



# Police Training on Child Rights & Child Protection: Lessons Learned and Manual

Marie Wernham with Savina Geerinckx & Elanor Jackson

“ All persons having contact with, or being responsible for, children in the criminal justice system should receive education and training in human rights, the principles and provisions of the Convention [on the Rights of the Child] and other United Nations standards and norms in juvenile justice as an integral part of their training programmes. Such persons include police and other law enforcement officials... ”  
(Vienna Guidelines, 24)

“ Training of police personnel must include the rights of children. Some or many police personnel in my country, Ghana, do not know much about juvenile justice administration. Some arrest children and place them in an adult cell. Some assault juveniles who have been involved in crimes. ”  
(CAS, NGO, Ghana)

“ Everybody should be trained and they need to know about the law. Then they will be able to show children a good future. ”  
(35-year-old male police constable in Dhaka, Bangladesh)

“ I'd teach the police: don't take bribes from criminals and don't take money from street children. If you do this, the street children will react inside and might become a criminal one day. They will think 'I will be able to commit any crime so long as I give money to the police.' ”  
(Street girl, Dhaka, Bangladesh)

96.8% of 67 respondents to the Consortium for Street Children questionnaire on police training from 47 countries agreed that there is still a 'great need' for police to be trained in child rights and child protection in their countries.

91.9% thought it would be useful to have a manual that compiles international experiences and information relating to police training and child rights.

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**Marie Wernham** with Savina Geerinckx & Elanor Jackson

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# How to use this book

## WHO IS THIS BOOK FOR?

- ◆ Police trainers (training / sensitisation on general child rights and child protection, not specialised topics such as evidence collection, detailed investigation skills, child trafficking etc.);
- ◆ Managers of police training colleges and those with influence on the police training curriculum;
- ◆ NGOs and other organisations involved in police training;
- ◆ Government ministries and others who develop policy and law in relation to child rights and/or juvenile justice;
- ◆ Inter-governmental organisations and academic institutions with interest in police work, child rights and/or juvenile justice;
- ◆ Donor governments and other funders of police training;
- ◆ Other stakeholders within the juvenile justice system such as magistrates, lawyers, social workers, probation officers, judges, juvenile justice institution staff (remand homes, detention centres etc.).

## HOW CAN I USE IT?

- ◆ As **background reading material** on police training in relation to children, with a particular emphasis on street children;
- ◆ As a **reference manual** in relation to standards, procedures and policy recommendations;
- ◆ As a **planning tool to develop an overall strategy** to improve police practice and standards in relation to children;
- ◆ As a **training manual** for **basic sensitisation** and **skills development** for the police in relation to child rights and child protection.

**See Appendix 1 for suggested training agendas suitable for courses of ½ day, 1 day, 3 days and 5 days.**

## WHAT TO LOOK OUT FOR!



**Warning or please note**



**Key learning points**



**See also**



**5 Guiding Principles**



**International human rights standards**



**Lessons learned**



**Questionnaire feedback**



**Resources**

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Mural inside the Juvenile Court, Nairobi, Kenya

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# Glossary & acronyms

## **ACRWC**

African Charter on the Rights and Welfare of the Child

## **Beijing Rules**

UN Standard Minimum Rules for the Administration of Juvenile Justice

## **Child**

A child is any person under 18 years of age.

This includes a married person under 18 years of age

## **Community policing**

Law enforcement that seeks to integrate officers into the local community to reduce crime and gain good community relations

## **CRC**

UN Convention on the Rights of the Child

## **Discrimination**

Treatment that is designed or has the effect of putting one group of people at a disadvantage or denying the group a privilege or a right that is enjoyed by other groups

## **Diversion**

Dealing with an offence/crime other than by the formal justice process such as a warning, supervision by a specialist child-friendly police officer or a family group conference which is a restorative justice process with little or no oversight by the court

## **Forensic**

Evidence that is analyzed by scientific means which could include hair fibre, DNA etc.

## **Gender**

Social, economic, political and cultural roles and expectations assigned to males and females that are socially determined and are not based on the biological differences between them

## **Gender sensitivity**

Ability to recognise gender issues, and especially the ability to recognise, assess and act in order to address discrimination, exploitation, abuse and violence against women and girls; ability to recognise, support and strengthen the role and capacities of women and girls in creating gender responsive families, communities and pillars of the justice system

## **Guardian**

A person having legal custody of another

## **Human rights**

The rights people are entitled to simply because they are human beings, irrespective of their citizenship, nationality, race, ethnicity, language, sex, sexuality, abilities or any other status

## **JDLs**

UN Rules for the Protection of Juveniles Deprived of their Liberty

## **Juvenile justice system**

International standards require jurisdictions to develop a separate criminal justice system for children (those under 18 years of age). Juvenile justice is the term used to describe a criminal justice system developed for children. Most jurisdictions have a juvenile justice process but not all conform to international standards

## **Minimum age of criminal responsibility**

The age below which all children are deemed incapable of being held responsible for a crime. They are therefore exempt from criminal liability and cannot be prosecuted or penalised

## **NGO**

Non-governmental organization

## **Proportionality**

The principle of 'proportionality' requires that our response to the wrongdoings of children be appropriate to, or take into consideration, their stage of moral development, their maturity or their concept of what is right and wrong

## **Riyadh Guidelines**

UN Guidelines on the Prevention of Juvenile Delinquency

## **Standard Minimum Rules**

UN Standard Minimum Rules for the Treatment of Prisoners

## **Status offences**

Conduct which would not, under law, be an offence if committed by an adult. Examples include truancy, running away and underage drinking. Its classification as an 'offence' is therefore related to the 'status' of the 'offender' as a child

## **Tokyo Rules**

UN Standard Minimum Rules for Non-Custodial Measures

## **UN**

United Nations

## **Victim/survivor**

Many NGOs and researchers use the term 'survivor' to refer to those who have suffered violence and abuse. 'Survivor' is preferred to 'victim' since it is more positive and draws attention to resistance, coping and survival. However, the term 'victim' is still more widely used and so the author has chosen to combine the terms for the purposes of taking into account common usage but also promoting a better understanding of current psychosocial approaches in this area

## **Vienna Guidelines**

UN Guidelines for Action on Children in the Criminal Justice System (Resolution 1997/30)

# Overview

## Aims

1. To provide information to enable trainers to design, implement, monitor and evaluate effective and practical police training courses in relation to child rights and child protection with a view to:
  - a. Develop the knowledge, understanding, attitudes and skills of police officers so that every child who comes into contact with them is treated as we would want our own child to be treated;
  - b. Give police a better understanding of national and international laws that relate to children and how they should be applied;
  - c. Bridge the gap between theory and practice relevant to policing and child rights / child protection so that police are able to act in the best interests of children;
  - d. Enable police to distinguish between a child in need of care and protection and a child who is in conflict with the law;
  - e. Motivate the police to take an active part in bringing about positive changes in the lives of children in difficult circumstances.
2. To gather and disseminate 'lessons learned' in relation to police training on child rights and child protection from around the world.
3. To promote policy recommendations for governments and police.
4. To compile a list of resources and contacts working internationally in the field of police training on child rights and child protection.

## Background

This book is the final outcome of an 8-month project to evaluate and consolidate lessons learned in relation to police training and sensitisation in the international arena of work with street children.

This project was developed in response to international demand for improved information on police training in order to reduce human rights violations against street children.

The project has involved: participatory evaluations of two existing projects in Bangladesh and Ethiopia (including participation of street children), which took place in August and September 2004; feedback from an international questionnaire (67 questionnaires returned from 47 countries); desk-based research; and input from NGOs, police and international experts involved in police training.

The findings from the questionnaire are integrated throughout this book.

This project came about as a direct follow-on from CSC's two-year research and advocacy project on street children and juvenile justice which took place from January 2002 – May 2004, the findings of which are contained in CSC's publication 'An Outside Chance: Street Children and Juvenile Justice – an International Perspective' (available from CSC's website).

# Section 1

## International experience in conducting police training

- A. Introduction to police training on child rights & child protection
- B. Planning police training on child rights & child protection
- C. Common obstacles & lessons learned about conducting police training
- D. Policy recommendations for governments & police
- E. Conclusion
- F. Useful resources

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## Section 2

# A training manual for the police on child rights & child protection

1. Welcome & introduction
2. Attitudes towards children & police
3. Policing in the overall context of juvenile justice
4. 5 Guiding Principles for policing & child protection
5. Basic child development
6. Street children
7. Coping under pressure
8. Step by step process: how to handle children
9. Identifying and overcoming obstacles
10. Wrap-up

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# A. Introduction to police training on child rights & child protection

## OBJECTIVES

By the end of this section you should be able to:

- Understand the importance of police training on child rights and child protection;
- Understand that police training is only one part of an overall strategy to improve police practice in relation to children;
- Undertake a situation analysis and prepare a detailed action plan in order to implement an overall strategy;
- Compare the pros and cons of different approaches to police training.

## 1. Importance of the police & police training

“Everybody has a child. That is why police should behave humanely with them.” (42-year-old male police constable in Bangladesh)

Every day, in all parts of the world, children come into contact with the police either when they are in need of care and protection or in conflict with the law. This contact therefore occurs at times when a vulnerable child is most in need of support and guidance. Police training is essential to ensure that this encounter is always a positive one, where both sides emerge with dignity and respect.

Police training helps to ensure that:

- ◆ Children in need of care and protection are protected, supported and empowered to make the best of their difficult circumstances;
- ◆ Children in conflict with the law are treated fairly, given the opportunity and guidance to take responsibility for their mistakes, and given a second chance to avoid such mistakes in future so they can develop into responsible adults.

However the positive impact of police training is not limited to the child alone: society also benefits from a culture where human rights, justice and compassion are valued and where its most vulnerable citizens are protected.

“I don't know about children, so I need training.” (50-year-old male police constable in Bangladesh)

“Children are the future of our country. All children are born innocent. They are deprived of their rights by our socio-economic and political irregularities. They become disadvantaged and enter into crime. Every police member should stand up for abused children and help child offenders for correction.” (34-year-old male police sub-inspector in Bangladesh)



Questionnaire feedback: 96.8% of respondents to the CSC questionnaire on police training agreed that there is still a 'great need' for police to be trained in child rights and child protection in their countries. 54% of them do not think that the police (in general) are aware of their roles in child protection or that the governments are taking the issue of police training and child protection seriously in their countries.

## 2. Police training as part of a broader strategy

### a. COMPONENTS OF AN OVERALL STRATEGY

Formal and informal police training is only one part of an overall, holistic strategy which is needed to improve police attitudes and practice in relation to child rights and child protection – especially for street children. Other elements may include:

- ◆ Training of other actors in the juvenile justice system (lawyers, judges, prosecutors, defenders, social workers, probation officers, detention centre staff etc.);
- ◆ Lobbying to bring national legislation in line with international standards;

- ◆ Advocacy to ensure child rights and child protection practices are officially incorporated into police – and other professions’ – initial and in-service training curricula to ensure that training is replicable, sustainable and consistent;

“ Unless and until these issues are included in the Police Training Manual, they are not going to take it seriously. ” (SANLAAP, NGO, India)

- ◆ Advocacy and awareness raising amongst police station commanders to ensure sustainability of, and support for, skills learned during training;
- ◆ Advocacy for monitoring to ensure that standards are being implemented in practice;

“ In addition to training, it is necessary to do advocacy and lobbying to ensure a rigorous application of the texts, as the police have always declared not being sufficiently informed about the texts each time they were caught violating children’s rights [and] the Services of the Ministry of Justice in charge of juveniles is sometimes uninformed about the presence of children at the police station. We suggest a reinforcement of the training supported by sensitisation and advocacy. ” (La Lumiere, NGO, Senegal)

- ◆ Advocacy with local and national governments to allocate adequate resources to the establishment, training and functioning of specialised child protection units in the police;
- ◆ Lobbying and capacity building for the establishment of ‘child protection desks’ in every police station;
- ◆ Lobbying for a better gender balance in police recruitment;
- ◆ Lobbying to end corruption within the justice system;

“ Cambodia is quite unique as most police officers pay for their position or get their jobs through contacts so they lack commitment, most have not gone through formal training, some are illiterate, others rely on their chiefs for the enforcement and some become police officers in order to conduct crimes. If there was commitment from the leadership and improvements in the challenges mentioned, then NGOs could work with police trainers to conduct more effective training. ” (LICADHO, NGO, Cambodia)

- ◆ Production of information, education and communication (IEC) materials for police (leaflets, pocket handbooks, posters for police stations etc.);
- ◆ Empowerment programmes working with children themselves – especially street children – to raise awareness of their rights and responsibilities and how to claim their rights / access help when in difficult situations (including production of child-friendly IEC materials);
- ◆ Sensitisation of the media and general public to the needs and circumstances of street children, at-risk children, children in need of care and protection and

children in conflict with the law to promote and protect their human rights and reduce misunderstanding, discrimination, exploitation and violence against them; capacity to respond to misinformation about street children in the media.

- ◆ Advocacy for, and implementation of, comprehensive juvenile crime prevention programmes at national and community level (including child-rearing skills for at-risk families; community-based, structured sports and cultural / creative activities for young people; educational support; comprehensive programmes for street, working and other out of school children; income generation and vocational training projects; child helplines; media campaigns; life skills training; mentoring schemes etc.)

This list is in no way comprehensive but is intended to offer an overview of possible components to make up an overall strategy for reform of policing and child protection.

## b. HOW TO CONDUCT A SITUATION ANALYSIS

In order to accurately assess the most effective approaches needed as part of an overall strategy, you need to conduct a comprehensive analysis of the situation.

### Step 1: Define the scope of your analysis

Decide the limits of what you are able to achieve in relation to your area of expertise. It is better to experience success at a smaller level, then scale up, building on skills and confidence gained. Are you analysing the whole juvenile justice system or just the policing aspect? Are you looking at treatment of suspected offenders or at-risk children and victims/survivors as well? Are you working locally, regionally or nationally? There is a balance to be struck between gaining a comprehensive and accurate picture of the broader context and being realistic about what you can achieve. You may find it useful to create a ‘problem tree’ as part of this planning process: brainstorm as many problems as possible; organise problems into causes and effects; and work out the hierarchy of cause and effect (what are the bigger underlying problems?). It is likely that you will be looking at multiple problems and therefore multiple / distinct ‘branches’ of the overall problem tree. Decide which ‘branches’ or part of the overall ‘tree’ you want / are able to tackle. For each problem at each level of the hierarchy, identify solutions which are also prioritised. Ask yourself: How much can I / my organisation achieve alone? Who can do more? Can I/we work with them?

### Step 2: Identify stakeholders

Within the scope of your analysis, as identified above, decide who are the key people (including children themselves) or institutions that you need to consult in order to gather the relevant information to build up an accurate and up-to-date picture of the current situation in relation to policing and child protection. You can do this through a brainstorm or

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'spidergram.' Stakeholders may include: children (at-risk, in need of care and protection, in conflict with the law); police (lower, middle and senior level, local, regional and national); police training colleges; other actors in the juvenile justice system (lawyers, judges, prosecutors, defenders, social workers, probation officers, detention centre staff etc.); local and national government representatives of relevant ministries; community representatives (religious, traditional and cultural leaders, teachers, doctors, youth groups, and 'ordinary' men, women, boys and girls in the community); NGOs; universities / academic institutions; national bureau of statistics etc.

### Step 3: Consult stakeholders

The earlier on you involve stakeholders in a project, the better as this promotes awareness and ownership and will give you a more accurate picture of the situation you are trying to change. Participatory consultation methods include: focus group discussions, questionnaires, in-depth interviews with key stakeholders, mapping exercises and informal discussions. Allow plenty of time for this process and ensure that, when consulting children, you employ rigorous child protection measures. For example: personnel working with children are trained in behaviour codes of conduct; children fully understand what is involved and give their informed consent to take part in the consultation and to the way their information will be used; children are aware that they can stop participating at any time; personal information will be kept confidential; nothing will be done to endanger the child through negative repercussions.



**Resources:** For more information on meaningful and ethical participation and consultation with children, see the document: *International Save the Children Alliance, So you want to consult with children? A toolkit of good practice*, November 2003, available at [www.1.rb.se/Shop/Archive/Documents/3073CommunicationToolkit1.pdf](http://www.1.rb.se/Shop/Archive/Documents/3073CommunicationToolkit1.pdf)

### Step 4: Gather and analyse the information

Compile the consultation findings and other secondary research (reports, statistics, newspaper articles etc.) and identify the priority areas in need of change. Try to be as specific as possible.

### Step 5: Develop an advocacy and/or programme strategy

Based on the information you have gathered, plan your strategy according to the questions in Table 1.

Be as specific as possible in your answers. The answers given are brief examples only.

