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CHALLENGES OF PROFESSIONALS WORKING WITH CHILDREN IN CRIMINAL PROCEEDINGS IN THE REPUBLIC OF SRPSKA

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Abstract: *The field of working with children involved in criminal proceedings in the Republic of Srpska is highly challenging, complex and influenced by various factors. The increasing occurrence of social deviations further complicates the demanding work that professionals encounter daily in their practice, which includes all stages of intervention - from prevention to addressing consequences, as well as work with individuals, groups and within communities. The role of helping professions is crucial for the development and preservation of a healthy society, as well as for the adequate protection of the rights and interests of children and their families. The focus of this Paper is on the challenges faced by professionals who work with children who are victims and witnesses of criminal offenses in all stages of the proceedings, and for whom specialized knowledge in the field of criminal-law protection of children is essential. Legislative frameworks in the area of juvenile justice clearly define the role of expert advisors and other professionals, placing particular emphasis on procedures involving child victims and witnesses of criminal offenses. To ensure adequate support for children and young people, it is necessary to provide continuous support to professionals as well, enabling them to perform their roles effectively and successfully, while reducing the risks of professional burnout.*

Keywords: *Republic of Srpska, juvenile justice, child victims and witnesses, support, professionals*

Introduction

Work with vulnerable groups in society, particularly children, is highly complex and sensitive at all stages, often unpredictable, and requires a high level of commitment and professionalism from all actors involved. According to the Criminal Code of the Republic of Srpska, the fundamental function of criminal legislation is the protection of fundamental human rights and freedoms, as well as other basic individual and societal values established by the Constitution and international law. With this in mind, professionals face numerous challenges when working with children in criminal

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proceedings. On a daily basis, they encounter diverse needs of children and their families, procedural rules and requirements, expectations of the local community, as well as the need to recognize and evaluate their own professional and personal capacities. The specific nature of helping professions in this field is reflected in prevention, timely and appropriate response, and the protection of the best interests of the child and their family, as well as broader social values.

Practice shows that, in addition to basic knowledge, professionals working in the field of criminal-legal protection of children and juveniles in the Republic of Srpska also need to possess specific competencies. This is evidenced by the fact that a large number of employees in the social protection system, internal affairs, the judiciary and other relevant sectors have participated in educational seminars in recent years (Ministry of Justice of the Republic of Srpska, n.d.). This Paper analyzes relevant legislation, practice and literature with the aim of identifying key challenges faced by professionals working with children in the judicial system, as well as the needs for competency development, enhancement of systemic support and prevention of professional burnout.

Systemic solutions and challenges in professional practice

In the Republic of Srpska, Article 186ª of the Law on the Protection and Treatment of Children and Juveniles in Criminal Procedure defines a professional as a professional worker of the guardianship authority - psychologist, pedagogue, social pedagogue - special education teacher, special education teacher - special education teacher, social worker who possesses a certificate of professional competence for performing tasks in the field of youth delinquency and criminal legal protection of children, experience in child protection and care, and professional skills in communicating with children, with whose assistance the hearing of a child as a witness injured by a criminal offense is carried out. The assistance provided to the witness by a professional advisor or professional is aimed at providing emotional support to the child, reducing the level of anxiety, stress, additional traumatization, fear and other harmful effects resulting from the child's participation in the judicial process, in order to positively influence the child's ability to understand his or her role, gaining a sense of security about the process, and in this way ensuring the quality and value of the witness's testimony.

When questioning a child as a witness injured by a criminal offense, the professional advisor or professional mediates communication between the prosecutor or police officer and the witness, if necessary, influences the formulation of questions asked to the witness in order to adapt them to the witness's ability to understand the questions, suggests changing the way questions are asked so that they do not cause additional traumatization of the witness, and if necessary, intervenes to protect the witness's well-being (Law on the Protection and Treatment of Children and Juveniles in Criminal Procedure, 2010). Given the importance and wide-ranging activities of social work centers in local communities, it is clear that in addition to the numerous roles that professional workers have, working with child victims and witnesses of criminal offenses is one of the most complex.

