da revista e, após uma análise preliminar, serão enviados para o parecer de dois revisores, sob um sistema de revisão de pares anônimo duplo. É preservado o anonimato tanto dos autores, como dos revisores.
2. Os revisores avaliarão os manuscritos e emitirão o seu parecer sobre a qualidade e pertinência dos manuscritos, face aos objetivos e âmbito da revista e devem sugerir reformulações específicas para melhorar a qualidade dos manuscritos.
3. Caso os dois revisores não estejam de acordo sobre a avaliação de um manuscrito, o editor pode avaliar o manuscrito e decidir sobre sua publicação ou solicitar a opinião de um terceiro revisor.

Cada revisor deve ler cuidadosamente o manuscrito e emitir um relatório justificado e fundamentado sobre a adequação do manuscrito para publicação na *Psique*. As dimensões a considerar no processo de avaliação são as seguintes:

1. Pertinência e atualidade do tema para o campo científico da Psicologia;
2. Cobertura, adequação e atualidade da literatura científica analisada;
3. Adequação dos procedimentos metodológicos face aos objetivos do estudo;
4. Clareza da escrita e correção da estrutura do artigo, de acordo com os critérios APA;
5. Validade dos resultados obtidos face aos objetivos e aos procedimentos metodológicos desenvolvidos;
6. Abrangência, articulação e profundidade na discussão dos resultados obtidos;
7. Correção formal das referências bibliográficas, fórmulas e tabelas, de acordo com os critérios formais APA.

Para instruções sobre os critérios éticos no processo editorial, por favor, leia o separador *Ética Editorial e Boas Práticas de Publicação*.

Os autores serão informados da decisão editorial, geralmente durante o período de três meses, que pode ser:

- a) Aceite (o manuscrito foi aceite para publicação na sua forma atual);
- b) Aceite condicionalmente, mediante pequenas reformulações. Neste caso, após as alterações introduzidas, o artigo reformulado pode ser aceite pelo editor;
- c) Convidado a re-submeter após reformulações substanciais (o tema interessa à revista, porém, o artigo necessita de uma reformulação profunda). Nestes casos, os autores são convidados a reformular o artigo de acordo com as sugestões dos revisores e a re-submeter à revista. Após a reformulação dos artigos, estes serão enviados novamente aos revisores para uma segunda avaliação;
- d) Rejeitado (quando foi considerado que o manuscrito não cumpriu os critérios para publicação na revista).

Em seguida para download, encontra a ficha de avaliação de manuscritos para publicação na *Psique*
Ficha de Avaliação de Manuscritos