### Step 6: Analyse your targets

Once you have identified who you need to target, it can be useful to analyse whether they are already supportive of the idea of change, resistant or undecided. This will help you to prioritise and tailor your actions. Remember, the more people you get on your side, the more you can work with them to help you to persuade others of the need for change.

Of the targets listed in your advocacy and/or programme plan who is/would be:

1. Keen to implement change?
2. Undecided?
3. Hostile / resistant to change?

Complete the following table accordingly:

KEEN	UNDECIDED	HOSTILE

### Step 7: Draw up a detailed action plan

See Table 2.

## 3. Different approaches to police training

Having established that formal and informal police training is only one part of a holistic, overall approach to reform, the remainder of this book nevertheless focuses on police training. This is in response to a need identified by police and NGOs for consolidated and detailed practical information specifically on police training. With this in mind, there are obviously a wide range of approaches to police training that can be adopted.



**Questionnaire feedback:** 62.1% (out of 58 answers) claim that in their country the police learn about children's rights as part of the formal police training offered at police colleges. However, contradicting information has been gathered for a number of countries which illustrates the lack of clarity on this issue.

Table 1: Developing an advocacy or programme strategy

PRIORITY?	WHAT NEEDS TO CHANGE?	WHO CAN MAKE THAT CHANGE HAPPEN?	HOW CAN YOU INFLUENCE THEM TO MAKE THAT CHANGE?	WHAT OBSTACLES MIGHT YOU FACE?	HOW CAN YOU OVERCOME THESE OBSTACLES?
1	National police training curriculum needs to include child rights	Head of police training college  Minister for Home Affairs	Face to face meetings between decision-makers, NGOs and children; produce a briefing paper; petition; demonstrate the effectiveness and impact of your proposed changes	Lack of knowledge and specialisation in child rights at level of police academy; no space in existing curriculum for additional material	Arrange training of trainers sessions by NGOs; encourage review of overall curriculum based on experiences from other countries
2	Police station in District X of the city needs particular sensitisation on handling street children	Station Commander	Your sister is friendly with his wife – ask her to help persuade the commander to invite NGOs in for training; provide free child rights posters	Entrenched culture of non-child-friendly practices; training seen as criticism and therefore not welcome	Invite station commander / police station football team for a match with local street children NGO team – break down barriers in a non-threatening context
3	Legislation needs reforming in order to decriminalise begging, 'status offences' and children involved in commercial sexual exploitation	etc	etc		

Table 2: Detailed action plan

IMPLEMENTATION					MONITORING & EVALUATION				
Action	By who	In consultation with (refer back to stakeholder mapping exercise)	By when	Materials / methodology to be used	Who will check it's been done?	How will you check it's been done effectively?	Indicator (evidence which shows the action has been done)	Impact (extent of impact; positive / negative)	How will you improve the action / what will you do differently next time?



“ Although it is important to establish and train specialised police units in charge of the protection of the child, all police officers should receive a basic training on how to manage the first contact with a child who has been sexually abused, and what to do in such a case. ”  
 (Government/UNICEF/NGO collaborative project, Cambodia)

“ Police should also be trained together with other professionals working on children, e.g. social workers, lawyers, attorneys, judges, media personnel, NGO personnel, activists, etc. to have a cross section of perspectives on the training so as to ensure coordination and cooperation in working on child protection. ”  
 (DCI, NGO, Ghana)

“ The children’s police are trained together with our street educators. ” (OPDE, NGO, Burundi)

Table 3 examines some of the pros and cons of these different approaches.



See also: Section B for an analysis of specific types of training methodologies and detailed information on the pros and cons of bringing police face to face with children as part of sensitisation / training programmes.

## SUMMARY

You should now be familiar with the following:

- The importance of police training on child rights and child protection;
- How to analyse and plan an overall strategy to improve police practice in relation to children using the tools of situation analysis and action planning;
- The pros and cons of different approaches to police training.

Table 3: Pros and cons of different approaches to police training

TYPE OF TRAINING
<b>Informal</b> (e.g. one-to-one contact between NGOs and individual / groups of police officers)
<b>Formal</b> (e.g. officially recognised / organised courses)
<b>Initial training</b> (e.g. as part of basic training at colleges)
<b>In-service training</b> (e.g. for police already on the job)
<b>One-off training session</b>
<b>Series of training sessions</b> (e.g. NGO offering a variety of lectures / sessions on different topics over a period of time)
<b>Specialised courses</b> (e.g. for dealing with specific groups of children such as victims only, offenders only or children in need of care and protection only; courses for specific skills like interviewing, evidence collection etc.)
<b>Single-sector training</b> (e.g. only police present)
<b>Multi-sector / interdisciplinary training</b> (e.g. police, social workers, lawyers, judges etc. trained together in the same session)
<b>Training of trainers</b>
<b>Mentoring</b> of inexperienced police by more experienced, child-friendly police

PROS	CONS
Easier and quicker to get police to agree to this as it may not require official authorisation; low cost; ongoing; long-term relationship of trust can be developed between NGOs and individual police officers; non-threatening	More difficult to conduct systematic, comprehensive and sustainable training; high turnover of individual police means limited long-term benefits; no compulsory attendance required / voluntary
Compulsory attendance; official recognition; can be linked to promotion requirements; easier to track follow-up & evaluation	Can be difficult to get authorisation and attendance due to competing priorities; potential lack of motivation / interest if attendance made compulsory; requires funding / resources
Essential for widest possible coverage of training and long-term impact; young recruits motivated and open to new ideas; logistics made easier – part of existing training for which resources already available	Difficult for recruits to relate learning to actual experience; child rights is one topic among many and lessons may not have required impact; difficulty of getting specialised, experienced trainers
Essential for coverage of existing police officers; easy to relate lessons to practical experience; direct impact; opportunity for focused, specialised training sessions	Less effective for long-term institutional change; less time available due to conflicting priorities; not always easy to change entrenched attitudes; difficult to get attendance; benefits may be localised only, with limited national impact
This can serve as a useful taster to promote greater commitment from police; may be the only option available due to time restrictions etc.	One-off training is not enough to cover the depth or sustainability needed to improve knowledge, attitudes and practice in the longer term
Benefits are similar to formal course although if sessions don't result in a recognised certificate there may be less interest in attending; opportunity to go into more detail on certain topics and discuss a wider range of topics overall	Different officers attending different sessions may result in lack of consistency; may not be taken seriously
Opportunity to go into depth and detail; responds to very specific needs of police officers in the field	Only possible to reach a limited number of police; courses take time and require particular expertise; doing a specialised course in one area may mean missing out on training in other areas where police have responsibility towards children
Training can be specifically tailored to police practice; opportunity for police to exchange experience with fellow officers and to explore difficulties specific to their profession; easier to arrange; less complex training agenda needed	Juvenile justice system is multi-disciplinary; not enough just to train police if other actors not aware of their roles to support / coordinate with police; missed opportunity to strengthen communication and collaboration between actors in the system
Multi-disciplinary training needed for overall reform of juvenile justice system; opportunity to strengthen communication and collaboration between actors in the system; reflects the reality of how the system works as a whole	Complicated to organise – both in terms of logistics, politics and content of training; selection of participants more difficult to ensure correct balance for good group dynamics
Cost effective; sustainable; reaches widest possible audience; empowering for police trainers	More complex; takes time and resources for follow-up and ongoing support; difficulty in selecting core group of trainers
Useful process – can be conducted as on the job training; advice may be more accessible; peer training / exchange of experience is an effective learning method; promotes exchange of experience and develops team work	Mentors need support and training on how to effectively communicate their knowledge to others; training may be inconsistent / of poor quality; entirely dependent on motivation of mentor; high turnover of staff can disrupt mentoring programmes

## B. Planning police training on child rights & child protection

### OBJECTIVES

By the end of this section you should be able to:

- Assess whether or not you are in a position to deliver effective police training on child rights and child protection;
- Have a clear overview of the practical steps involved in the planning of police training and training methods;
- Decide to what extent to involve children directly in sensitisation / training programmes and understand the steps involved to ensure that such participation is safe and child-friendly.

### 1. Should you be doing police training in the first place?

If you are an organisation planning on developing training for the police independently from a police training college the following checklist aims to provide useful guidance.

- ◆ Why do you want to get involved in police training on child protection?
- ◆ How does it fit into your overall advocacy / training strategy / curriculum?
- ◆ Are you in a good position to conduct training? Do you have the necessary: Experience? Skills? Resources? Relationships? Understanding of police issues?
- ◆ Is there someone else who can do it better or who you can work with in order to maximise effectiveness?
- ◆ Is the training sustainable? How will you avoid it becoming a one-off session where the majority of benefits are short lived?
- ◆ Will you be able to measure the impact? If so, how?

### 2. Still want to go ahead? What next?

#### a. TAKE ON BOARD LESSONS LEARNED

from police training programmes around the world – see Section C, and points identified throughout this toolkit by the following icon:



#### b. SECURE FUNDING!

Make sure your budget covers – as relevant – trainers' fees, venue hire, refreshments, transport, accommodation, honoraria, materials, photocopying, equipment hire, follow-on support etc.



**Questionnaire feedback: Funding for trainings came from the following sources: NGOs (38.9%), UNICEF/UN (24.1%), governments (22.2%), universities/institutes (3.7%), police (3.7%), European Commission (3.7%), other (3.7%).**

#### c. IDENTIFY SPECIFIC PARTICIPANTS

(ranks of police, gender, geographical targeting within a city). Although it is likely that in practice the choice of participants will be constrained by politics, police hierarchy and availability of personnel, these decisions should ideally be based on the following criteria and balanced against the type of training you have decided to conduct:

- ◆ **Need for training** (e.g. least knowledge, highest incidences of bad practice). See CSC website for a sample training needs analysis that can be conducted within police stations.
- ◆ **Biggest potential impact on children** (e.g. patrol officers have more direct contact with children, but middle management have the power to enforce good practice on the ground, and senior management can influence an overall culture of good practice within a police station).
- ◆ **Level of influence** (e.g. do they have the power to put into practice what they have learned?)
- ◆ **Mixture of participants** in one group / group dynamics (e.g. will junior officers be prepared to speak in front of senior officers? Are there cultural / gender issues to consider?)



**Questionnaire feedback:** While a vast majority of people were happy with both the number (85.3%) and the ranks of police officers that attended the training (78.8%), 63.3% were unhappy with the gender balance (too many men).



**Lessons learned:**

- ◆ Make training compulsory and/or linked to promotion;
- ◆ Limit the number of participants per session;
- ◆ Senior officers who take decisions should be made to attend training programmes personally rather than send delegates;
- ◆ Target both senior police and patrol/beat police: this was one of the three most important elements of successful police training identified in questionnaire feedback.

**d. IDENTIFY TRAINERS**

Careful selection of trainers is the key to successful training.



**Questionnaire feedback: (83 answers)** Trainings were conducted by NGO staff (31.3%), police trainers (22.9%), external/foreign consultants (18.1%), lawyers (12%), others (12%) and UNICEF staff (3.6%)



**Lessons learned:**

- ◆ Key elements to look for in a good trainer: knowledge of the subject area and strong communication and facilitation skills; understanding of the theory and the practice of policing and child protection;
- ◆ It is essential to have police training police, not only because of their practical experience – including understanding of difficulties encountered – but also because training by peers gains more respect and will be taken more seriously by participants. However, ideally a combination of both police and NGO / social welfare / child rights trainers works best as they complement each others' knowledge and skills;

- ◆ A consultant with 'expertise' in child rights, child protection and/or policing is not necessarily a good trainer – neither is a 'guest speaker' who 'specialises' in a particular topic. It is not enough to just be knowledgeable about a subject: a trainer must be able to communicate ideas simply, effectively and memorably as well as have the capacity to facilitate group dynamics. If you are paying for a trainer, check CVs and get references to confirm that he/she has the skills you are looking for. Be selective about inviting guest speakers;
- ◆ If foreign consultants are involved in training, ensure that adequate and high quality translation is made available. Remember to include this in your budget.

**e. ARRANGE LOGISTICS**

(invitations, venue, refreshments, equipment, trainers, translation etc.).

- ◆ **Seating arrangements:** circular seating with tables to place materials on ('U-shaped style') encourages greater interaction and makes for a better learning environment than a 'classroom' style arrangement; flexible seating is preferable as many activities involve moving around. The diagrams overleaf show different types of seating arrangements.<sup>1</sup> Seating in 'small groups' is particularly flexible.
- ◆ **Create a relaxed, friendly and creative learning environment:** dedicate one wall as a 'freedom wall' where participants can write/draw their thoughts, suggestions, questions and comments; display pictures made by children and children's quotations around the room.
- ◆ **Try to keep to schedule as much as possible:** make sure participants have adequate breaks to relax and absorb information. Avoid the temptation to cram in too much information.



**Questionnaire feedback:** The trainings were held in: police training colleges (22.2%), hotels (22.2%), (rented) halls (13.3%), NGO offices (8.9%), police stations (8.9%), outdoors (8.9%), government ministries (6.7%), academic institutes (4.4%), refugee camps (2.2%), other (2.2%). Most people (89%) agreed that the location does have a considerable impact on the training.

A

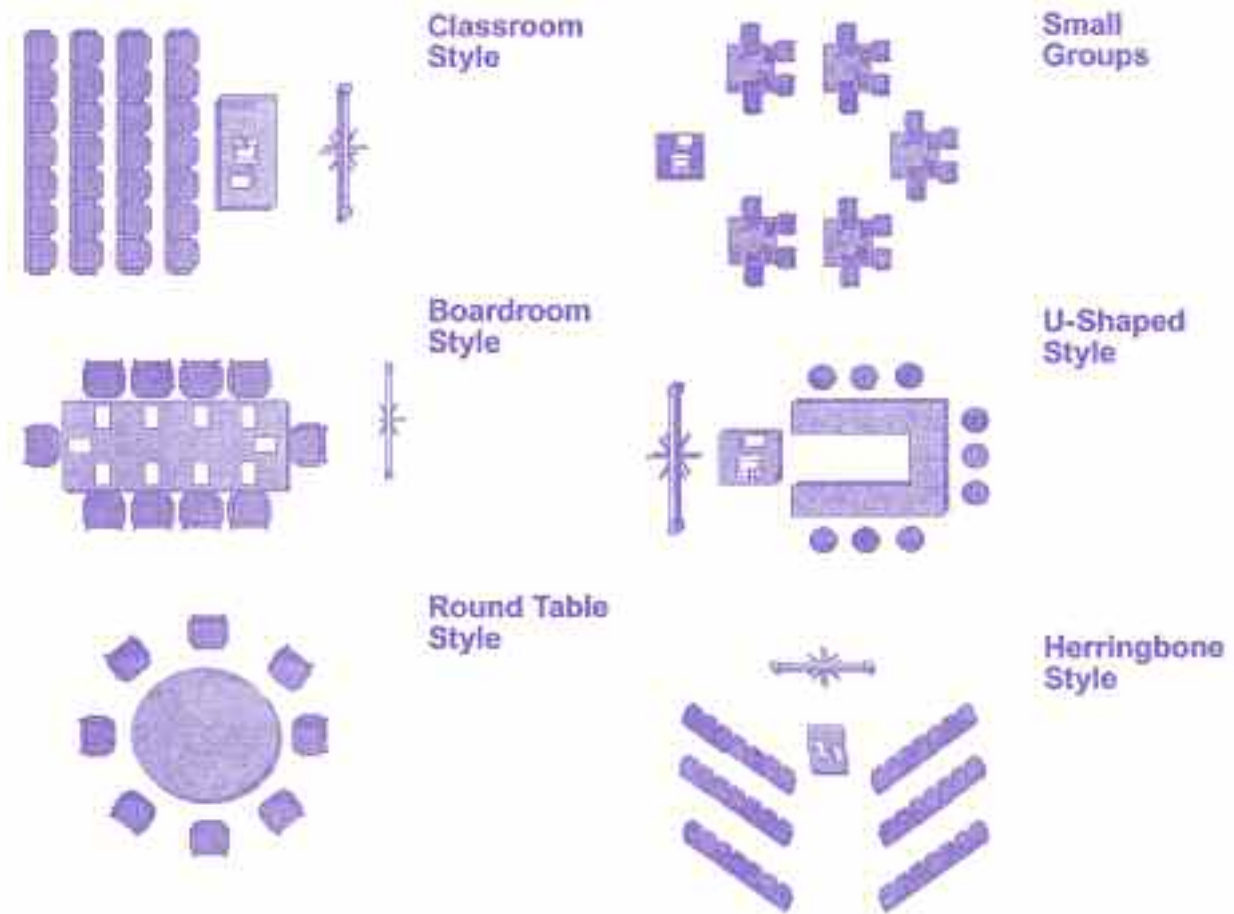
B

C

D

E

F



**Lessons learned:**

- ◆ **Good translation is essential (if relevant) otherwise participants lose out on valuable information and also become very frustrated.**
- ◆ **Pros and cons of holding trainings within police stations:**
  - ▶ **Pros:** easier to get police attendance; free venue;
  - ▶ **Cons:** distractions / police called away for emergencies / other duties; lack of space and appropriate materials; participants may feel constrained and not able to speak freely / relax.