In accordance with the Social Protection Strategy of the Republic of Srpska for the period 2023 - 2029, it is stated that, regarding the professional development of specialists and other employees, it is necessary to continue the practice of training and enhancing competencies, as well as implementing supervision and measures for preventing professional burnout. By providing support in the professional development of staff in specific areas, higher-quality task performance can be achieved with minimal occurrence of professional burnout, while also improving the quality of life of social protection service users (Government of the Republic of Srpska, 2023:71). From this, it follows that significant systemic advancements are planned to support professional work, and consequently, to provide higher-quality services to final beneficiaries. Although legal provisions exist, their implementation in practice remains necessary.

Countries in the region are making progress in supporting child victims and recognizing the role of professionals throughout the process. According to the new juvenile justice concept in Montenegro, professional services are envisioned as a key component of a multidisciplinary system supporting judicial authorities in proceedings involving children and minors. These professional services comprise specialists from various fields - social workers, psychologists, special educators, and defectologists. Their primary task in working with children and minors is to assess the child's capacity to provide testimony and to ensure that the method of testifying is adapted to the child's needs within the criminal proceedings. In this process, the child's level of maturity and development, abilities, personal and family characteristics, strengths and risks, as well as the severity of the criminal act committed against the child, are taken into account. The same criteria are applied when assessing interventions with juvenile offenders, with the aim of ensuring the best conditions for their socialization, rehabilitation, and social integration (Supreme Court of Montenegro and Supreme Public Prosecutor's Office of Montenegro, 2020).

In addition to participating in criminal proceedings, professional services contribute to system development by sharing their expertise and engaging in various activities aimed at building a child-friendly justice system. They also implement activities to strengthen their own capacities (Supreme Court of Montenegro and Supreme Public Prosecutor's Office of Montenegro, 2020:21). At all stages, professionals in social and child protection are obliged to consider the need for urgent action to ensure the child's safety, to prioritize the child's protection and well-being, to avoid procedures that cause unnecessary stress, and to respect the rights of parents/guardians and children to be informed and to have their views heard (Institute for Social and Child Protection of Montenegro and Ministry of Labor and Social Welfare, 2020:47). Such a support model, which encourages the exchange of experiences, would be highly valuable for strengthening the system in the Republic of Srpska as well.

Children may appear in criminal proceedings in different roles - as suspects or accused of a criminal offense, as victims with the status of a civil party or as witnesses. In all these situations, the state has specific obligations toward children participating in proceedings, particularly those who are suspected or accused of a criminal offense (AIRE Centre, 2015, p. 10). Professionals employed in social work centers play a key role in protecting and supporting the most vulnerable members of society, including children, the elderly, persons with disabilities and others facing various social crises. Their mission encompasses providing assistance, advocating for rights and ensuring social justice. However, their profession carries significant responsibility and requires a multidisciplinary approach that integrates legal, social and psychological aspects (Dudić-Sijamija et al., 2025:45). The role of professional workers is also invaluable in preventing social deviations, which constitutes a distinct area of concern.

As Sviben (2012) emphasizes, one of the significant factors complicating the proper preparation and protection of child witnesses is the working conditions of professionals in social work centers. This refers not only to the physical conditions, which often fail to meet basic quality standards and may undermine the authority of the center as an institution with significant legal powers, but also to the workload, which involves a large number of families under the care of each professional, whether through long-term monitoring or shorter interventions. It is noted that in recent years, Croatia has experienced an increase in the complexity of family-related issues, requiring more intensive engagement from professionals, continuous inter-agency cooperation within local communities, as well as ongoing professional development and exchange of experiences. In this context, the problems addressed by social work centers have become increasingly complex and demanding, further complicating effective and high-quality interventions. Challenging working conditions can lead to cumulative dissatisfaction, feelings of overload, physical and psychological fatigue, decreased motivation, and reduced effectiveness. In the long term, this diminishes the ability to cope adequately with stress and increases the risk of professional burnout (Sviben, 2012: 49). This indicates that

countries in the region face similar challenges, both regarding the protection of children in criminal proceedings and the needs of professionals themselves.

People who work with individuals in distress or those who have experienced trauma are referred to as helpers. Helping professions include psychologists, social workers, healthcare professionals, lawyers, and special education teachers, as well as anyone providing assistance in crisis situations. These professions focus on supporting people in addressing life challenges, and a common feature is direct contact with clients. Such occupations are extremely stressful, as they require empathy for others' emotional states and confrontation with trauma. A frequent gap between expectations and the actual capacity to provide support can lead to secondary traumatization and professional burnout (Brajković, 2006).

