



JUSTIZBETREUUNGSAGENTUR
FACHPERSONAL FÜR DIE ÖSTERREICHISCHE JUSTIZ



Kinderbeistand
(Child's assistant)
Information for
parents

Why is a **Kinderbeistand** appointed?

Article 12 of the **UN Convention on the Rights of the Child** stipulates that the **child's wishes shall be taken into consideration**.

State Parties shall assure to the child who is capable of forming their own views the right to express those views freely in all matters affecting the child. For this purpose, the child shall be provided the opportunity to be heard in any judicial or administrative proceedings affecting the child.

In this context, Austria passed the **Kinderbeistandsgesetz** (Child Assistance Act), which entered into force in June 2010.

The act also gives the child the right to **professional support and guidance**.



What is a Kinderbeistand?

A **Kinderbeistand** offers your child a neutral, conflict-free space to relax and, if your child wishes, also voices their concerns and wishes to you and the court.

As an independent and qualified person of trust, the **Kinderbeistand** supports your child in difficult times for the duration of the court proceedings.



In a way, the **Kinderbeistand**
speaks on behalf of
your child.

What are the tasks of the **Kinderbeistand**?

- to establish a relationship of trust with your child,
- to create a protected space for the relationship,
- to inform your child about the proceedings,
- to consider your child's wishes in conversations,
- to make these wishes heard in court and to give them due weight,
- to be there for your child alone!

In this way, your child's experiences, state of mind and wishes are taken into account in the proceedings.

However, a **Kinderbeistand** may pass on the content of what has been discussed with your child to you or to the court only with your child's consent. The **Kinderbeistand** is obligated to maintain **confidentiality**, but can be released from this obligation by your child.

What will happen?

Before the **Kinderbeistand** meets with your child, the **Kinderbeistand** will contact both parents and explain their role in person. You're welcome to address any questions you may have to the **Kinderbeistand** at the first meeting.

For children
under the
age of 14:

Please inform your child about the upcoming meeting with the **Kinderbeistand** by using the brochure for children or young people.

For young
people over
the age of 14:

The court can also appoint a **Kinderbeistand** for a young person up to the age of 16, if there is a particular need and your child agrees to it.



JUSTIZBETREUUNGSAGENTUR
FACHPERSONAL FÜR DIE ÖSTERREICHISCHE JUSTIZ

Legal notice:

JBA – Justizbetreuungsagentur
Universitätsstraße 5/7, 1010 Vienna

Responsible for the content: Kinderbeistand Division
kinderbeistand@jba.gv.at

Picture credits: fotolia.de/Alekss, picoStudio, rexandpan
Production: druck.at/Druck- und Handelsgesellschaft mbH
2544 Leobersdorf, August 2021

www.jba.gv.at