- ◆ Make sure to adapt language, materials, case studies and examples to suit local social and cultural circumstances.
- ◆ Encourage participation of children and police in design of materials: the more involved the key stakeholders are with the design of the materials, the more 'ownership' and commitment they will have in relation to the training course and the more accurate and appropriate the materials will be.



**Questionnaire feedback:** Those involved/consulted in the production of the training materials were NGOs (25.2%), legal professionals (20.6%), police (17.9%) and children (only 9.3%).

**f. CONDUCT A TRAINING NEEDS ANALYSIS**

prior to the training in order to tailor training to the specific needs of participants who will be attending. See Appendix 2 for a sample questionnaire to assess participants' training needs.

**g. PLAN SESSIONS AND PREPARE SUPPORT MATERIALS**

(see Section 3 below for more details on training methodology).



**Lessons learned:**

- ◆ **Involvement of police themselves in police training was identified in the questionnaire feedback as one of the three most important elements of successful police training;**
- ◆ **Senior authorities should be involved in the process and production of new materials.**

## h. PLAN A MONITORING AND EVALUATION STRATEGY FROM THE OUTSET AND CONSIDER FOLLOW-UP

Monitoring and evaluation of a training course is essential if training is to be as effective as possible. Lessons must be learned and incorporated into further training sessions and follow-up is needed to assess impact. However, research shows that this is often overlooked.



### Questionnaire feedback:

- ◆ 57.5% (out of 40 answers) had questionnaires at the end of the sessions. However, 22% hadn't had any evaluation yet. 12.5% had done a large scale impact assessment. The remaining 7.5% used group discussions as a type of evaluation.
- ◆ In 66.7% of the cases no follow-up training had yet been conducted. When a follow-up training had taken place, it was usually within 6 months. Most of these follow-up trainings were conducted by the original trainer.

Types of monitoring and evaluation include the following:

### ◆ Monitoring of training course

- ▶ Trainers meet together with representatives of the participants at the end of each session/day to discuss and to document how the sessions went, which activities were particularly successful or unsuccessful, what changes can be made to materials, presentation style, what needs to be revised etc.
- ▶ Participants draw a large happy face on one side of a piece of paper/card and an unhappy face on the other. At certain times during the session, the facilitator encourages the participants to hold up their pieces of paper to indicate whether or not they are happy with an activity/whether or not they have understood a presentation. This can be adapted in many ways, e.g. hats worn backwards or forwards, standing up/sitting down, raising right or left hands (or both!), other agreed signals. This should be presented as a fun feedback activity to encourage the best possible learning environment.

### ◆ Evaluation of training course

- ▶ (Informal) Trainers facilitate verbal feedback at the end of the training course relating to the specific topics covered, the materials and approaches used, the facilitation style, the balance between presentation of information and practical sessions etc. The numbers of

participants in agreement with specific perspectives can be assessed and recorded.

- ▶ (Formal) In addition – or alternatively – to the informal evaluation, a training evaluation questionnaire can be completed by all participants individually at the end of the course. This can remain anonymous to encourage participants to freely express their views. (See Section 10 of the training manual for an example of a questionnaire).

### ◆ Evaluation of training impact

- ▶ In order to assess how the training is being incorporated into day-to-day practice by police personnel, see CSC website for a detailed framework of methodology and indicators as well as a questionnaire for police that can be adapted to suit local circumstances.

### ◆ Follow-up

- ▶ Refresher courses help to keep information fresh in the minds of participants and give an opportunity for police to discuss difficulties that they have encountered since the initial training session in implementing what they have learned;
- ▶ Support participants in their daily work by providing information, education and communication (IEC) materials (posters, pocket handbooks etc.);
- ▶ Communicate with station commanders to ensure that a child-friendly environment is being promoted within the station, and that police who attended the training are being supported in implementing what they have learned.

## 3. Methodology

### a. ADULT LEARNERS<sup>2</sup>

#### Adults learn from experience

All new learning for adults is based on what they already know. Encourage participants to use examples from their previous experience as much as possible: conduct a skills assessment first and then add to it by bringing in other sources of information; never assume that the participants know nothing about the subject matter.

#### Adults learn best from peers

Adults learn best from those of similar age and similar background. Encourage them to share with one another.

### Adults learn best what is relevant to their lives

Adults learn what they want to learn, what they are interested in and what they think will be useful to them in their lives. Use training materials that are relevant to the participants.

### Adults must be accorded respect

Adults must be treated with respect given that they have a wealth of experience, skills and ideas. Encourage them to participate fully in the learning process as equals. Encourage them to take responsibility for their own learning and actions. Never humiliate or laugh at them in front of others.

### Adults learn best through discussions

As adults grow older their powers of observation and reasoning often grow stronger. This ability to observe, think and analyse means that in adult education all are learners and all are teachers. Try and use discussions as much as possible because it enables adults to be both learners and teachers. Lectures and note-taking are less effective.

### Adults learn best through discovery

Tests have shown that adults remember:

- ◆ 10% of what they read
- ◆ 20% of what they hear
- ◆ 30% of what they see
- ◆ 50% of what they see and hear
- ◆ 80% of what they say
- ◆ 90% of what they say and do



**Questionnaire feedback:** The most common methodologies used in trainings are: handouts (15.9%), group discussions (15.4%), lectures (14.9%) and case studies (13.9%).



**Lessons learned:** The most effective methodologies, however, were judged to be: the first-hand meeting of children, drama, role plays and case studies. All of these are active methodologies which allow adults to learn by doing.

## b. GENERAL TRAINING TECHNIQUES

- ◆ **Adapt materials to local circumstances:** The materials and activities outlined in this book are drawn from a wide variety of sources from around the world. Situations obviously vary from city to city and from country to country. It is assumed that people using this book will adapt materials and activities to suit particular local social, political and cultural contexts.
- ◆ **Pay attention to how you look, sound and organise<sup>3</sup>:** look and sound confident, friendly, enthusiastic and in control; maintain good eye contact; dress smartly; stand up straight; smile!; speak audibly and clearly; use simple language – avoid jargon; remember the power of silence as well as words; present facts fairly; respond to questions; apologise when needed; be honest and straightforward; praise more and criticise less; prepare your materials in advance; make sure you know how to use equipment; be prepared to adapt if equipment fails; write clearly and make sure those at the back can see; set mutually agreed rules (no talking when someone else is talking; turn off mobile phones etc.).
- ◆ **Know your audience<sup>4</sup>:** find out as much information as possible about your audience beforehand: gender, rank, age, attitude, culture, experience, education, personality, religious background. Appreciate differences in skills and experience amongst participants and draw on their strengths throughout the training.
- ◆ **Be tolerant** of differences in approaches and strategies.
- ◆ **Give clear messages:** police respond well to ‘dos’ and ‘don’t’s’.
- ◆ **Make it fun, interesting and participatory:** participatory methods work best with 15-25 members in a group.



**Lessons learned:** Using imaginative, practical and visual methodologies for training (role play, video, case studies, drama etc.) was identified as one of the 3 most important elements of successful police training.

### Remember!<sup>5</sup>

- T – Tell them things only if they cannot do so themselves
- R – Repetition and practice makes permanent and perfect
- A – Attitudes are not taught, they are caught
- I – Involve participants to get maximum results
- N – Needs analysis is the starting point of training
- E – Evaluate results for constant improvement
- R – Reading materials are to complement and reinforce learning

## c. TRAINING TOOLS

- ◆ **Variety:** use a variety of techniques with an emphasis on practical activities, discussions and creative, memorable presentation techniques. Examples of training tools include: case studies, role plays, drama, problem solving, group discussions / working groups, lectures, brainstorming, panel discussions, pretend country example (Exland)<sup>6</sup>, visual materials and ‘energisers.’
- ◆ **Visuals:** keep visual materials simple; visuals should support what you are saying, not substitute it; they should be relevant and easy to explain, easy to understand, and easy to remember; use attractive, bright colours; make sure audio-visual aids are relevant and will add value to the topic (don’t just use them for their own sake); get them ready at the right place.



**Please note: If using images of children, make sure you have their permission / permission of their parent / guardian or NGO worker to use the image for training; change names to protect identity and maintain safety; if images depict especially vulnerable children (e.g. children identified as victims or offenders) their faces / identity should be blurred / obscured.**

### ◆ Energisers: Ideas for energisers<sup>7</sup>

- ▶ **Interviews:** Each person pairs off with another and asks several questions. Then each partner introduces the other to the whole group. Some leading questions might be:
  - ▶ What makes you unique?
  - ▶ What person in your life has helped to make you the strong leader you are?
  - ▶ When you hear the phrase “a human right,” what do you think about?
  - ▶ What animal best represents you?
  - ▶ Who is the best storyteller in your family or community?
  - ▶ What life event has most affected your worldview?
  - ▶ What brought you here?
- ▶ **In the same boat:** Explain that participants must locate others who share the same characteristic. Then call out some categories (e.g. those born in the same decade or month; those with the same number of children or siblings; those who speak the same language at home or the same number of languages).

- ▶ **Me too!:** One person says her or his name and starts to describe herself or himself. As soon as another person hears something in common, that person interrupts, giving her or his name (e.g., “I’m \_\_\_\_\_ and I too have two older sisters”) and beginning a self-description until yet another person finds something in common and interrupts in turn. Continue until everyone in the group has been introduced.



**Questionnaire feedback: The most frequently used materials for the trainings were handouts (16.5%), case studies (15%), manuals (13.1%), overheads (11.2%), pocket handbooks/leaflets (10.7%), role plays (10.7%), posters (8.3%), videos (7.3%), other visuals (4.9%), other (2.4%).**



**Lessons learned: Specific strategies are needed to train police with low levels of literacy. Unfortunately this is the case in many countries.**

“In some locations in Afghanistan many of the policemen are not literate. So in this case there is a need to raise their awareness on the CRC via video films, posters, drama and practical exercises.” (Save the Children, NGO, Afghanistan)


## d. CONTACT WITH CHILDREN

Direct contact between police and children at risk in the form of field visits to NGO projects, face to face meetings with street children and joint sports matches or cultural activities can be one of the most effective and lasting ways to sensitise police. However, experiences in this area vary greatly. If conducted badly, such meetings can have a very negative effect. Table 4 draws together some of the pros and cons of involving children directly in sensitisation / training programmes.

“A football match between the people attending the training and street children was supervised by ANERSER on the football pitch inside the police school, followed by discussions with the children.” (ANERSER, NGO, Burkina Faso)



**Table 4: Pros and cons of direct contact with children**

PROS	CONS
<p>Can be very effective to sensitise police / mutual breaking down of barriers</p> <hr/> <p> <b>Lessons learned (questionnaire feedback):</b>  <b>The first-hand meeting of children was considered one of the most effective methodologies by those who used this technique</b></p> <hr/> <p>It gives the police and children an opportunity to meet in a different environment to the one in which they would usually come into contact so they learn about each other as human beings</p>	<p>If prepared / handled badly, it can reinforce negative stereotypes and result in misunderstandings and increased mistrust</p> <p>“ Once in the police training there were fieldwork activities from working street children projects. The police didn’t talk to the children politely. That is why after a few minutes the working street children started beating the police, and police started beating children. ” (Save the Children, NGO, Afghanistan)</p>
<p>If a police officer is touched on a personal level by the story of an actual child, it is something he/she will remember for the rest of his/her life. This will have a very strong impact on police practice towards children, even if the police officer is relocated to a different station / area</p>	<p>Care must be taken to make sure that the reaction is not only one of ‘pity’ or disempowerment on the part of the police: police must also be given knowledge and skills on how to intervene constructively in the best interests of the child</p>
<p>Can be an empowering experience for children / an opportunity for them to voice their opinions</p>	<p>Takes time to organise; such visits may divert NGOs away from other important work / take time away from their busy schedules</p>
<p>Children can learn about the role of the police and how to seek their help and advice</p>	<p>Street children are likely to be wary of the police and time will be needed to break down barriers and build trust</p>
<p>Can help to strengthen links between the police and local NGOs / street children organisations which can then be called on for referral / advice by the police in individual cases</p> <p>“ We organise children’s meetings with the police which reflects positively on the relations between them and it could be developed on a regular basis. ” (SABAH, NGO, Sudan)</p>	<p>Due to high turnover of police personnel, face to face visits may have to be repeated often with different batches of police</p>
<p>Creative presentations by children about their experiences with the police can be very effective (e.g. drama, role play, pictures, music, poetry)</p>	<p>Creative presentations by children as part of training sessions can sometimes be ‘dismissed’ by adults as ‘fun’ / ‘recreation’ rather than ‘serious information’</p>
<p>Equally, it can be very effective if children participate in training sessions at the level of police – i.e. older children taking part in ‘adult’ style panel discussions. Adults might not necessarily expect this and it can gain respect for the children</p>	<p>The participation of children in adult-style discussions, if not conducted properly, runs the risk of being perceived as tokenism</p>

# Child protection checklist

Child protection must be the first consideration when bringing children into direct contact with the police as part of training / sensitisation! ‘SPICE’ up meetings between children and police:

- S – Safe
- P – Protected
- I – Informed
- C – Consulted
- E – Empowered

- ◆ **Safe? Are children safe?** Is the visit/meeting in the best interests of the child? Is there any way that the visit might be putting children in danger, e.g. if children talk informally / ‘off the record’ to police about their substance abuse / why they steal, is there a chance that some police may hold this against them and later punish them?
- ◆ **Protected? Are child protection policies<sup>6</sup> and procedures in place and being followed?** Does the NGO have a child protection policy in place? If so, have the police been oriented on it? E.g. have the police been briefed on behaviour guidelines when dealing with children? Do these guidelines include information about what constitutes a sensitive or insensitive question?

(Check if the NGO has its own behaviour guidelines as part of a child protection policy; otherwise, an example of good practice is provided in Appendix 3).

- ◆ **Informed? Are police aware** that they are not allowed to use any information revealed by children against them? Have police been informed that it might be better if they did not wear their uniforms when meeting the children?
- ◆ **Consulted? Have the children themselves been consulted about the visit (not just the NGO staff)?** Have the children been given full information about what the visit will involve i.e. the purpose of the visit, details of who will be attending and the questions that they are likely to be asked? Have the children given their ‘informed consent’ to the visit? If the training involves a presentation by the children, have they had full input into how they would like to present their opinions (i.e. choices such as creative versus formal presentation)?
- ◆ **Empowered?** If the children have given their informed consent to the visit, are they made to feel comfortable (i.e. in familiar surroundings, with a trusted adult and friends with them)? Have they been informed that they do not have to answer any questions which they don’t want to and that they can stop the process at any time?

## SUMMARY

You should now be familiar with the following:

- **Whether or not you are in a position to conduct police training on child rights and child protection;**
- **The practical steps involved in the planning of police training and methods available for training;**
- **The pros and cons of involving children directly in sensitisation / training programmes and essential child protection measures to take.**

## FOOTNOTES

- 1 Philippine National Police, Office of the High Commissioner for Human Rights & UNICEF, *Juvenile Justice Training Manual for Law Enforcers: Child Rights Training – Volume One*, 2002, pp.31-32.
- 2 Adapted from Uganda Police Force and UNICEF, *The Role of the Uganda Police in the Protection of Women and Children’s Legal Rights*, pp.131 & 137.
- 3 Adapted from Philippine manual, pp.15-18.
- 4 *Ibid.*, p.19.
- 5 *Ibid.*, p.12.

- 6 For example: when issues are particularly sensitive, it might help to ask participants to discuss the issue for an imaginary country – e.g. ‘In Exland, the police have a reputation for being corrupt: if you were a police officer in Exland, what recommendations would you make to the government to improve the situation?’
- 7 [www1.umn.edu/humanrts/edumat/hreduseries/hrhandbook/activities/11.htm](http://www1.umn.edu/humanrts/edumat/hreduseries/hrhandbook/activities/11.htm)
- 8 A child protection policy is ‘a statement of intent that demonstrates a commitment to safeguard children from harm and makes clear to all what is required in relation to the protection of children. It helps to create a safe and positive environment for children and to show that the organisation is taking its duty and responsibility of care seriously.’ (*Setting the Standard: A common approach to Child Protection for international NGOs*, Standard 1).