Working with children presents a particular challenge, requiring professionals to exercise special attention at all stages of the proceedings. The Council of Europe Guidelines on Child-Friendly Justice state that a child must receive adequate information about the process, available choices, and the potential consequences of those choices. One difficulty professionals face is assessing the child's age and maturity, as well as determining the weight to be given to their views, opinions, concerns, and testimony during judicial proceedings. The guidelines also emphasize the need for close collaboration among professionals to gain a comprehensive understanding of the child and their needs. Children at risk may exhibit behaviors that appear frightening, hostile, or self-destructive, which can elicit strong emotional reactions from professionals. To work effectively, it is important for professionals to feel empowered in their efforts to understand and respond appropriately to such behaviors. A useful approach involves understanding the causes of such behavior and applying appropriate measures, which can contribute to more effective work with children at risk. Professionals working with and for children should receive appropriate interdisciplinary training on the rights and needs of children across different age groups, particularly those in situations of heightened vulnerability (Council of Europe Guidelines on Child-Friendly Justice, 2010). For the successful implementation of child-focused restorative justice, professionals must be trained to understand the rights of the child and the factors influencing their development (Marder & Forde, 2023:215). Accordingly, international standards are being developed.

Professional standards of practice are applied in various areas of life and are generally based on expertise in implementing international and national regulations concerning the protection of fundamental human rights and freedoms of individuals or groups. These standards describe the elements of professional work related to the capacity of authorized institutions, bodies, and professionals to ensure that the services they provide are more effective for the individuals concerned. The application of professional standards in certain sectors of child protection is more complex and demanding (Ministry for Human Rights and Refugees of Bosnia and Herzegovina, 2018:30).

Development of professional competencies in working with children in the justice system

All professionals involved in proceedings that include minors should receive specialized training in working with children and understand that a child's cognitive abilities are not fully developed. Actors in the process must be aware that children should not be treated as adults (AIRE Centre, 2015:12). Particular emphasis should be placed on strengthening systemic support. This involves introducing supervision as a mandatory component of professional work, which can help identify problems and provide support in making professional decisions. Furthermore, improving intersectoral cooperation between social work centers, healthcare institutions, the education system, and judicial bodies would enable a more effective response to the needs of service users. Such an approach facilitates the handling of complex cases and reduces the risk of professional burnout (Dudić-Sijamija et al., 2025:50). Buljevac and Opačić (2020:45) emphasize that social workers, given

the diverse groups of clients they serve, must approach each case with maximum individualization. This requires possessing various professional competencies that enable meeting clients' life needs, realizing their rights, improving quality of life, and facilitating their social inclusion.

Professionals working with children should undergo interdisciplinary training on the rights and needs of children, as emphasized by the Council of Europe Committee of Ministers' Guidelines on child-friendly justice. The United Nations Committee on the Rights of the Child highlights that continuous and systematic training of professionals, based on children's rights, contributes to safeguarding their rights and best interests, in accordance with the United Nations Convention on the Rights of the Child. According to the European Union Agency for Fundamental Rights (2022), EU Member States should ensure that all professionals who come into contact with children are trained in children's rights, verbal and non-verbal communication, child-appropriate language, child development, and relevant criminal and civil legislation. Training should enable professionals to recognize and adequately respond to the diverse needs of children across different age groups. Promotion of both general and specialized training for judges, prosecutors, police officers, court staff, and other frontline practitioners is recommended, alongside the development of specific modules tailored to different professional roles (European Union Agency for Fundamental Rights, 2022).

Professional training must be adequate, continuous, and carefully planned, with mandatory monitoring and evaluation (Committee on the Rights of the Child, 2019, as cited in Marder & Forde, 2023:217). In this context, training and human resource development represent key elements of the juvenile justice system, as they enable professionals to acquire knowledge about children's rights and development, the needs of vulnerable groups, and available alternative procedures (Committee on the Rights of the Child, 2019; International Juvenile Justice Observatory, 2018, as cited in Marder & Forde, 2023:218). At the same time, in practice, there is a marked power imbalance between professionals and children, which can limit meaningful child participation and thus affect the effectiveness and legitimacy of the proceedings. Professionals often lack sufficiently developed skills or institutional support to adequately involve children and are additionally exposed to systemic pressures (Marder, 2020a, as cited in Marder & Forde, 2023:216). Therefore, policymakers and professionals face the challenge of balancing the need to protect children with the limitations of existing institutional arrangements, bearing in mind that available measures are not always in the best interest of the child (Marder & Forde, 2023:219).

