

Panel context: Project with international participation “PUBLIC SECURITY AND THE NEED FOR HIGH SOCIAL CAPITAL”, edition a VII-a, <https://ccdsara.ro/conference-pshsc-2025/> with the theme "LAW IN THE ERA OF ADVANCED TECHNOLOGIES: PRESENT AND PROSPECTS"/ "DREPTUL ÎN ERA TEHNOLOGIILOR AVANSATE: PREZENT ȘI PERSPECTIVE "

PANEL: PROCEDURE IN CASES INVOLVING MINORS. PREVENTIVE MEASURES APPLICABLE TO MINORS

Coordinator/ Speaker

Dr. Simona Franguloiu is senior lecturer, PhD within “Constantin Brâncoveanu” University of Pitesti, Faculty of Economic and Legal Sciences, PhD contributor Transilvania University Braşov, România, Faculty of Law and also trainer at National Institute of Magistracy, Bucharest, Romania and associate researcher at the “Acad. Andrei Rădulescu” Legal Research Institute of the Romanian Academy.

Dr. Simona Franguloiu started the career in the judicial field in 1992 as a judge at the courts within the jurisdiction of the Braşov Court of Appeal, after she graduated the classes of the National Institute of Magistracy, being judge specialized in Criminal Law for more than 31 years. In parallel, from 1993 she started the teaching activity at the Braşov University George Bariţiu - Faculty of Law and from 2007 at Transilvania University Braşov and in July 2024, successfully promoted the exam for the academic senior lecturer position at the Faculty of Economics and Law at the University of Constantin Brâncoveanu Piteşti. For almost 3 years she was Deputy Director of the International Law and Judicial Cooperation Department of the Ministry of Justice, so as she had the opportunity to work in the vast field of international law and international judicial cooperation.

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Academic recognition is demonstrated by the publication of a number of 11 books, as single author or co-author and her field of research focuses on aspects of Criminal Law, European Law and the fundamental human rights and freedoms. In this segment, she published more than 30 scientific articles in national and international law journals, including volumes of international scientific events.

As an NIM trainer even in present, she has been an expert in many European projects and also held countless seminars in the relevant fields, some of which have resulted in the publication of guides of great importance for practitioners, some of which have been published on the European Commission website.

Dr. Simona Franguloiu is a Member of the Scientific and/or Organizing Committee of the Research Association for Interdisciplinary Studies (RAIS, Princeton, NJ, USA) of the Scientific and/or Organizing Committee of the Acta Universitatis of „George Bacovia” University.

She is also a member of the Romanian Association of Criminal Law and the International Association of Criminal Law.

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Presentation of the Panel:

Criminal procedure in cases involving minors has a special legal regime, based on the principle of protecting the best interests of the child and the need for their re-education, not punishment. The Romanian legislator has established a series of distinct procedural rules, designed to ensure treatment appropriate to the age, development and needs of the minor in conflict with the criminal law.

Thus, criminal prosecution and trial of cases involving minors are carried out by specialized judicial bodies, and the participation of psychologists, social workers and parents or legal representatives is, as a rule, mandatory. The procedure emphasizes confidentiality and protection of the minor's image, which is why court hearings are usually held in private, and the minor's identification data cannot be made public.

Regarding preventive measures, the Code of Criminal Procedure provides for their application to minors with particular caution, taking into account the age, degree of maturity and personal circumstances of the perpetrator. The basic principle is that deprivation of liberty should be a measure of last resort and should be for the shortest possible duration.

In all situations, the judicial authorities must expressly justify the need for the preventive measure and give priority to non-custodial measures. The courts must also constantly pursue the social reintegration of the minor and avoid any form of stigmatization or discriminatory treatment.

The procedure in cases involving minors and the regime of preventive measures reflect a balance between the need to protect society and that of the minor, emphasizing education, supervision and correction, not repression.