## C. Common obstacles & lessons learned about conducting police training

### OBJECTIVES

By the end of this section you should be able to:

- Understand the background to the lessons learned;
- Find out about additional lessons learned in relation to: the importance of a broader strategy, different approaches to police training, planning, methodology, follow-up, monitoring and evaluation.

### 1. Background

Common obstacles and lessons learned from past police trainings were gathered from three main sources: two participatory evaluations of existing police training projects; an international questionnaire distributed by email and internet; and desk-based research. The participatory evaluations took place in Addis Ababa, Ethiopia and Dhaka, Bangladesh in August and September 2004 and involved: focus group discussions and individual interviews with children, police, social workers, lawyers, judiciary, NGOs and other stakeholders; approximately 100 questionnaires distributed to police stations in each city to assess impact of training on police knowledge, attitude and practice; analysis of background documents.

The international questionnaire was circulated in English, French and Spanish. Over a period of approximately three months 67 questionnaires were returned from a total of 47 countries: Afghanistan, Albania, Bangladesh, Burkina Faso, Burundi, Cambodia, Congo, Cote d'Ivoire, Cyprus, Egypt, El Salvador, Ethiopia, Ghana, Guinea, Honduras, India, Indonesia, Northern Ireland, Japan, Kenya, Kyrgyzstan, PDR Lao, Liberia, Mali, Mongolia, Nepal, Niger, Pakistan, Palestine, Peru, Philippines, Portugal, Romania, Senegal, Serbia & Montenegro, Spain, Sri Lanka, Sudan, Sweden, Syria, Togo, Turkey, Uganda, United Kingdom, Vietnam, Yemen, Zambia. [Sub-Saharan Africa 32%; Asia 30%; Middle East & North Africa 15%; Western Europe 11%; Latin America 6%; Central & Eastern Europe 6%].

58.2% of the people who replied to the international questionnaire had personal experience in police training. 81% of the questionnaires were filled in by NGOs, 5% by police and police training colleges and the remainder were filled in by governments, UN agencies and academic institutions. 85.9% of respondents work directly with street children or deal with issues affecting street children.

### 2. Obstacles and lessons learned

Overall, the following were considered by questionnaire respondents to be the most important elements of successful police training:

1. Targeting both senior police and patrol/beat police (13.4%)
2. Involvement of police themselves in police training (12.8%)
3. Using imaginative, practical and visual methodologies for training (e.g. role play, video, case studies, drama) (11.8%)
4. Following up with additional / refresher training (10.5%)
5. Having police trainers training police (8.3%)
6. Quality of trainers (7.7%)
7. Using simple language during the training (7%)
8. Ongoing support for change from police station senior management (6.1%)
9. Targeting patrol/beat police (5.4%)
10. Training police of the same rank (5.1%)
11. Quality of written materials used (3.5%)
12. Targeting senior police (3.2%)
13. Length of training (1.9%)
14. Location of training (1.6%)
15. Other (1.6%)

Some of these lessons, along with others, are described in more detail below.

## a. Need for a broader strategy

### THE NEED TO ADDRESS THE SOCIO-ECONOMIC AND POLITICAL ENVIRONMENT

Police training obviously does not take place in isolation: it is contingent on the socio-economic, political and cultural environment at local and national levels. Child rights are often not a political priority, let alone for children who live on the edges of society. Although police training should be a government priority, questionnaire feedback reveals that initiative and funding for training comes mainly from NGOs: 49.1% of the trainings were initiated by NGOs compared with only 15.1% initiated by governments<sup>1</sup>; 38.9% were funded through NGOs compared with only 22.2% by national governments.<sup>2</sup> 54% of respondents did not think that the police (in general) are aware of their roles in child protection or that the government is taking the issue of police training and child protection seriously in their country (52%).

The most common challenges experienced by those involved in training were lack of resources (12.9%), police priorities (12.1%), children being a low political priority (11.2%) and the limited power of civil society to effect change (10.3%). Not only were these identified as the most common challenges, but also as the most difficult obstacles to overcome.

In addition to these ongoing challenges, the impact of training can also be severely undermined by specific insensitive political decisions that are made without thought for the consequences. For example:

“After the training conducted by the National Council of Social Development the police were very responsive, but the government round-up (“rescue”) of street children confused their attitude, so they followed the government policy of “rescuing” (the government’s term) [street children] in big numbers.” (Childhope Asia Philippines, NGO, Philippines)

This quote also illustrates the need for a coordinated approach to police training and child protection at the national level.

#### Examples of addressing the socio-economic and political environment

- ◆ Strong lobbying through NGO coalitions; continuous awareness raising programmes; convincing senior police officers that juvenile justice is a priority issue; target attitudinal change at individuals identified as particularly obstructive;
- ◆ Seek support at the highest level.



See also: Section A.2 on how to conduct a situation analysis and action plan in relation to a broader strategy to support police training.

### THE NEED FOR MULTI-SECTOR COLLABORATION

The juvenile justice system is not just one ‘system’, but an ‘overlapping’ of many systems involving multiple sectors such as police, social services, judiciary, community etc. It is imperative for the different groups to have common objectives. Many respondents to the questionnaires strongly emphasised the need for multi-sector collaboration both in general, as part of ongoing work, as well as in specific relation to the organisation of training. As this quotation from one NGO clearly illustrates,

“police should also be trained together with other professionals working on children such as social workers, lawyers, attorneys, judges, media personnel, NGO personnel, activists, etc. in order to have a cross-section of perspectives on the training so as to ensure coordination and cooperation in working on child protection.” (DCI, NGO, Ghana)

Unfortunately, not everybody understands the importance of such collaboration:

“We did invite the police to a training session on the CRC, sexual exploitation and abuse of children and the Senegalese legislation on child protection, but in vain. They requested a training without any civilians present, in opposition to the prison guards who participate in all the training sessions that we organise.” (La Lumière, NGO, Senegal)

#### Examples of multi-sector collaboration

- ◆ Constant dialogue, visits and meetings between the police department, social welfare department and heads of relevant NGOs;
- ◆ Key actors should establish a relationship with police station commanders and update each other regularly on initiatives for children;
- ◆ Arrange joint training and information exchange sessions;
- ◆ NGOs should attempt to overcome differences and present a united front through coalitions in order to lobby more effectively for improvements in the broader socio-political environment, and to assist government agencies to implement good practice;
- ◆ Where possible, formalise collaboration through official Memoranda of Understanding (MOUs) and formal networks (see below for more details).

“ Signing agreements with police stations and maintaining a permanent dialogue with their representatives is essential for obtaining a real interest for trainings and good feedback. ” (Salvati Copii, NGO, Romania)

“ It is suggested that in every District Headquarters, a Police and Child Protection Committee be constituted / formed with equal representation of children whose objective is to create and develop a friendly environment to bridge the gap of legal, moral and ethical issues around children. The committee would also be responsible for the training of police staff on the issue of child protection. ” (PRWSWO, NGO, Pakistan)

## THE NEED TO FORMALISE TRAINING AND COLLABORATION

NGOs and police themselves report that informal training efforts are often hampered by strict hierarchies and bureaucracy within the police. Informal training arrangements and relationships are often of great benefit in improving the attitudes and practice of individual officers, and are often the *only* way forward in complex, sensitive and highly politicized environments. However, widespread, consistent, long-term and sustainable change will only be possible when child rights and child protection is formally recognised and included in official curricula, manuals and collaborative agreements.

“ Unless and until these issues are included in the Police Training Manual, they are not going to take it seriously. ” (SANLAAP, NGO, India)

62.1% of questionnaire respondents claimed that in their country the police learn about children’s rights as part of the formal police training offered at police colleges.<sup>3</sup> However, experience shows that the length of time allocated to child rights within the overall curriculum, as well as the quality of training and materials on this subject, often leaves a lot to be desired. Any serious police training initiative should incorporate a strategy to get child rights and child protection onto the national police training curriculum and into official handbooks, manuals and guidelines. Care must be taken to ensure that training and supporting materials are practical, of good quality and are developed jointly between police, NGOs and children where possible.

### Examples of formalising training and collaboration

- ◆ Joint participation of police, NGOs and children in the development of materials and curricula to promote ownership and commitment;
- ◆ All materials / training manuals should be officially validated by the police;
- ◆ Arrange formal agreements / memoranda of understanding (MOUs) with senior police / station commanders for (e.g.) referral of children to NGOs, legal aid, community diversion programmes etc.
- ◆ Establish a more formal network made up of representatives of each sector of the juvenile justice system who each have sufficient authority to make and implement decisions.

## THE NEED TO IMPROVE WORKING CONDITIONS AND INTEGRITY WITHIN THE POLICE SERVICE

### Corruption

“ People joke that if there were no police, corruption in [this country] would be reduced by 60%! ” (Anonymous NGO)

Based on feedback from questionnaires and especially from street children themselves, there is a huge need for institutional reform of the police in many countries to eradicate corruption and even extortion in some cases. Policing is arguably one of the most important but also the most difficult of state professions. Until governments recognise it as such through budget allocation for decent wages and policy reform to improve working conditions, corruption, extortion and human rights violations will continue.

“ I think the main problem we encounter in terms of police work with children is corruption. Since the police only earn (US\$20) per month, it is very tempting and easy for them to force the children to buy their freedom with whatever money they have on them. ” (Children of Hope, NGO, Kyrgyzstan)

“ Corruption is rife, but when the government is looking for a good NGO, they always call for [us]. [Our NGO] has never given a single cent to police or government officers to attend training sessions etc. We have to prove that we are working very seriously and with integrity and lead by example. ” (Anonymous NGO)

“ [Recommendations must include] change in policies of selection of police officers and formal training at the academy and providing adequate salaries and benefits to police officers. ” (LICADHO, NGO, Cambodia)

“Most police officers pay for their position or get their jobs through contacts so they lack commitment, most have not gone through formal training, some are illiterate, others rely on their chiefs for the enforcement and some become police officers in order to conduct crimes. If there was commitment from the leadership and improvements in the challenges mentioned, then NGOs could work with police trainers to conduct more effective training as part of police training.” (LICADHO, NGO, Cambodia)



See also: Section below on working in especially difficult environments.

### Respect, recognition and career development

In order to increase professionalism in the police service, improved wages and working conditions must be accompanied by rigorous psychological screening of recruits (to identify and weed out violent, abusive, apathetic and corrupt applicants) and increased minimum educational requirements for recruits. In addition to upgrading skills and professionalism across the police service as a whole, it must be recognised that working with children in difficult circumstances demands particular skills and expertise: police who specialise in this area should be compensated accordingly and benefits should be available to encourage competition for this sector in order to improve the quality of applicants from amongst whom Child Protection Officers can be selected.

“Since the existing police personnel are mainly trained for combat and have predominantly been used for this purpose, fresh child-friendly applicants to the police should be selected [for specialised work with children] after checking their family background as one child suggested.” (Plan International, NGO, Sri Lanka)

### Gender equality

Of the total of 8458 of police officers who attended the different trainings detailed in questionnaire feedback, 72.9% were men. Not surprisingly, 63.3% of respondents were unhappy with the gender balance of participants in training sessions. In spite of ongoing attempts in some countries to improve the gender balance of police officers, the service is still undoubtedly a very male profession. Experience shows that there is often a tendency within police stations to assign female police officers to work with children on the assumption that their gender automatically makes them more appropriate for this type of work. Lessons learned from around the world, however strongly emphasise the following:

- ◆ Police specialising in work with children should ideally be made up of 50% female officers and 50% male officers. A female officer should always be present when handling

girls in conflict with the law, in need of care and protection or victims/survivors of abuse. However, boys in similar situations may relate better to male officers. Also, it is important for both girls and boys to have positive male and female role models, and to see both men and women in positions of responsible authority.

- ◆ Gender alone does not qualify an individual to work with children: character, personality and skills are more important.
- ◆ Automatically assigning female officers to work with children denies those women the same opportunities and freedom of career choices that are available to their male counterparts and this, in itself, constitutes discrimination. Specialising in child protection must be a voluntary choice.
- ◆ All police officers should receive training on gender sensitivity and this should also be included as a specific component in training on child rights and child protection.

### Examples of improving working conditions and integrity

- ◆ Government must improve wages, working conditions, educational standards and psychological screening of recruits across the police service as a whole;
- ◆ Increase respect, recognition and benefits for police specialising in children’s issues;
- ◆ Make child rights training compulsory and/or a criteria for promotion;
- ◆ Record complaints about incorrect handling of children on official personnel files to count against promotion;
- ◆ Develop alternative measures of ‘success’ beyond just arrest rates (which encourage illegal and arbitrary arrest, particularly of street children); e.g. crimes prevented, number of children assisted, number of children held in detention declined.
- ◆ Encourage positive assistance for children / boost morale for working on child rights and child protection by (e.g.) displaying in police stations photographs of cases where street children have been reunited with their families thanks to help from the police or where police have had a positive impact on at-risk children in the community;
- ◆ Officers must be held accountable for human rights violations, corruption and extortion through proper investigations, prosecutions and sanctions.

“More advocacy and persistent engagement is needed with the police. Challenge the police to justify action taken against children in conflict with the law by using radio talk shows etc.” (Don Bosco, NGO, Liberia)

A

B

C

D

E

F

## THE NEED FOR SPECIALISED POLICE, CHILDREN'S DESKS AND CHILD-FRIENDLY INTERVIEW ROOMS

In addition to a great need for all police to be sensitised and trained on basic child rights and child protection, experience reveals the importance of also having police who specialise in children's issues – both as offenders and victims/survivors. While 48.3% of respondents claim to have separate police specializing in working with children in their countries, only 36.7% mention having 'children's desks' in police stations. Those who have the latter tend to deal both with children as offenders and as victims of crime.<sup>4</sup> However, there may be a tendency in practice for children's desks to focus more on victims/survivors than on children in conflict with the law, particularly if the general police within a station have not received proper training on the correct referral of suspected child offenders who may continue to be treated as adults.

“ There is a need to improve the methodology of work with children (e.g. by establishing special rooms for interviewing children), [and for] special trainings for police officers who are investigating exclusively cases with children as victims or as offenders. ” (Salvati Copii, NGO, Romania)

“ It is important that specially trained police officers need to have an interest in working with/for children and an understanding of their situation. They need special training on different aspects, such as sexual abuse, commercial sexual exploitation and physical abuse, although maybe not the same police would be working on all these issues. ” (ECPAT, NGO, Sweden)



See also: [www.streetchildren.org.uk/policetraining](http://www.streetchildren.org.uk/policetraining) for examples of roles and responsibilities of children's desks and specialised police working with children as well as ideas for child-friendly police stations / interview rooms.

## THE NEED TO WORK WITH CHILDREN AS WELL

Whilst focusing on the police and adult efforts to improve child rights and child protection, it is easy to forget that children themselves can contribute to efforts to protect themselves. Evaluation and questionnaire feedback reveals that much more can be done to inform children themselves of their rights in specific relation to the police, as well as protection mechanisms available to them. For example,

“ The books are there on their rights, but there are none so far as I know that help the children know how to protect themselves. ” (LRF, NGO, Kenya)

“ Several NGOs have produced small brochures or pamphlets on the rights of the children, and several of us are also involved in life skills, which includes talking about their rights and how to protect themselves, but nothing is done on a large scale. ” (Children of Hope, NGO, Kyrgyzstan)

### Examples of working with children

- ◆ Outreach work through street workers and open air schools etc. to distribute child helpline numbers;
- ◆ Encourage peer education and support (e.g. empower children to call a local NGO if their friend has been arrested);
- ◆ Produce, *with children*, child-friendly and appropriate materials outlining what to do if they are arrested, abused, or at risk of abuse.

## THE NEED TO REMAIN OPTIMISTIC IN DIFFICULT CIRCUMSTANCES!

It can be very difficult to conduct effective police training in very difficult and complex environments – for example with entrenched corruption, breakdown of law and order etc. – and many of the lessons learned and recommendations featured here may appear to be unrealistic at first sight. However, it is important not to lose hope! The main lessons learned from around the world are that this work is complex, time consuming and frustrating, but also essential and extremely rewarding when even the smallest gains are made in the lives of children in exceptionally difficult circumstances. Experience shows that change is possible:

- ◆ Even if a situation appears almost impossible, work out the scope of what you can achieve and do the best you can within those constraints. Do not set yourself up to fail;
- ◆ Try a phased approach. For example: start by gently convincing the police officers that your help could make their job both easier and more satisfying; gradually get general, non-threatening 'happy children' child rights posters into police stations and once these have been accepted, slowly introduce posters, stickers and other materials with stronger messages more directly relevant to police practice; organise non-threatening football matches / cultural activities between local street children NGOs and the police (the benefit of informal interaction to break down barriers cannot be overstated); finally, work towards holding short training sessions at police stations.

