

COURT FOR MINORS

Information booklet



The series of guidance and information guides for non-EU citizens was created by the Municipality of Florence with the aim of allowing more knowledge of the Italian system of services, exploring in particular themes and topics that are of great practical interest for immigrant families, such as ISEE and the functioning of the Juvenile Court.

The Guides have been financed in part by the European Union, in part by the Italian State to meet the needs of those who, as immigrants, must orient themselves in a world that can be very distant and different from the one they come from, but they can also be useful for Italian citizens.

The FAMI EULIM (2702) project aims to improve the system of social and health services to adapt it to the presence of many citizens of non-EU countries and to allow them to use it fully.

THE COURT FOR MINORS (T.M.)

It is an organ of the administration of justice, specializing in proceedings involving the interests of minors

In Nigeria the legal system is a mixed system based on English common law, Islamic law (Sharia) and customary norms. The Supreme Court is the only organ that can examine the appeals of the Court of Appeals. Additionally, the court has jurisdiction over all federal and state courts in Nigeria. While The Sharia Court of Appeal This judicial organ is provided by Section 277 of the 1999 Constitution of the Federal Republic of Nigeria. It examines cases concerning the application of Sharia law, particularly in the northern areas of Nigeria.



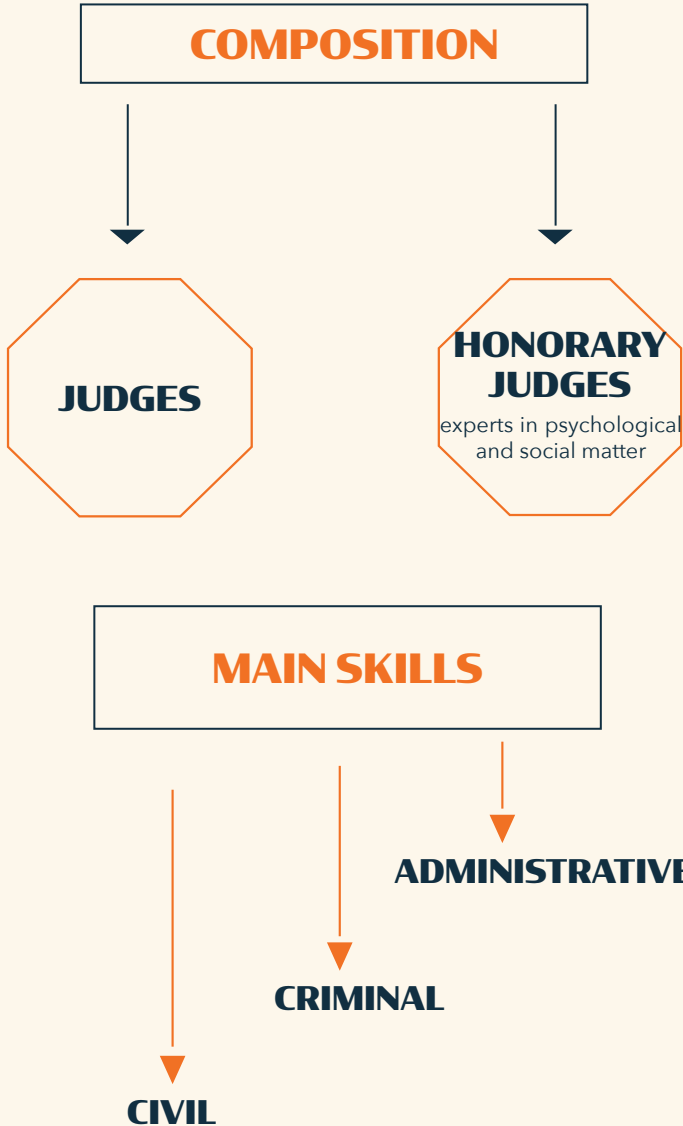
THE CONVENTION OF THE UNITED NATIONS (UN) ORGANIZATION ON THE RIGHTS OF THE CHILD AND ADOLESCENCE

It was approved by the United Nations General Assembly on **November 20, 1989**.