According to the results of a 2015 study involving 570 professionals from 10 European Union member states (judges, prosecutors, lawyers, court staff, psychologists, social workers, and police officers), key challenges and needs in working with children in judicial proceedings were identified (European Union Agency for Fundamental Rights, 2015: 97):

- Professionals need to be trained to work with children through education on their rights, needs, communication techniques, and procedures adapted to the child's age and individual circumstances;
- Although most countries have a legal obligation for professional development, specialized training is often available on a voluntary basis rather than as a formal requirement for practice;
- Lack of financial resources constitutes a significant barrier to continuous and high-quality training, reflected in the reduced number of programs and participants;
- In addition to formal training, personal competencies and professional predispositions are emphasized as crucial for successful work with children;
- Professional skills are also developed through multidisciplinary collaboration and exchange of experiences;
- A general lack of specialization and adequate training in the child justice system is observed, highlighting the need to further develop supervision and interprofessional collaboration.

The research also showed that, although the legal regulations in some countries stipulate that training is mandatory, it is generally offered and attended on a voluntary basis. Despite the existence

of high-quality programs, their availability remains limited in certain member states. Professionals particularly emphasized the need for additional training in communication with children for justice actors, as well as a better understanding of the legal system for professionals from the social sector. It was also highlighted that the successful implementation of a child-friendly justice approach depends on multiple factors, including personal competencies, professional experience, and intersectoral cooperation.

From these studies, it can be concluded that the needs of professionals, while unique in some aspects, are essentially very similar, regardless of the level of development of the country in which they live or the institution within the child support system in which they work.

States are obliged to ensure that all professionals and paraprofessionals working with children receive adequate initial training, as well as opportunities for continuous professional development. This includes the enhancement of practical skills, as well as regular supervision by experienced professionals. Continuous and quality supervision enables social workers to improve their competencies, plan work on complex cases, manage stress appropriately and prevent professional burnout (United Nations Children's Fund, 2025:22).

In addition, professionals working with children in contact with the justice system require specialized training covering the rights and needs of children, as well as effective communication methods. Such training should contribute to developing sensitivity to children's needs in terms of care, support, and safeguarding their best interests, especially in cases where children are victims or witnesses of criminal acts. States are responsible for organizing national training programs, as well as facilitating professionals' participation in international training initiatives. Programs should be tailored to different professions, including healthcare workers, judges, police officers, lawyers, prosecutors, and social workers (UNODC & UNICEF, 2014:104). In Republic of Srpska, training should, among other key topics, specifically include child psychology, victim protection, communication and strengthening professional competencies.

Burnout syndrome in professional practice

The issue of professional burnout is increasingly present in the literature, practice, and various professional discussions, indicating greater recognition of this problem in society compared to earlier periods. It is also emphasized that burnout can occur in anyone, regardless of profession. Professionals working with children in criminal proceedings are particularly at risk of experiencing burnout. Therefore, alongside adequate training, its prevention represents a key priority, as it directly affects the quality of support provided to children and their families.

Evidence shows that personnel working in the criminal justice system tend to experience higher levels of occupational burnout compared to other professions, with most evidence coming from studies conducted in the United States (Zempi, 2025:1005). Prolonged, excessive, or frequent exposure to human suffering and trauma leads to burnout, which particularly affects professionals in helping and rescue professions. An additional challenge is the need for professionals to manage negative emotional reactions toward offenders in order to perform their duties effectively. The specificity of this work also lies in the obligation to maintain confidentiality, which often limits the sharing of experiences, and discussions of professional challenges may be perceived as a sign of weakness. The consequences of burnout manifest both personally and professionally, through emotional numbness or excessive involvement, both of which require professional psychological intervention (Adžajlić-Dedović et al., 2018:58).

Maslach and Leiter (2016) describe burnout as a three-dimensional syndrome resulting from prolonged exposure to interpersonal stressors at work. It is characterized by emotional exhaustion, cynicism and detachment from work, as well as feelings of inefficacy and lack of accomplishment.