“ Our [NGO] social workers faced huge problems initially. Officers in charge of stations were saying 'I don't want to see your face in this station again!' but [the social workers]

*persisted and succeeded on an individual level* ¶ (Aparajeyo Bangladesh, NGO, Bangladesh)

- ◆ Concentrate resources on a small ‘pilot’ area initially, for example one or two police stations in key areas. Document progress made – which strategies work and which don’t work. Only try to scale up once you have achieved success and you know why *and that you can replicate it elsewhere*. Otherwise, much time and energy can be lost in spreading limited resources too thinly and those involved in training becoming demoralised;
- ◆ Your project may benefit from stepping back and trying to map out and prioritise *particular* obstacles and work through them via a focused advocacy strategy;<sup>5</sup>
- ◆ Even in difficult circumstances there is room for improvement. Even within the limited sphere in which you might be able to operate, there will be recommendations to capitalise on, and thus move forward based on the achievements you have already made.

## b. Different approaches to police training

### THE NEED FOR CAREFUL TARGETING OF TRAINING AND SELECTION OF PARTICIPANTS

One of the most important decisions to be made in the development of police training programmes is the overall approach to take. This decision is best made within the context of a comprehensive situation analysis, as outlined in Section A.2. There is no single ‘right’ answer to this decision. It will depend entirely on your local circumstances and what you are able to achieve with the time and resources available. However, the following feedback from the questionnaire illustrates some lessons learned in relation to different approaches chosen:

- ◆ **General training – getting the training to where it is needed most:** ¶¶ *Don’t go through police academies, but through national police authorities, stating it should be police officers actively working in the field with this issue to be discussed that should attend.* ¶¶ (ECPAT, NGO, Sweden); focus on in-service training at police stations.
- ◆ **Train the decision makers, as well as the beat officers:** Senior officers who take decisions should be made to attend such training programmes personally rather than send delegates; targeting *both* senior police and patrol/beat police was highlighted by questionnaire respondents as the single most important element of successful police training (13.4%).

- ◆ **Basic training for all police as well as specialised training for a few:** ¶¶ *Although it is important to establish and train specialised police units in charge of the protection of the child, all policemen should receive a basic training on how to manage the first contact with a child who has been sexually abused, and what to do in such a case.* ¶¶ (Leasetc, Government / UNICEF / NGO collaborative project, Cambodia)

- ◆ **Selection of participants for specialisation:** ¶¶ *Select police officers with three or more years of professional experience and motivation to work in this area of investigation, with good skills in communication and empathy.* ¶¶ (Instituto Superior de Policia Judiciara e Ciencias Crimainais, police academy, Portugal); select the most interested, honest and capable officers.

- ◆ **Train on children in conflict with the law as well as children in need of care and protection:** Be careful not to concentrate on one group of children to the exclusion of others. In some countries, great strides have been made in the treatment of children as victims and this is obviously extremely important. However, it may be easier for the police to feel sympathy for a child who is a victim/survivor than for a child who is in conflict with the law. Generally, less progress has been made in training on this category of children, even though they may be equally in need of care and protection – in spite of their alleged offence.

### THE NEED FOR A SPECIFIC STRATEGY FOR ILLITERATE POLICE

Low levels of literacy and education in many police services pose particular problems for police training. In these cases, trainers must adapt materials and methodologies to avoid relying on the written word. Drama, role plays, songs, stories, pictures, direct contact with children and videos are particularly helpful. Handouts can be given, but should be adapted into images. The same is true of supporting materials for display in police stations after the training – for example posters on correct handling of children. A similar approach also applies in making materials child-friendly for children. It is also worth mentioning that these visual and creative methodologies are also more effective in training sessions in general – regardless of literacy levels.

¶¶ *In some locations in Afghanistan many of the policemen are not literate. So in this case it is needed to raise their awareness on the CRC via video films, posters, and dramas. There should be enough practical work.* ¶¶ (Save the children, NGO, Afghanistan)

¶¶ *Videos are important to show images of police and street children.* ¶¶ (OPDE, NGO, Burundi)





See also: Section A.3 on the pros and cons of different approaches to police training and Section d on lessons learned in relation to training methodology.

## c. Planning

### THE NEED FOR ‘OWNERSHIP’ OF THE TRAINING BY THE POLICE

Ownership of training within the police at a senior level and within particular stations is absolutely essential and cannot be stated enough. Involvement of the police themselves was identified by questionnaire respondents as the second most important element of successful police training overall (12.8%). Experience from most countries reveals that changes in practice are reliant on individuals and that this alone fails to contribute to a culture of overall change, especially in a context of rapid turnover of police personnel. Ownership and involvement of the police makes the difference between short and longer term strategies. It is key to the more strategic aims of sustainability, replicability and incorporation of standardised and quality materials into the police training curriculum. 87% of questionnaire respondents agreed that police officers should get the opportunity to input into the design of their own training materials. However, only 17.9% of training materials included involvement of the police.

### THE NEED FOR CAREFUL TARGETING AND SELECTION OF PARTICIPANTS

As highlighted above, groups for training will depend on the overall approach taken towards training and on the specific aims of the course. However, in terms of in-service training, it is better to prioritise police stations in areas where there are high concentrations of children, including street children, such as near schools, transport terminals and market areas. Start with those officers likely to be coming into contact with children the most often and then work to systematise training more broadly.

### THE NEED FOR CAREFUL SELECTION OF TRAINERS

Having police trainers training police, and ‘quality of trainers’ were identified by questionnaire respondents as the fifth and sixth most important elements of successful police training respectively. An overall training strategy should therefore include the development of *quality* police trainers in the context of training of trainers sessions.

“*The police training should be conducted by police trainers and advisors, with specific input from experts in matters which need a particular competence.*” (Leasetc, Government / UNICEF / NGO collaborative project, Cambodia)

### THE NEED FOR PARTICULAR CONTENT

Most of the trainings that were included in the questionnaires contained the key topics that make up child rights, child protection and sensitisation on the background of street children. However, one important subject did not appear to get the attention it deserves: gender was only specifically mentioned in 4.1% of questionnaires returned. Gender sensitivity is a complex subject which may well be new to participants and which is not always necessarily adequately covered in general ‘child’ rights messages. When deciding on the content of trainings, difficult choices have to be made, but care must be taken not to omit particular key issues. Another key issue that deserves attention is that of diversion and restorative justice as highlighted by the following quotation:

“*In Indonesia there are other ways to deal with juvenile offenders, such as involving traditional community leaders or religious leaders who usually use traditional (adat) law or community agreement / conciliation. Police training should maximise using traditional leaders or involving the community for children offenders, especially for the first time offenders. Understanding the concept of ‘restorative justice’ should become a major in the training curriculum.*” (SEMAK, NGO, Indonesia)

### THE NEED FOR OFFICIAL AUTHORISATION

Wherever possible, make sure that training is authorised and that senior police and/or station commanders have given permission for participants to attend. Do not underestimate the respect for hierarchy within the police service. If possible, get a very senior police officer to give a brief endorsement of the training – either in writing, which can read out at the beginning of the training and/or included in handouts for the participants, or invite him/her to attend the opening session and say a few words in support of the training. If possible, issue certificates to participants at the end of training which have been officially stamped by someone in authority.

## d. Methodology<sup>6</sup>

Using imaginative, practical and visual methodologies was identified by questionnaire respondents as the third most important element of successful police training (e.g. role play, video, case studies, drama). 84% indicated that better materials are needed for future training. Police want to know the rules *and* how to do their jobs effectively within the confine of these rules. Training should therefore focus on translating ideas and concepts into practice, with a focus on real problems and issues which the participants themselves bring up during sessions

“In my opinion the training manuals should be formulated as a “step by step” process, meanwhile it is more important to include role-plays and case studies, as it brings the training nearer to the needs of the police.” (CRCA, NGO, Albania)

“Any theory in relation to interviewing models needs to be backed up by practical examples. This enhances understanding and works on the basis that adults learn by doing. Using actors as children is a very effective way of recreating reality without the use of real children for obvious reasons.” (Thames Valley Police, UK)

“More attention should be given on practical aspects rather than theoretical aspects while organizing training.” (ATD, NGO, Ethiopia)

### LESSONS LEARNED IN RELATION TO METHODOLOGY

- ◆ Participatory methods: keep training imaginative, practical, visual, interactive, flexible, relevant and varied;
- ◆ Make sessions fun so that word spreads and there is demand within a station to attend;
- ◆ Give a brief presentation on the human rights standard and then apply and relate it to their work; only present theory if you can show how it is applied in practice;
- ◆ Respect police experience in the field;
- ◆ Ensure that training is focused on sensitising and attitudes, not just rules;
- ◆ Children’s participation is very important in training and sensitisation (see Section d detailed lessons learned in relation to this topic);
- ◆ Emphasise that knowledge of human rights is key to professionalism in modern law enforcement;
- ◆ Allow enough time to exchange experiences;

- ◆ Written handouts need to be very practical; make available important visuals referred to in the training manual;
- ◆ Posters in general can be more educational, i.e. posters that clearly and simply outline aspects of the law / handling of children;
- ◆ Teaching methods used should respect local cultural and religious realities as well as reflecting the human rights aims of the training. Trainers must select relevant materials and adapt examples as necessary.

“It is very important to consider the own culture of society in the training process” (Faculty of Education, Syria)

“Manual should have the materials and experience relevant in context with the country and definitely models/ best practices, which can be replicated according to one’s own context.” (CINI Asha, NGO, India)

## e. Follow-up, monitoring and evaluation

Although monitoring and evaluation is essential to ensure quality of training and to assess impact, only 57.5% of questionnaire respondents indicated having questionnaires at the end of the sessions, 22% hadn’t had any evaluation at all, and only 12.5% had done a large-scale impact assessment. Likewise, following up with additional / refresher training was identified by participants as the fourth most important element of successful police training (10.5%). However, in 66.7% of the cases, no follow-up training had yet been conducted. One reason identified for this lack of follow-up is funding:

“The NGO’s financial resources are limited, which do not permit to continue such training programmes including follow up activities.” (PRWSWO, NGO, Pakistan)

### LESSONS LEARNED IN RELATION TO FOLLOW-UP, MONITORING AND EVALUATION

- ◆ Follow-up must be integrated into the training programme from the beginning;
- ◆ Trainers should be tested for competence at the end of a course (end of course evaluation) before being allowed to conduct further training;
- ◆ Evaluate pre and post training to measure what lessons have been learned / how to improve materials;

- ◆ There must be continuous evaluation of the impact of the programme and revision in the light of identified shortcomings and new opportunities;
- ◆ Support officers on an ongoing basis through provision of new materials and technical support within police stations;
- ◆ Importance of support from senior police officers to ensure a climate of implementation / enforcement of good practice;
- ◆ Distance learning through the internet can be explored as a possible training method;
- ◆ Use of formal tests and informal ‘quizzes’ are encouraged at the end of training sessions to reinforce learning and can also be used at a later date to assess how much knowledge has been retained.

[Training in relation to trafficking] “The investigator’s manual and other documents produced for the police training should be updated every two years at least – new forms created should be included as well as comments and explanations on new laws and new investigation techniques – as the traffickers are modernizing their “modus operandi”, the police should be able to adapt criminal procedures and techniques on the new methods used by the traffickers and those who sexually exploit children.” (Leasetc, Government / UNICEF / NGO collaborative project, Cambodia)

“The police should, by the end of the training, be able to go beyond institutional considerations and work with civil society in the search for solutions for children. Because every change comes from an individual desire in a collective follow-up.” (ANERSER, NGO, Burkina Faso)

## SUMMARY

You should now be familiar with the following:

- The source of lessons learned;
- Lessons learned in relation to: the importance of a broader strategy, different approaches to police training, planning, methodology, follow-up, monitoring and evaluation.

## FOOTNOTES

- 1 Training sessions initiated by: NGOs (49.1%), police (17.0%), governments (15.1%), UNICEF/ UNHCR (11.3%), academic institutions (5.7%), social services (1.9%). NGOs reported that training for police was most often initiated in response to incidents (35.7% out of 58 answers) or on their own initiative (31%). Other reasons given for organising training include: required by government (17.2%), request from police officers themselves (12.1%), international donor pressure (1.7%), combination of factors (3.4%).
- 2 Funding for these trainings came from the following sources: NGOs (38.9%), UNICEF / UNHCR (24.1%), governments (22.2%), academic institutions (3.7%), police (3.7%), European Commission (3.7%), other (3.7%).
- 3 However, contradicting information has been gathered for a number of countries (Cambodia, Ghana, Kenya, Niger, Senegal, Yemen).
- 4 It should be pointed out, however, that contradictory information has been collected in relation to certain countries illustrating the lack of clarity on these issues in some countries.
- 5 See Section A.2 on how to map out a ‘problem tree’ and plan a programme strategy.
- 6 Includes lesson learned from UN OHCHR, *Human Rights and Law Enforcement: A Trainer’s Guide on Human Rights for the Police*, 2002. (Professional training series No.5/Add.2)

## D. Policy recommendations for governments & senior police

“ I wish that our community and government would love us and guide us and not be ashamed of us. I hope they would listen to our views and concerns. ”  
(Street children in the Philippines)<sup>1</sup>

These recommendations are based on lessons learned from the evaluation of police training project, as well as CSC’s ‘Street Children and Juvenile Justice Project’ (2002-2004). They focus particularly on governments and senior police. A full table of recommendations divided according to all actors in the juvenile justice system is available at [www.streetchildren.org.uk/juvenilejustice](http://www.streetchildren.org.uk/juvenilejustice)

### Recommendations to the government

- ◆ Urgently amend national **legislation** in line with the UN Convention on the Rights of the Child and other UN guidelines on juvenile justice, including:
  - ▶ Ensure that children below the age of 18 are accorded the protection of separate justice provisions and are not treated as adults;
  - ▶ De-criminalise ‘vagrancy’, ‘loitering’, victims of commercial sexual exploitation and status offences such as truancy and ‘running away’;
  - ▶ Set the minimum age of criminal responsibility at a suitable level, with due regard for the protection of *all* children, above and below that age (according to comprehensive implementation of international human rights standards);
  - ▶ Outlaw the death penalty and life imprisonment for crimes committed by children under the age of 18 at the time of the offence and commute any existing death sentences passed on children;
  - ▶ Ensure the protection of *all* children, regardless of gender, race, ethnicity, sexuality, disability and social, economic or any other status from discriminatory laws and practices.
- ◆ Orient political will and allocate resources to the structured development, implementation and monitoring of child rights-based comprehensive **prevention** policies as outlined in UN Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines), 1990.

- ◆ **Separate** the social welfare and criminal justice **systems** to avoid processing children who are *not* in conflict with the law through the criminal justice system, and allocate sufficient resources to social services.
- ◆ Amend legislation and practices and allocate resources to ensure that arrest and detention are only used as a last resort. Promote **diversion** programmes as an additional procedural mechanism to allow / propose exit points at each stage of traditional criminal proceedings, with an emphasis on restorative justice and child rights-friendly traditional and non-formal justice systems. Immediately end the practice of lengthy pre-trial detention / remand.
- ◆ Prioritise the use of **non-custodial sentencing** options as measures at the disposal of the judiciary (to constitute diversion from imprisonment, but not necessarily diversion from criminal proceedings) and implement immediate review of children currently in detention with a view to withdrawing them from detention for placement in alternative programmes.
- ◆ Immediately **stop the abuse** and maltreatment of children by law enforcement and other justice system personnel and safeguard their human rights. Protect children on the street and in custody from torture and ill-treatment, including rape and sexual abuse, whether by officials or other detainees. Complaints regarding mistreatment of children by the police or other authorities should be investigated promptly, thoroughly and independently and violators must be **disciplined and/or prosecuted** to the fullest extent of the law in order to challenge cultures of impunity that perpetuate violence and human rights violations.
- ◆ **Complaint mechanisms** must be established which allow street children and children in the criminal justice system to make confidential complaints – without fear of redress – to facility directors, to nominated national child rights representatives / ombudsmen, and/or to other appropriate national or international agencies. The system should ensure that all complaints are investigated and responded to promptly. During investigations (which often last for years or are open-ended), either suspend alleged perpetrators or move them to posts where they have no contact with children.
- ◆ Develop and implement screening procedures (including psychological profiling) in the recruitment of all **juvenile justice system personnel**, including *all* police (not just those specialising in children’s issues) and military law

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enforcement personnel. Ensure proper remuneration to increase professional motivation to work with children and combat bribery and corruption. All juvenile justice system personnel (police, social services, probation, lawyers, judiciary, staff in prisons and institutions) should receive rigorous initial training and periodic in-service training in human rights, gender sensitivity, children's rights, and communication with street children.