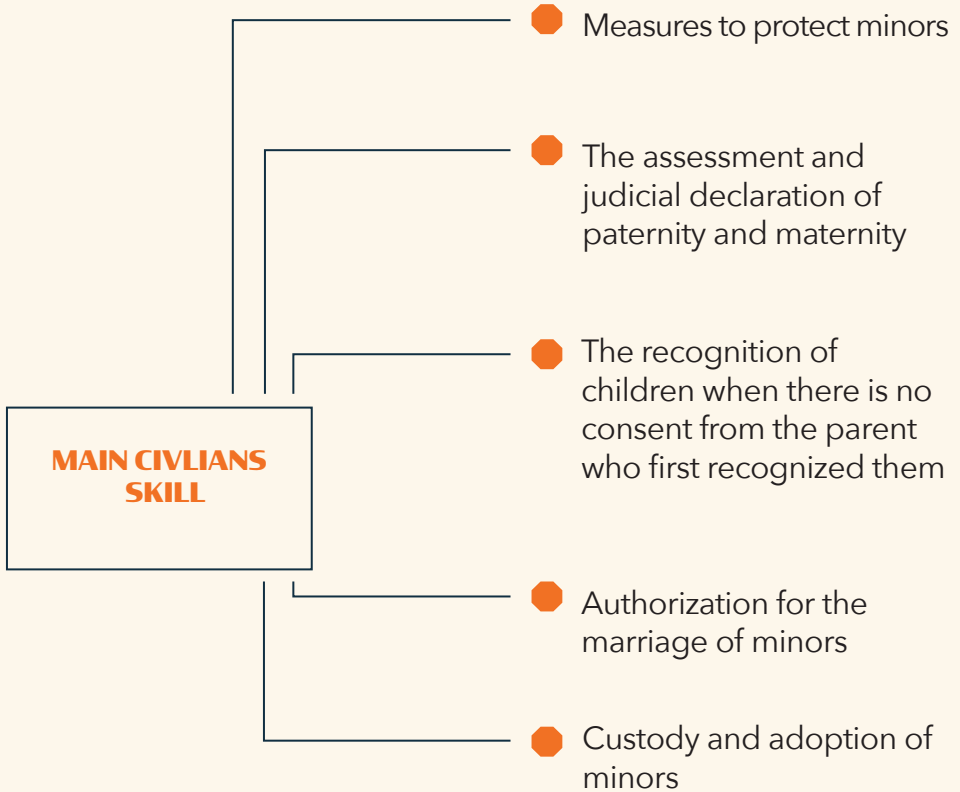
- Ratified by Italy on **May 27, 1991** with the law n. 176
- Ratified by Nigeria In **1999** and **2003**, the National Assembly (the country's main legislative body) promulgates the "**Child Rights Act**" which obliges each state of Nigeria to adopt a law to protect the rights of minors, despite this, only **25** of the **36** states of Nigeria have localized the Child's Rights Act.

It is a legal text that recognizes all **boys** and **girls** in the world as holders of civil, social, political, cultural and economic rights.

IL TRIBUNALE PER I MINORENNI



THE JUVENILE COURT



MAIN CRIMINAL SKILLS

- For all crimes committed by minors between the ages of fourteen and eighteen
- For minors under the age of fourteen, the principle according to which they are not attributable is in force in the Italian system

THE MAIN ADMINISTRATIVE SKILLS

- The authorization to issue a staying permit for minors assistance art. 31 of the Consolidated Law on Immigration DLG 286/98
- Art 25 - regulates the measures applicable to minors with irregular conduct and character. The law provides that after in-depth investigations into the personality of the minor, the Juvenile Court orders, with a motivated decree, the custody to the social service. Royal Decree Law 20/07/1934 n. 1404

SOCIAL WORKER

He/She is a professional who, using the method and techniques of the discipline of social work, intervenes in favor of a balanced relationship between people and the social environment, to prevent and resolve situations of need, helping the person in the individual and social use of resources.

He places the person at the center of its action, values the autonomy and responsibility of individuals.

FUNCTION OF THE SOCIAL WORKER

The social worker collaborates with the judicial authority, has a **propositional function** but not a decisional one .

ART. 31 OF THE UNIQUE ACT ON IMMIGRATION LEGISLATIVE DECREE 286/98 “PROVISIONS IN FAVOR OF MINORS” 3RD PARAGRAPH

The Juvenile Court, for serious reasons connected with the psychophysical development, taking into account the **age** and **health conditions** of the minor who is in the Italian territory, can authorize the entry or staying of the family member, for a **determined period** of time also by way of derogation from the other provisions of this consolidated immigration law.



STAYING PERMIT

Is it possible to work with a staying permit for minors assistance art. 31?

- Yes, the document allows you to carry out work activities

Is it possible to convert it to a staying permit for work?

- Yes, it is possible to convert it into a staying permit for work (Law Decree 21 October 2020, n.130)

Is it possible to request a staying permit card after 5 years with the Minors assistance permit art. 31?

- Yes, the EU staying permit for long-term residents can be issued to those who have an art 31 staying permit

ASSISTANCE OF MINORS ART. 31 OF THE UNIQUE TEXT ON IMMIGRATION - LEGISLATIVE DECREE 286/98 ROLE OF THE SOCIAL WORKER

The judge gives a mandate to the Social Service to carry out investigations aimed at knowing and describing the minor's family situation.

To carry out the investigation, the social worker will carry out interviews and home visits in order to collect information and listen to the people around the minor.

The social worker draws up a written report to be sent to the judge.

The social worker cannot express an opinion on the possibility of giving or not the staying permit for child assistance art. 31.



Municipality of Florence Social Services Department

Eulim project

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Objective 3. Capacity building

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