The need for a better understanding of factors related to burnout among social workers has been emphasized (Brend, Herttalampi & Mänttäri-van der Kuip, 2024:31). One significant issue concerns the lack of time and expertise among certain professionals in the fields of social protection and juvenile justice. Research indicates that some professionals lack communication skills for working with children or are prone to making assumptions about their needs. Additionally, professional workload limits the ability to establish trusting relationships, while organizational structures prioritize quantifiable objectives, such as the number of completed cases, over qualitative aspects of work, such as relationship-building and communication with children (Limante et al., 2022:6).

Compared to many other child protection service providers, there is a lack of research on professional burnout (Blunt, 2009:2). Although resilience is often cited in the literature on child well-being as an important variable mitigating burnout, the theory of hope is even less known. While hope shares similarities with other positive psychological traits, such as resilience, optimism, self-efficacy, and perseverance, hope theory highlights hope as a distinct psychological state (Snyder, 1994, as cited in Angele B. Pharris et al., 2022:2). Rand (2018, as cited in Pharris et al., 2022) notes that research on hope in high-risk professions exposed to burnout and stress shows a strong negative correlation between hope and burnout. Individuals with higher levels of hope cope better with adversity because they identify multiple pathways to achieve their goals, whereas those with lower levels of hope are more likely to give up, perceiving their goals as unattainable.

Findings from studies conducted to expand the existing literature on professional burnout among juvenile justice practitioners in England and Wales identified three dimensions of professional burnout: emotional exhaustion, depersonalization (a detached attitude toward work), and low personal accomplishment. Overall, the results confirm the presence of all three dimensions of burnout among participants (Zempi, 2025:1026). Research also found that age is significantly associated with occupational burnout, as older professionals generally report lower levels of burnout. The literature does not clearly indicate whether older professionals may have already experienced burnout and developed coping strategies, or whether they gradually acquire protective mechanisms over time that shield them from burnout (Blunt, 2009:13). Regarding legal professionals, research findings indicate significant differences in occupational stress between lawyers of different specializations, with criminal law practitioners reporting higher stress than civil law practitioners. The study demonstrated a negative indirect effect of the type of specialization (criminal versus civil) on work-related stress, mediated by the problems identified by the lawyers. Results confirm that criminal law lawyers report higher levels of burnout than their civil law counterparts (Azeem, Arouj & Hussain, 2020:549).

Given that a limited number of studies have provided in-depth descriptions of the personal and professional consequences of burnout in work with children, further research is essential to gain a better understanding of these issues (Blunt, 2009:5).

Professional support: need and reality

Key challenges in Bosnia and Herzegovina include the lack of adequate and systemic training or sensitization regarding the rights and needs of children for professionals working with or for children, inadequate working conditions, an insufficient number of professionals, and their uneven regional distribution. The most significant shortcoming of previous methodologically inconsistent training programs in Bosnia and Herzegovina has been the lack of continuity, both in terms of duration and in making training accessible to all professionals. Institutions within the system need to direct strategic plans and actions toward the provision of accessible, adequate, and continuous training for professionals who protect the rights and interests of children, as well as for all other decision-makers who directly or indirectly affect children (Ministry of Human Rights and Refugees of Bosnia and Herzegovina, 2018:36). Children and minors in conflict with the law have the right to appropriate care,

protection, and the opportunity for social reintegration, which should form the foundation of the juvenile justice system. Mediation within the social protection system is gaining increasing importance, particularly concerning minors involved in criminal proceedings (Mitrović & Kuprešanin, 2018:180). Research indicates a lack of specialization and adequate training for work with children across all professional fields of the justice system that deal with children. Furthermore, studies highlight that legal professionals would benefit from training in interacting with children, while social workers require training in child-related legislation. Such training should be complemented by supervision and multidisciplinary exchange of practices among professionals (European Union Agency for Fundamental Rights, 2015:13).

Empowering witnesses and victims through appropriate support increases their willingness to participate in judicial processes and strengthens public trust in the justice system. Understanding their needs and providing professional services contributes to better protection of their rights, which is essential for the realization of justice. Witnesses and victims in criminal proceedings should also be provided with support and protection to ensure that testifying does not result in additional harm to their physical or psychological well-being, while safeguarding their fundamental rights (Faladžić, 2025:338,349). Attention should also be given to the availability of professional capacities for working with families, as their role is crucial for the protection and future of the child within judicial proceedings.