- ◆ Establish and enforce stricter **time limits** for all actors in the justice process in order to speed up the processing of cases involving children in conflict with the law.
- ◆ Make **children's participation** central to reform processes. Create spaces for children's voices to be heard at all levels.
- ◆ Facilitate closer and stronger **communication and coordination** between *all* actors and sectors in the criminal justice and social welfare systems, including among central and local government agencies, and between government agencies and civil society.
- ◆ Establish appropriate **monitoring systems** of both the government and independent, non-governmental organisations. Monitors should be permitted to conduct confidential interviews with detained children of their choosing, with the consent of the children involved. Such monitoring should include making unannounced inspections of all detention facilities, including police cells, and should be given the authority and means to intervene whenever there are reasonable grounds to believe that abuses have been committed.
- ◆ Establish regular **evaluation mechanisms** for both the component parts of the system and how they function as a whole. Identify and address – through a child rights-based approach, priority areas for reform. Ensure that comprehensive official statistics are properly maintained. These should be used to monitor and evaluate implementation of policy.
- ◆ Establish, publicise and support toll-free **child helpline** numbers which are adequately staffed by trained personnel and which are available 24 hours a day. Any child or interested party, including police officers, should be able to call the number to report an incident of abuse or obtain information regarding services available to street children and children in the criminal justice system.
- ◆ Promote and/or undertake, in association with academic and civil society institutions: longitudinal **research** on effective crime prevention and diversion strategies; participatory research involving the community and children and young people into crime prevention and rehabilitation in the community, focusing on existing structures (local associations, youth and church groups); research on public perceptions of juvenile offending in order to identify appropriate 'entry points' for influencing public opinion; **cost / benefit analyses** of investing in comprehensive child protection systems at local and

national levels in order to develop a more accurate picture of the economic and social costs of failure to invest in prevention and protection programmes.

- ◆ Develop partnerships with the **media** to promote advocacy messages regarding child rights, restorative justice and the importance of prevention, diversion and alternatives to detention; to publicise positive outcomes with young offenders; to encourage community-level support for vulnerable children and young people.

## Recommendations to senior police and station commanders

- ◆ Incorporate material on child rights and child protection in the **police training** curricula and **official handbooks, manuals and guidelines**. Ensure systematic training of all police in your station on child rights and child protection and make it a criteria for promotion. Complaints about particular officers in the handling of children should be recorded on personnel files and should count against promotion.
- ◆ Create **child-friendly police stations**: Encourage and support an atmosphere which does not tolerate violence, abuse or discrimination (including in the use of language by police officers); display child rights posters from NGOs / UNICEF etc. around the station; establish children's desks staffed by specially trained, gender-balanced and sensitive personnel to correctly handle children in conflict with the law, in need of care and protection or as victims/survivors; make it standard practice to notify a senior police officer every time a child is brought to the station.
- ◆ Keep **full and confidential records** on all children who pass through the station, including their identity, age, the reasons why they have come to the station, date and time of reception into the facility, transfers and releases, notifications sent to parents / guardians / appropriate adults, physical or mental health problems, and information on the personnel involved in dealing with their cases.
- ◆ Ensure that officers under your command **divert** all cases of children in conflict with the law where possible away from the formal criminal justice system using the following options as appropriate to each individual case: verbal and written warnings, formal apology and undertaking by the child not to do repeat the offence, family group conferencing, mediation, community service and referral to community-based pre-trial diversion programmes etc. Involve as many relevant stakeholders as possible when developing a diversion plan such as social workers, parents, guardians or community members.

- ◆ Ensure that police officers in your station **do not detain children in police cells** prior to appearance before a juvenile magistrate except as a last resort. In cases where detention is unavoidable, human rights standards must be met with regards to separation on the grounds of age and convicted status, hygiene, sanitation, space, ventilation, food, clothing, adequate sleeping materials etc. Torture and violence must be strictly forbidden. Police found guilty of torture, mistreatment or seeking sexual favours from children must be brought to justice promptly.
- ◆ Develop **links with local NGOs and social services**. Ensure that the duty manager has access to helpline numbers and information about facilities and services available in the area where at-risk children can be referred. Give official authorisation for collaboration and proactively encourage it within your station. Sign memoranda of understanding (MOUs) with local NGOs for referral and collaboration.
- ◆ Build stronger relationships with local communities and take an active role in promoting **prevention of juvenile crime and child abuse** amongst officers under your command. Take violence against women and children seriously: protect children from cruelty and torture by parents, teachers and others; hold parents, teachers and other caregivers responsible for cruelty to children in the home, school and other environments. Protect children from harmful employment, prostitution, neglect and abuses and exploitation of all kinds.
- ◆ Actively **network with other station commanders in your area** to exchange ideas and good practice and to encourage other commanders to implement child-friendly practices based on your own experience.

## FOOTNOTE

- 1 Child participants quoted in UP CIDS PST, *Painted Gray Faces, Behind Bars and in the Streets: Street Children and Juvenile Justice System in the Philippines*, UP CIDS PST and CSC, Quezon City, Philippines, 2003, p.142

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## E. Conclusion

The factors that influence the success of police training are so complex and challenging that efforts can, at times, appear to be just a drop in the ocean. This is especially so when compared with the scale of the need for reform, both nationally and internationally, and the severity of the problems faced by children who come into contact with untrained and unsensitised police.

Until governments start taking seriously their commitments to international human rights and juvenile justice instruments, positive impact will only be achieved on a very small scale. The failure of governments to take a political lead on child rights and child protection is not only a violation of international human rights law, but is also costly – economically as well as for the children and communities involved.

‘Falling into the trap’ of filling up the shortfall, NGOs, UNICEF and donor governments often commit to initiating and carrying out the work of the government in relation to police training. However, in spite of the numerous obstacles, feedback shows that training *does* significantly improve practice: 24.2% of questionnaire respondents claimed that police practice with children ‘very much improved’, 63.6% agreed that it ‘somewhat’ improved and only 12.1% claimed the situation remained the same.

In conclusion, we must remind ourselves that training works. Even in difficult situations, motivated individuals will always find a way forward, however complex or daunting the obstacles may be. By working within a broader strategy, taking on board lessons learned in order to improve current training, and by setting realistic targets, organisers of police training can bring about change and guarantee the best possible outcome of any meeting between a child and a police officer. At the same time, however, by sharing their knowledge, commitment and experience, as well as by integrating child rights and child protection into their daily practices, police officers will be *the* most important actors who can bring about change.

The second part of this book therefore proposes a suggested training manual, based on an analysis of existing manuals from different countries, to assist the police in this vital work with children.

### Please give us feedback

This book was produced within the limits of a short-term project and would benefit from improvements based on practical use and exchange of experiences in different country contexts. Have you used this manual? If so, how? Which parts were most useful? How can it be improved? Do you have better exercises or materials to share? Please send us suggestions for improvement as well as information on how it has been adapted in different contexts. We will make this information available on our website for the greatest benefit of all those working on this issue.

Email [info@streetchildren.org.uk](mailto:info@streetchildren.org.uk)

See [www.streetchildren.org.uk/policetraining](http://www.streetchildren.org.uk/policetraining)

## F. Useful resources

A selection of the key resources listed below is available on CSC's website at [www.streetchildren.org.uk/policetraining](http://www.streetchildren.org.uk/policetraining). Please contact [info@streetchildren.org.uk](mailto:info@streetchildren.org.uk) to recommend additional resources in the area of police training on child rights and child protection.

### International instruments

- ◆ UN Convention on the Rights of the Child: [www.ohchr.org/english/law/crc.htm](http://www.ohchr.org/english/law/crc.htm)
- ◆ African Charter on the Rights and Welfare of the Child: [www.achpr.org/english/\\_info/child\\_en.html](http://www.achpr.org/english/_info/child_en.html)
- ◆ UN Guidelines on the Prevention of Juvenile Delinquency (Riyadh Guidelines): [www.ohchr.org/english/law/juvenile.htm](http://www.ohchr.org/english/law/juvenile.htm)
- ◆ UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules): [www.ohchr.org/english/law/beijingrules.htm](http://www.ohchr.org/english/law/beijingrules.htm)
- ◆ UN Rules for the Protection of Juveniles Deprived of their Liberty (JDLs): [www.ohchr.org/english/law/res45\\_113.htm](http://www.ohchr.org/english/law/res45_113.htm)
- ◆ UN Guidelines for Action for Children in the Criminal Justice System (Vienna Guidelines): [www.ohchr.org/english/law/system.htm](http://www.ohchr.org/english/law/system.htm)
- ◆ UN Standard Minimum Rules for the Treatment of Prisoners: [www.ohchr.org/english/law/treatmentprisoners.htm](http://www.ohchr.org/english/law/treatmentprisoners.htm)
- ◆ UN Standard Minimum Rules for Non-Custodial Measures (Tokyo Rules): [www.ohchr.org/english/law/tokyorules.htm](http://www.ohchr.org/english/law/tokyorules.htm)
- ◆ UN Code of Conduct for Law Enforcement Officials: [www.ohchr.org/english/law/codeofconduct.htm](http://www.ohchr.org/english/law/codeofconduct.htm)
- ◆ UN Basic Principles on the use of Force and Firearms by Law Enforcement Officials: [www.ohchr.org/english/law/firearms.htm](http://www.ohchr.org/english/law/firearms.htm)

### Police training manuals and guides: child rights and child protection

- ◆ **CINI Asha**, *Trainers Manual for Police Personnel* (draft), Kolkata, India, Dec 2004
- ◆ **Convenio Policía Nacional del Perú, Save the Children Suecia, Acción por los Niños, Curso de Capacitación, La Policía Nacional del Perú, Promotora de Derechos de Niñ@S, Adolescentes y Familia**, [www.accionporlosninos.org.pe/publi5.htm](http://www.accionporlosninos.org.pe/publi5.htm)
- ◆ **Crown Prosecution Service (UK)**, *Achieving Best Evidence in Criminal Proceedings: Guidance for Vulnerable or Intimidated Witnesses, Including Children*, [www.homeoffice.gov.uk/docs/intimidatedwitnesswhole.pdf](http://www.homeoffice.gov.uk/docs/intimidatedwitnesswhole.pdf)
- ◆ **Independent Working Group (Herlina, A., Sri Sardjiati, H., Sudinar, H., Fakhri, M., Misbah Purnianti, M. & Kusumaningrum, S.)**, supported and facilitated by **UNICEF Indonesia**, *Training Manual for Police on Children's Rights and Juvenile Justice*, final draft, Indonesia, 2003
- ◆ **Jacobsen, A.F., Kattel, M. & Sano, H-O.**, *Review of Children's Rights Training in Nepal*, for The Danish Centre for Human Rights, February 2000, [www.humanrights.dk/upload/application/290e625b/nepalmanus.pdf](http://www.humanrights.dk/upload/application/290e625b/nepalmanus.pdf)
- ◆ **Kacprzak, J.**, *How to Protect Human Rights? Lesson Plan: Children's Rights in the UN System of Human Rights Protection*, Helsinki Foundation for Human Rights, Warsaw, Poland, 1997, [www.hrea.org/erc/Library/monitoring/HFHR/7-UN-Kids.html](http://www.hrea.org/erc/Library/monitoring/HFHR/7-UN-Kids.html)
- ◆ **Karnataka State Police & UNICEF** (Gender Sensitisation Project: Violence against Women and Children), *Training and Resource Manual for Police Personnel*, India, 2003
- ◆ **Kelly, Prof. L.**, *VIP Guide: Vision, Innovation and Professionalism in Policing Violence against Women and Children*, produced for the Council of Europe Police and Human Rights 1997-2000 Programme, Child and Woman Abuse Studies Unit, University of North London, London / Strasbourg: Council of Europe Publishing, [www.coe.int/T/E/Human\\_Rights/Police/2\\_Publications/2\\_2\\_VIP\\_Guide/PDF\\_VIP%20Guide-December%202001.pdf](http://www.coe.int/T/E/Human_Rights/Police/2_Publications/2_2_VIP_Guide/PDF_VIP%20Guide-December%202001.pdf)
- ◆ **Metropolitan Police Service**, London, *Roles and Responsibilities of Police in Child Protection Investigations* [www.met.police.uk/so/so5.htm#responsibilities](http://www.met.police.uk/so/so5.htm#responsibilities)
- ◆ **People's Democratic Republic of Lao, Ministry of Justice**, *Juvenile Justice Workshop: Participants Manual*, PDR Lao
- ◆ **Philippine National Police, Office of the High Commissioner for Human Rights, UNICEF**, *Juvenile Justice Training Manual for Law Enforcers: Child Rights Training, Volume One*, Philippines, 2002
- ◆ **Police (UK)** Research Series Paper 94: *Child Abuse: Training Investigating Officers*, briefing paper: [www.homeoffice.gov.uk/rds/prgpdfs/prg94bf.pdf](http://www.homeoffice.gov.uk/rds/prgpdfs/prg94bf.pdf); full version: [www.homeoffice.gov.uk/rds/prgpdfs/fprs94.pdf](http://www.homeoffice.gov.uk/rds/prgpdfs/fprs94.pdf), October 1998
- ◆ **Save the Children Sweden, Regional Office for Eastern and Central Africa and Forum on Street Children Ethiopia**, *Protection of Children, Youth and Women: Manual for Training Police Officers*, Addis Ababa, Ethiopia, 1999



- ◆ **Save the Children Sweden, Forum on Street Children Ethiopia & Addis Ababa Police Commission**, *Guidelines for Police Working in Child Protection Programs in Ethiopia & Pocket Book for Police Officers Working in Child Protection Programs*, Ethiopia, March 2004
- ◆ **Uganda Police Force and UNICEF**, *The Role of the Uganda Police in the Protection of Women and Children's Legal Rights, A Trainer's Manual*, Uganda
- ◆ **UNICEF Mongolia**, *Police Guidelines for Dealing with Children*, Mongolia
- ◆ **UNICEF Timor-Leste Child Protection Section**, *Training Manual for Police Officers on Child Rights, Juvenile Justice, Child Abuse and Children At-Risk*, Draft 2004
- ◆ **United Nations**, *Asia-Pacific Answers: Good Practices in Combating Commercial Sexual Exploitation of Children and Youth*, 2001, [www.unescap.org/esid/hds/sexual/inter-agency.doc](http://www.unescap.org/esid/hds/sexual/inter-agency.doc)
- ◆ **United Nations**, *The Standard Generic Training Module (SGTM) 5 D: Child Protection in UN Peace Operations*, 2002, [www.un.org/depts/dpko/training/sgtm/sgtm.htm](http://www.un.org/depts/dpko/training/sgtm/sgtm.htm)

## Police training manuals and guides: human rights (not child-specific)

- ◆ **Altus Global Alliance Series**, *Opening the Station House: Five Practical Ways to Improve Service and Reduce the Opportunities for Corruption at Any Police Station*, Local to Global, No. 1 April 2004, [www.altus.org](http://www.altus.org)
- ◆ **Amnesty International**, *A 12-Point Guide for Good Practice in the Training and Education for Human Rights of Government Officials*, AI Index ACT 30/1/98, 1998, [www.amnesty.org](http://www.amnesty.org)
- ◆ **Amnesty International**, *10 Basic Human Rights Standards for Law Enforcement Officials*, AI Index POL 30/04/98, December 1998, [www.amnesty.org](http://www.amnesty.org)
- ◆ **Crawshaw, R.**, *Human Rights and their Protection under International Law: A Pamphlet for Police*, Council of Europe / Human Rights Centre, University of Essex, December 2000, [www.coe.int](http://www.coe.int)
- ◆ **Jacobsen, A.F. & Bang, D.**, *Human Rights and the Police: a Training Manual*, The Danish Centre for Human Rights, 1999, [www.hrea.org](http://www.hrea.org)
- ◆ **Joint Informal Working Group on Police and Human Rights**, *Policing in a Democratic Society – Is your Police Service a Human Rights Champion?*, Council of Europe programme Police and Human Rights 1997-2000, Austrian Ministry of the Interior, Vienna, 2000, [www.epphr.dk](http://www.epphr.dk)

- ◆ **United Nations Office of the High Commissioner on Human Rights**, Professional Training Series No. 5/Add.2, *Human Rights and Law Enforcement: A Trainer's Guide on Human Rights for the Police*, Geneva, 2000, [www.ohchr.org](http://www.ohchr.org)
- ◆ **United Nations Office of the High Commissioner on Human Rights**, Professional Training Series No. 5/Add.3, *Human Rights Standards and Practice for the Police, Expanded Pocket Book on Human Rights for the Police*, UN New York and Geneva, 2004, [www.ohchr.org](http://www.ohchr.org)