Professionals need to be trained to periodically review and evaluate their roles, in collaboration with other agencies involved in the justice process (United Nations Office on Drugs and Crime, 2009:108). The justice process and the support services available to child victims and witnesses, as well as their families, must be sensitive to the child's age, preferences, comprehension, gender, sexual orientation, ethnic, cultural, religious, linguistic, and social background, socio-economic status, and immigration or refugee status, as well as the child's special needs, including health, abilities, and capacities. Professionals should therefore be trained and educated on these differences (United Nations Office on Drugs and Crime, 2009:21). As a recommendation for policymakers, training on communication with children should be mandatory for all professional groups working with children in judicial processes (United Nations Office on Drugs and Crime, 2009:46).

Measures that would contribute to strengthening support for professionals working with children in the Republic of Srpska include the introduction and continuity of supervision as direct support for employees, the provision of quality and diverse training in accordance with previously researched needs and priorities, cooperation and exchange of information and experiences between all protection providers, as well as the adoption of lessons learned from other countries in the field of working with children in criminal proceedings.

Conclusion

It can be concluded that the field of working with children in criminal proceedings in the Republic of Srpska and the wider region is gradually developing and improving across multiple dimensions: children as subjects of protection, professionals as providers of support, and the system as the framework regulating the entire process. It is clear that each of these aspects requires particular attention, while also ensuring adequate human and material resources to enable the system to function effectively. Certain legislative measures have already been enacted, which should serve as a foundation for planning subsequent steps in regulating this area. Collaboration and the exchange of experiences have proven to be prerequisites for development, especially when involving professionals from diverse backgrounds. It is essential to conduct more research on the needs of professionals, because without adequate support, they are unable to provide proper assistance to children in the

justice system who require it the most -whether as witnesses, victims, or offenders. Professional burnout is particularly prevalent in helping professions, yet research on this topic in Bosnia and Herzegovina is limited, both from a theoretical and practical perspective. Although professionals across the country report experiencing stress and the need for support in their daily work with children in criminal proceedings, concrete support programs need to be designed. Research could identify which training programs should be prioritized, enabling the planning of effective implementation strategies. Systematic support for professionals represents a prerequisite for high-quality protection of children within the justice system. Additionally, efforts should be made to improve the public perception of helping professions, as they are often portrayed negatively or sensationally in the media.

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IZAZOVI PROFESIONALACA U RADU SA DJECOM U KRIVIČNOM POSTUPKU U REPUBLICI SRPSKOJ

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Apstrakt: *Oblast rada sa djecom u krivičnom postupku u Republici Srpskoj je veoma izazovna, kompleksna i uslovljena različitim faktorima. Sve izraženija pojava društvenih devijacija dodatno otežava zahtjevan posao sa kojim se profesionalci svakodnevno susreću u svojoj praksi, a koji obuhvata sve faze djelovanja, od prevencije do saniranja posljedica, te od rada sa pojedincima do rada sa grupama i u zajednicama. Uloga pomažućih profesija je od ključnog značaja za razvoj i očuvanje zdravog društva, kao i za adekvatnu zaštitu prava i interesa djece i njihovih porodica. Fokus ovog rada je na izazovima sa kojima se susreću profesionalci koji rade sa djecom žrtvama i svjedocima krivičnih djela u svim fazama postupka, i za koje je nužno da posjeduju posebna znanja iz oblasti krivičnopravne zaštite djece. Zakonska rješenja iz oblasti maloljetničkog pravosuđa jasno definišu ulogu stručnih savjetnika i stručnih lica, te posebnu pažnju posvećuju postupanju sa djecom žrtvama i svjedocima krivičnih djela. U cilju pružanja adekvatne podrške djeci i mladima, nužno je kontinuirano pružati podršku i profesionalcima kako bi svoju ulogu mogli obavljati kvalitetno i uspješno, uz smanjivanje rizika od profesionalnog sagorijevanja.*

Ključne riječi: *Republika Srpska, maloljetničko pravosuđe, djeca žrtve i svjedoci, podrška, profesionalci.*

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