## Police training: challenges and evaluations

- ◆ **Adams, C., & Hendry, E.**, *Challenges to Police Training on Child Protection*, Child Abuse Review. Vol. 5:70-72, 1996.
- ◆ **Amnesty International**, Campaign for Human Rights Education, *Police Human Rights Training in Nepal & Human Rights – what have they got to do with the police?*, June 2003, [www.amnesty.org](http://www.amnesty.org)
- ◆ **Kelly, M.**, *An Evaluation of Human Rights Training for Student Police Officers in the Police Service of Northern Ireland*, Northern Ireland Human Rights Commission, November 2002, [www.nihrc.org](http://www.nihrc.org)
- ◆ **Sauvé Bell Associates**, Training Needs Analysis for those Working with Vulnerable or Intimidated Witnesses: Audit of Current Training Materials – final report prepared for the Home Office (UK), [www.homeoffice.gov.uk](http://www.homeoffice.gov.uk), September 2000
- ◆ **Taylor, M.**, *The Human Rights Challenge in Police Practice: A Reference Brochure*, Police and Human Rights 1997-2000 programme by the Council of Europe, [www.coe.int](http://www.coe.int)

## Human rights education (not police or child-specific)

- ◆ **Abeyesekera, S. et. al.**, *Circle of Rights: Economic, Social and Cultural Rights* [www1.umn.edu/humanrts/edumat/IHRIP/circle/toc.htm](http://www1.umn.edu/humanrts/edumat/IHRIP/circle/toc.htm)
- ◆ **Activism – A Training Resource**, International Human Rights Internship Program & Forum-Asia. 2000, [www1.umn.edu/humanrts](http://www1.umn.edu/humanrts)
- ◆ **Benedek, W. & Nikolova, M. (eds)**, *Understanding Human Rights: Manual on Human Rights Education*, ETC Federal Ministry for Foreign Affairs of Austria in Cooperation with the ETC, Vienna, Austria, 2003, [www.etc-graz.at](http://www.etc-graz.at)
- ◆ **University of Minnesota Human Rights Resource Centre**, *The Human Rights Education Handbook: Effective Practices for Learning, Action and Change*, [www1.umn.edu/humanrts/edumat/hreduseries/hrhandbook/toc.html](http://www1.umn.edu/humanrts/edumat/hreduseries/hrhandbook/toc.html)

## Substance abuse

- ◆ **World Health Organisation**, Mental Health Determinants and Populations Department of Mental Health and Substance Dependence, *Working with Street Children: A Training Package on Substance Use, Sexual and Reproductive Health Including HIV/AIDS and STDs, MODULE 3: Understanding Substance Use Among Street Children*, Geneva, Switzerland, [whqlibdoc.who.int/hq/2000/WHO\\_MSD\\_MDP\\_00.14\\_Module3.pdf](http://whqlibdoc.who.int/hq/2000/WHO_MSD_MDP_00.14_Module3.pdf)

## Child abuse and disability

- ◆ **Guidry Tyiska, C.**, *Working with Victims of Crime with Disabilities*, National Organization for Victim Assistance (USA), [www.ojp.usdoj.gov/ovc/publications/factshts/disable.htm](http://www.ojp.usdoj.gov/ovc/publications/factshts/disable.htm)
- ◆ **NSPCC**, *It doesn't happen to disabled children: Child protection and disabled children – Report of the National Working Group on Child Protection and Disability*, 2003, [www.nspcc.org.uk/inform/downloads/ItDoesntHappenToDisabledChildren.pdf](http://www.nspcc.org.uk/inform/downloads/ItDoesntHappenToDisabledChildren.pdf)
- ◆ **Reynolds, L.A.**, *People with Mental Retardation and Sexual Abuse*, 1997, [www.thearc.org/faqs/Sexabuse.html](http://www.thearc.org/faqs/Sexabuse.html)

## Training methodology

- ◆ **Office of Juvenile Justice and Delinquency Prevention**, National Training and Technical Assistance Center, *Training With Style*, (USA) [www.nttac.org/main/index.cfm?event=artTrainingWithStyle](http://www.nttac.org/main/index.cfm?event=artTrainingWithStyle)
- ◆ **Osse, A.**, *Discussion tools: A police and human rights trainer's manual – 15 ideas to encourage police officers to reflect on human rights issues*, Council of Europe programme on Police and Human Rights 1997-2000, [www.humanrights.coe.int](http://www.humanrights.coe.int)

## Other resources

- ◆ **Children's Legal Centre**, University of Essex, UK, *Child Protection*, [www.childrenslegalcentre.com/Templates/Topic.asp?NoDelID=89851](http://www.childrenslegalcentre.com/Templates/Topic.asp?NoDelID=89851)
- ◆ **Helpguide**, *Child Abuse: Types, Signs, Symptoms, Causes and Help* [www.helpguide.org/mental/child\\_abuse\\_physical\\_emotional\\_sexual\\_neglect.htm](http://www.helpguide.org/mental/child_abuse_physical_emotional_sexual_neglect.htm)
- ◆ **International Society for Prevention of Child Abuse and Neglect (ISPCAN)**, *Train the Trainers Guidelines for International Training Project of ISPCAN (ITPI)*, International Training Project of ISPCAN (ITPI) Tool Kit for Training Projects, 5/2004. p4. [www.ispcan.org/itpi/ITPItoolkit.htm](http://www.ispcan.org/itpi/ITPItoolkit.htm)

- ◆ **Marchant, R. & Cross, M.**, *How it is*, Triangle & NSPCC, [www.nspcc.org.uk/inform/howitis/browse.asp](http://www.nspcc.org.uk/inform/howitis/browse.asp) (an image vocabulary that has been developed to help children communicate about a range of important issues)
- ◆ **Sloth-Nielsen, J. & Gallinetti, J.**, *Child Justice in Africa: A Guide to Good Practice*, Community Law Centre, South Africa, 2004, [www.communitylawcentre.org.za/children/publications.php#practice](http://www.communitylawcentre.org.za/children/publications.php#practice)
- ◆ **Wernham, M.**, *An Outside Chance: Street Children and Juvenile Justice – an International Perspective*, Consortium for Street Children, London, 2004, [www.streetchildren.org.uk/juvenilejustice](http://www.streetchildren.org.uk/juvenilejustice)

## Table of international experiences in police training in relation to child rights and child protection



Please note: This is a first attempt to gather information on training which has taken place internationally. It has been compiled from questionnaire feedback and internet research. It is by no means comprehensive. However, this table is available on CSC's website at [www.streetchildren.org.uk/policetraining](http://www.streetchildren.org.uk/policetraining) and will be updated as and when new information is acquired. Please contact [info@streetchildren.org.uk](mailto:info@streetchildren.org.uk) to inform us of any corrections or additional trainings to be added to this list. In order to benefit from other people's experience, we strongly recommend that you contact organisations in your area before conducting your own training.

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COUNTRY	ORGANISATION & CONTACT DETAILS	PARTNERS
<b>AFRICA</b>		
Burkina Faso	ANERSER B.P. 11377 Ouagadougou 08 Tel: (226) 50431061 / 76601221 Fax: (226) 50340070 Email: anerser@yahoo.fr	College Maisonneuve Quebec & Ecole du Service de l'Action Sociale
Burundi	OPDE B.P. 6252 Bujumbura Tel: (257) 218148 Fax: (257) 213354 Email: rwamo@cbinf.com awamo@opde.org	
Democratic Republic of Congo	BVES B.P. 141 Bukavu Tel: (243) 0813185450 Email: murhabazinamegabe@ yahoo.fr	US Embassy
Ethiopia	Forum on Street Children, Ethiopia (FSCE) PO Box 9562 Addis Ababa Tel: (251)1534432/(251)1534722 Fax: (251) 1534469 Email: fsce@telecom.net.et, crdc@telecom.net.et	
Guinea	SABOU Guinée B.P. 6621 Conakry Tel: (224) 215178 Email: malfad@yahoo.it	Government  UNICEF  Terre de Hommes
Kenya	The CRADLE 10101, 00100 GPO Nairobi Tel: (254) 20574576/6 Email: millie.odhiambo@ thecradle.org	UNHCR
Kenya	ANPPCAN Kenya Chapter Email: admin@ anppcankenya.co.ke	Save the Children Sweden  Kenya Police Service
Liberia	Don Bosco Homes Box 2751 Monrovia, Buchanan Tel: (231) 6531 830 Email: afal60@yahoo.com	Save the Children Sweden
Liberia	Christian Children's Fund	Ministry of National Defence  UNICEF

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TARGET	DATES	COMMENTS
Different levels of police, personnel from different government ministries & NGOs	13-17/09/03 16-17/12/03 16-20/02/04  2001-2002-2003	Held at the Police School in Ouagadougou  25 people trained  Content: Child rights, child protection & partnerships for different actors working with children in difficult circumstances  Held in Bujumbura  Children's police are trained by this NGO together with the street educators
Local senior police, juvenile justice personnel, civil society	March 2005 (1 day)	Common training needs assessment on child rights and child protection  (also have experience training military officers on child rights and child protection)
Police and NGO staff from Kenya, Uganda, Tanzania and Ethiopia	19-23/11/01	Child Protection Programme
Police Child Protection Units, Addis Ababa	Ongoing	Emphasis on children in need of protection, children as victims, child rights, CRC, street children background, child development
Different levels of police  Also a training for military personnel	2002 (different trainings)	Held in Conakry, Kindia, Mamou and Kissidougou  Also informal sensitisation in police stations  Content : child rights and child protection
Beat/patrol police (constables)	October/ November 2002	Held at refugee camp in Kakuma  Content : child rights and child protection
80 police officers	November 2004	Content: Child protection within the juvenile justice system in Nairobi and Nakuru
Different levels of police	2002-2003	Held in Monrovia  Content : child rights and child protection
Commissioned and non-commissioned officers of the armed forces of Liberia		(Agreement signed in July 2004)

COUNTRY	ORGANISATION & CONTACT DETAILS	PARTNERS
Mali	<p>Direction Générale Promotion de l'Enfant et de la Famille B.P. 525 Ségou Tel: (223) 2320936 / 6379058</p> <p>Direction Générale des Services de Police B.P. 378 Ségou Tel: (223)2322164/5</p>	UNICEF
Niger	<p>ANTD BP 2981 Niamey Tel: (227) 739227 Email: antdniger@yahoo.fr</p>	<p>UNICEF</p> <p>DANIDA</p> <p>Swiss Agency for Development and Cooperation</p>
Sudan	UNICEF	Jordanian & Sudanese police
The Gambia	<p>The Child Protection Alliance P.O. Box 2914, Serrekunda Tel/Fax: (220) 378694 Email: cpagambia@yahoo.com www.cpagambia.gm</p>	<p>Terre des Hommes – Netherlands</p> <p>ECPAT</p>
Zambia	<p>MAPODE Centres for Young People at Risk P.O. Box 333224 Lusaka Tel/Fax: (260) 1290773 Mobile: (260) 97 772537 Email: kiremire@zamnet.zm merabkiremire@yahoo.co.uk www.mapode.freewebsites.org</p>	<p>Policy Project – Directorate of Community Police Sex Crime Unit</p> <p>FUTURES, ZARD</p>
<b>ASIA</b>		
Afghanistan	<p>Save the Children Kabul Tel: (93) 70505560 Email: palwashaabed@yahoo.com</p>	<p>Consortium (CRC)</p> <p>French Embassy</p> <p>Juvenile Police Kabul</p>
Bangladesh	<p>Aparajeyo Bangladesh 2-5 Humayun Road, block B, Mohammadpur, Dhaka 1207 Tel: (880) 28115798 Fax: (880) 28110380 Email: wahida@aparajeyo.org</p>	
Cambodia	<p>LICADHO PO Box 499 Phnom Penh Tel: (855) 12803650 Email: licadho@camnet.com.kh</p>	

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TARGET	DATES	COMMENTS
Different levels of police	2004	Held in Ségou Content : child rights and child protection
Middle and lower level police officers	2003-2004	Held in Niamey Content: child rights, child protection, role of different local committees in child protection
32 police officers	3 days July 2004 First of several	Held at the Police Training Academy, Rabat University Khartoum Content: sexual abuse / interviewing and investigating techniques
Police and security officers from The Gambia and selected government officials	13-17/09/04	Content focused on 2 main areas: 1. Police investigation techniques and tactics 2. How to interview child victims / witnesses of sexual abuse
Senior and middle police management	15-16/07/03 28/01/04 21-25/03/04 13-15/12/04	Held in Lusaka and Livingstone Content: prevention/management of child sex crimes, child trafficking for commercial sexual exploitation & labour in the context of local laws, CRC & African Charter on the Rights and Welfare of the Child
Senior police management	20/05/2004	Held in Kabul & Mazar, but with police from other cities. Also organised for police in different sessions in Kabul Content: child rights and child protection
Police	2004 onwards	Held in Dhaka, in police stations Content: CRC, street children background and sensitisation
Usually middle and lower level police officers	Have been doing training for 10 years	Held in 12 provinces. Give child rights training to other target groups (parents, teachers, labour inspectors etc.); also provide informal training to police officers but not specifically on child rights ( non-discrimination, other international instruments etc.)

COUNTRY	ORGANISATION & CONTACT DETAILS	PARTNERS
Cambodia	Ministry of Interior PO Box 1494 Phnom Penh Tel: (855) 12827333 Email: cpg@online.com.kh	UNICEF World Vision International IOM
Cambodia	Save the Children Australia PO Box 52 Phnom Penh Tel: (855) 23216222 T/Fax: (855) 23362157 Email: hapo_pm@sca-cambodia.org	UNICEF
India	SEED 154, G.T. Road, Howrah- 2, Kolkata Tel: (91) 332660-1989 Email: seedkolkata@yahoo.co.in	Government
India	SANLAAP 38B, Manhanirban Road, Kolkata 700 029 Tel: (91) 3324649596 Email: indranisinha@satyam.net.in	Police Government
India	BOSCO (Bangalore Oniyavara Seva Coota)	UNICEF Government
India	Ioda www.ioda.com	DFID FCO British Council
India	NIPCCD (National Institute of Public Co-operation and Child Development) & AASHWAS www.aashwas.org	Assam Police & UNICEF
India	Socio-Legal Aid Research & Training Centre [SLARTC] P-112 Lake Terrace Kolkata – 700 029 Tel: (91) 3324645430 / 6098 Fax: (91) 3324665659 Email: slartc@cal.vsnl.net.in	UNICEF  UNIFEM & Government of West Bengal  UNIFEM and ATSEC Assam  UNIFEM, Megalaya Police & ATSEC Megalaya

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TARGET	DATES	COMMENTS
Senior and middle management police	Since April 2000 on a regular basis	Held in Phnom Penh & 13 Provincial Police Headquarters Held in 11 provinces for on the job training on child victim sensitivity and on forensic evidence collection
Different levels of police		Held in Phnom Penh Content: child rights, street children
Senior and middle management police	29/12/2003	Held at Howrah District Police Line (Shibpur) Content: child rights and child protection
Different levels of police	Almost every month	Held in Kolkata & nine other District Headquarters Content: sensitisation
Director Generals and Commissioners of Police from eight cities	23/10 (year unknown)	Content: Curriculum for Training of Police Officers and Constables in the Management of Problematic Youth (street children) Other training by Bosco: Indian Administrative Service Officers, on "Government Policy Change in Relation to Street Child Development"
Police Service	16-20/09/02	Training Needs Analysis (not specifically child protection)
Assam Police Personnel	3-7/09/02 (1stTOT)	Held at NIPCCD Guwahati, Assam Content: "Community Oriented and Child Friendly Policing"
Police personnel	2001-2003	Held at West Bengal Police Academy Kolkata 2 batches of 50 people in each batch Content: CRC, Juvenile Justice Act and ITPA
Police, judiciary, BSF and government officials	2003-2004	Held in Kolkata, Bankura, Chinsura, Jalpaiguri, Malda 5 Programmes with 50 to 60 personnel at each location Focus on: child rights, juvenile justice and ITPA
Police and NGO at Guwahati (45 people)	2003-2004	Held at Guwahati, Assam Content: child rights, juvenile justice and Immoral Traffic Prevention Act
Police and NGO	2003-2004	Held in Shillong. 60 people attended Content: child rights, juvenile justice and Immoral Traffic Prevention Act



COUNTRY	ORGANISATION & CONTACT DETAILS	PARTNERS
		UNIFEM & ATSEC Uttar Pradesh
		UNIFEM & ATSEC Karnataka
India	Childline India Foundation 2nd Floor, Nanachowk Municipal School, Frere Bridge, Low Level, Near Grant Road Station, Mumbai- 400 007 Tel: (91) 223841098 Fax: (91) 22 381 1098 Email: chitra@childlineindia.org.in www.childlineindia.org.in	National Institute of Social Defence  Ministry of Social Justice and Empowerment
Lao PDR	UNICEF PO Box 1080 Vientiane Tel: (856) 21315200 Email: adelneville@unicef.org	Government: People's Supreme Prosecutor, Ministry of Public Security
Mongolia	World Vision C.P.O. Box 705 Ulaanbaatar 210613 Tel: (976 )11345323 Email: tuul_tsend_ayush@ wwi.org Injinash_dashdejid@wwi.org	General Police Agency of Mongolia  UNICEF  National Pedagogical University  NGOs (Mongolian local)
Nepal	Kathmandu School of Law G.P.O. Box 10646 Kathmandu Tel: (977) 14439072 Email: ashish@lawyer.wlink.com.np	Danish Institute of Human Rights (DIHR)
Pakistan	Pakistan Rural Workers Social Welfare Organization (PRWSWO) P.O. Box 2 Bahawalpur 63100, Punjab Tel: (92) 62182442 Email: farhat2@mul.paknet.com.pk	
Philippines	Childhope Asia Philippines 1210 Penafrancia Ext., Paco, Manila 1007 The Philippines Tel: (63) 25634647/ 5617118 Fax: (63) 25632242 Email: chap@childhope.org.ph	UNICEF

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TARGET	DATES	COMMENTS
Police and NGO	2003-2004	Held in Lucknow 55 People attended Content: child rights, juvenile justice and Immoral Traffic Prevention Act
Police and NGO	2003-2004	Held in Mysore 60 People attended Content: child rights, juvenile justice and Immoral Traffic Prevention Act
Different levels of functionaries (grass-roots to senior level)	2002-2005	75 workshops held in 16 cities Part of “National Initiative for Child Protection” (NICP) Campaign Objective: creating a child-friendly environment Themes: CRC, rights-based perspective in dealing with children in need of care and protection, Juvenile Justice Act 2000 Also regular outreach and awareness programme in police stations
Police, prosecutors and other partners (ministries of labour & social welfare, education, health & mass organisations)	2003/2004	Training focus on child-friendly investigation, particularly children who are victims of sexual abuse
Police middle management staff, patrol police, Child Address Identification police staff (Temporary Detention Centre)	2001-2004	Held in different cities Content: child rights and child abuse awareness training, interviewing of children in conflict with the law, child and family social work, police ethics training, psychology of children and women
Police middle management and beat/patrol police	End of 2003, middle of 2004	Held in Kathmandu & Lalpur – planning to conduct more in 2005 in other parts of the country. Content: child rights & child protection
Different levels of police, borstal and juvenile jail wardens	23/02/04 02/06/04 13/09/04	Held in Bahawalpur, Bahawalnagar and Rahimyar Khan Content: focus on the Juvenile Justice System Ordinance 2000
Different levels of police	1999 to now	Held in different cities. Also organised in India in 1998 Content: child rights and child protection

COUNTRY	ORGANISATION & CONTACT DETAILS	PARTNERS
Sri Lanka	Plan International 6, Claessen Place, Colombo 5 Tel: (94) 1125088644 Email: dushy.hole@ plan-international.org	Government
Sri Lanka	PE.A.C.E. 166 Thibirigasaya Road, Colombo 5 Tel/Fax: (94) 1596855 Email: peacesl@sri.lanka.net	
Tajikistan	Children's Legal Centre, University of Essex, UK www.childrenslegalcentre.com	FCO (Funding)
Vietnam	Plan International G.P.O. 117 Hanoi Tel: (84) 48682587 Email: lan.lequynh@ plan-international.org	Vietnam Committee for Vietnam Population, Family and Children
<b>CEE</b>		
Albania	Children's Human Rights Centre of Albania (CRCA) P.O.Box 1738 Tirana Tel: (355) 4242264 Email: crca@adanet.com.al	General Directorate of the Police  Soros Foundation, Tirana  European Commission
Kosovo	The Children's Legal Centre, UK (Children and Armed Conflict Unit)	UNICEF
Romania	Salva_i Cop_i Save the Children Romania) Intr. Stefan Furtuna 3, 010899 Bucharest Tel: (40) 212126176 Email: rocs@mb.roknet.ro	
<b>LATIN AMERICA</b>		
Brazil	Viva Rio www.vivario.org.br	Military Police of Rio de Janeiro State, Unibanco Seguros (Funding), DFID
El Salvador	Fundación Orphan Helpers Blvd. Altamira Pje 3 F-14 Residencial Los Eliseos, San Salvador Tel: (503) 2733529 Email: coordinator@orphanhelpers.com	

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TARGET	DATES	COMMENTS
Constables attached to women and children's desk in the district		Content: surveillance of child related crime, practical information on how to process children who come into contact with the justice system
Police officers in the Children and Women Protection Bureau and its branches in 24 districts of Sri Lanka	3 days Held at various times from 1993 to present day	Content: child rights; children in the courts as victims /witnesses; police / NGO relationship, interaction, association on behalf of victim children at risk of CSEC; mission of P.E.A.C.E. to combat CSEC; dangers and risks of STD -HIV/AIDS; risk of victimised children been lured into criminal activities
Police and other agencies dealing with children in conflict with the law	12-16/07/04	Juvenile Justice Training Seminar
Police senior management		Held in Hanoi Content: how to process children that come into contact with the justice system, information on other services available to refer children to
Different levels of police	1998 to 2003 4 courses a year	Held in different cities Content: child rights and child protection
Law enforcement officials		Content: child rights
Different levels of police	1999, 2002, 2003	Held in Bucharest, Busteni, & Suceava Content: child rights and child protection
Military Police Corporals, MP Sergeants, Citizen Police	Since 2002	Content: Practice Improvement course, Police-Citizen Relations, "Dealing with Children and Adolescents"
Beat/patrol officers	Sunday mornings	Informal / one-to-one Content: general sensitisation on children's socio-economic background, the difference between children in need of care and protection and children in conflict with the law

COUNTRY	ORGANISATION & CONTACT DETAILS	PARTNERS
Guatemala	Casa Alianza Guatemala	ODHAG ( Human Rights office of the Catholic Church) & Rigoberta Menchu Tum Foundation
Honduras	Casa Alianza Honduras Tel: (504) 2215884 Email: Honduras@casa-alianza.org	Human Rights Office of the Catholic Church (ODHAG), Rigoberta Menchu Tum Foundation
Peru	Acción por los Niños Av. La Universidad 274 Lima 12 Tel: (51-1)3495013/ 3495010 Fax: (51-1)3492484 Email:marite.mosquera@accionporlosninios.org.pe	Radda Barnen Sweden  Ministry of Interior
<b>MIDDLE EAST AND NORTH AFRICA</b>		
Lebanon	The Children's Legal Centre, UK	Ministry of Interior, IPEC  ILO
Palestine	Defence for Children International / Palestine Section www.dci-pal.org jihad@dci-pal.org	EU Human Rights Initiatives (Occupied Palestinian Territories office) &  UNICEF (Occupied Palestinian Territories office)
Sudan	Child Development Foundation (CDF) Street 31- block 10- Mohamed Njeeb av.- Amarat -Khartoum Tel: (249) 912358330/ 83571255 Email: cdforg@sudanmail.net	UNICEF
Sudan	SABAH Association for Child Care and Development P.O.Box 8342 Amarat Tel: (249) 183468322 Email: sabah_ass@hotmail.com	UNICEF  Dutch Embassy
Turkey	UNICEF Birlik Mah.2 Cadde No 11 06610 Cankaya-Ankara Tel: (90)3124541008 Email: bhayran@unicef.org	Ministry of Internal Affairs
Yemen	Save the Children Sweden PO Box 476, Crater, Aden Tel: 9672231602 Email: asaheed@scsmena.org	Ministry of Social Affairs  Juvenile Court Judge
Yemen	Juvenile Police Tel: (967) 1224125/ 71499591	Government, UNICEF

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TARGET	DATES	COMMENTS
Police officers	10-month period	Content: human rights including child rights and more specifically street children
Different levels of Police	1999-2002	Held in different cities Content: child rights and child protection including sensitisation on lives & experiences of street children.
Different levels of police	1994-2001	Content: child rights and child protection
Civil Defence and Police Units		Content: TOT programme and workshop, focus on CRC with respect to working street children
Police units, probation officers, and lawyers	18-23/12/04	Held in Ramallah Content: International Standards of Juvenile Justice, Juvenile Justice between Reality and Laws, UN CRC
Different levels of police	2003, 2004	Held in Khartoum, Malakal & Niyala Content: child rights and child protection
Police Middle Management	1999 2001-2003	Held in Khartoum Content: child rights and child protection
	Various since 1998	Held in Ankara & Istanbul Content: child rights and child protection, communication abilities
Different levels of police, juvenile court judges, lawyers, social workers, head of juvenile centre, media	December 2003, September 2004	Held in Aden Content: Child Rights and Child Protection
Police middle management		Held in Sanaa. Content: child rights and child protection

COUNTRY	ORGANISATION & CONTACT DETAILS	PARTNERS
<b>WESTERN EUROPE</b>		
Northern Ireland	Police Service of Northern Ireland Criminal Justice Department Knocknagoney House, 29 Knocknagoney Road, Belfast BT4 2PP Tel: 02890922373 Email: william.mcauley@ psni.pnn.police.uk	Government Social Services
Spain	Escola de Policia de Catalunya Ctra. C- 17, Barcelona-Ripoll, km13,5 08100 Mollet del Valles Tel: (34)935675114 Email: lvalles@gencat.net	Government
Sweden	ECPAT Sweden Nybrokajen 7 111 48 Stockholm Tel: (46) 86119934 Email:Helena.karlen@ ecpat.se	Swedish National Police Academy
Portugal	Instituto Superior de Policia Judiciara e Ciencias Criminais Quinta de Bom Sucesso, Barro, 2670-345 Loures Tel: (351)219834059 Email: cristina.soeiro@pj.pt	Government
UK	Thames Valley Police Police Training Centre, Sulhamstead, Berks RG7 4DX Tel: (44)1189325727 Email: catherine.woodliffe@ thamesvalley.police.uk	

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TARGET	DATES	COMMENTS
Different levels of police, child abuse and sexual assault detectives	Ongoing, continual police training	Held in Belfast Content: child rights and child protection, handling investigation of alleged or suspected abuse
Beat/ patrol police	Regular course for continuous training	Held in Barcelona Content: child rights and child protection, criminality related to children, both as victims and perpetrators
Different levels of police	14/04/97 17-18/03/04	Held in Stockholm Content: child rights and child protection, commercial and sexual exploitation of children
Inspectors and Chief Inspectors (Criminal Investigation)	Since 2002	Held in Lisbon, Porto, Coimbra & Faro Content: sensitisation and awareness- raising
Different trainings for different officers	Continual	Content: Children's rights and protection orders, physical and sexual abuse, interviewing of abused children, interviewing vulnerable children who have witnessed offences



# 1. Welcome & introduction

## OBJECTIVES

By the end of this section the participants should be able to:

- Identify their fellow students and feel relaxed;
- Identify what they can contribute and what they want to get out of the training;
- Have a clear understanding of the aims of the training;
- Document their current level of knowledge and their attitudes and practice in relation to child rights and child protection.

## a. Welcome, expectations and aims

Welcome participants and explain that you will start the session with a quick game to get to know each other better.

### ACTIVITY 1 ENERGISER – ‘ME TOO!’

**Aim:** To break the ice, encourage participants to get to know each other; to create a relaxed learning atmosphere.

**Time:** 15 minutes

**Materials:** None

**Task:** One person says her or his name and starts to describe herself or himself. As soon as another person hears something in common, that person interrupts, giving her or his name (e.g., “I’m \_\_\_\_\_ and I too have two older sisters”) and beginning a self-description until yet another person finds something in common and interrupts in turn. Continue until everyone in the group has been introduced.



See also: Section B.3.c for other ideas for energizers.

Explain to participants that it is important that they take an active part in the training and that the information sharing should go in all directions. Everybody has something to contribute as well as something to learn. You will explore this quickly through ‘the Contribution and Expectation Tree.’

### ACTIVITY 2 THE CONTRIBUTION & EXPECTATION TREE

**Aim:** To make participants think about what they can bring to, and what they want to get out of the training course; to encourage a participatory learning atmosphere.

**Time:** 10 minutes

**Materials:** Small pieces of paper in two different colours; outline drawing of a tree showing roots and branches on flipchart or board; sticky tape.

**Task:** Give each participant two pieces of paper – one of each colour (or more, depending on time available). Tell participants to write (or draw) one thing they can contribute to the training session on (e.g.) the brown piece of paper, and one thing they want to get out of the training session on (e.g.) the green piece of paper. Ask participants to stick their contributions (brown piece of paper) on the ‘roots’ of the tree and their expectations (green piece of paper) on the branches of the tree and read them out. Group similar contributions and expectations together. Sum up. Explain that you will return to these at the end of the training to see if expectations have been met. Encourage participants to exchange experiences with each other in refreshment breaks to see if they can answer any issues that may not be covered in detail during the course.

**Set out the aims of the training course.** Have them written up in advance and display them at this point. Point out as briefly as possible which of the expectations raised in the previous activity will be covered by these aims and which are beyond the scope of this particular course. The following are suggested aims which can be adapted according to the specific audience and contents of the course.

- ◆ Develop the knowledge, understanding, attitudes and skills of police officers so that every child who comes into contact with them is treated as we would want our own child to be treated;
- ◆ Give police a better understanding of national and international laws that relate to children and how they should be applied;
- ◆ Bridge the gap between theory and practice relevant to policing and child rights / child protection so that police are able to act in the best interests of children;
- ◆ Enable police to distinguish between a child in need of care and protection and a child who is in conflict with the law;
- ◆ Motivate the police to take an active part in bringing about positive changes in the lives of children in difficult circumstances.

## b. Pre-training assessment: knowledge & attitudes in relation to child protection

### TRAINERS' NOTES FOR ACTIVITIES 3 & 4

The aim of the knowledge self-assessment grid and the true and false questionnaire is to measure participants' knowledge, attitudes and practice in relation to child rights and child protection. Participants should return to these questionnaires at the end of the training course to see if the training has changed their knowledge and attitudes in any way. For this reason, the suggested answers for the true and false questionnaire provided here should *not* be shared with participants at this stage. [1)F; 2)F; 3)F; 4)T; 5)F/?; 6)T; 7)F; 8)T; 9)F; 10)F; 11)T; 12)F; 13)F; 14)F; 15)F; 16)F; 17)T; 18)T; 19)F; 20)F; 21)F; 22)F; 23)T; 24)?; 25)T; 26)F; 27)F.]

- ◆ The questionnaire should be completed individually / anonymously. Encourage participants to be very honest. Explain that this is not a test, that it is for their own personal benefit and that they do not have to show their answers to anyone else.
- ◆ At the end of the overall training session you are encouraged to ask participants to fill out the same questionnaires *again* (using a different coloured pen) to see if the training has succeeded in changing participants' knowledge and attitudes towards child rights and child protection.
- ◆ The examples here can be adapted or added to according to local needs / circumstances.
- ◆ As long as the answers are kept anonymous, the facilitator can collect in the worksheets at the end of the training for evaluation purposes. If you do this, make sure that participants know that their answers are anonymous and that this is only to help you improve training in the future. It will not reflect badly on them as individuals.

### ACTIVITY 3 CHILD RIGHTS AND CHILD PROTECTION – POLICE KNOWLEDGE

**Aim:** To explore participants' knowledge of child rights and child protection; to act as a baseline test to assess changes in knowledge as a result of the training.

**Time:** 5-10 minutes.

**Materials:** Photocopy of the knowledge self-assessment grid overleaf for each participant.

**Task:** Each participant fills out the left hand columns (knowledge *before* training) according to their honest personal opinion.

### ACTIVITY 4 TRUE OR FALSE? CHILD PROTECTION – POLICE ATTITUDES AND PRACTICE

**Aim:** To explore participants' attitude and practice in relation to child rights and child protection; to act as a baseline test to assess changes in knowledge as a result of the training.

**Time:** 15 minutes.

**Materials:** Photocopy of the true or false questionnaire overleaf for each participant.

**Task:** To complete the true or false questionnaire.

**Activity 3: How do you rate your knowledge of the following? Complete only the left hand columns at this stage (knowledge before training).**

	KNOWLEDGE BEFORE TRAINING ON CHILDREN					KNOWLEDGE AFTER TRAINING ON CHILDREN				
	Very poor	Poor	OK	Good	Very good	Very poor	Poor	OK	Good	Very good
a. Your knowledge of children's rights										
b. How to correctly handle children in all circumstances										
c. The difference in how to treat child offenders and child victims										
d. National and international laws in relation to children										
e. Social support / referral services available for children										
f. Children's backgrounds (e.g. their psychosocial & economic problems)										
g. The different needs and circumstances of boys and girls, and the differences in the way they are treated										

**Activity 4: In your opinion, do you think the following statements are true or false?**

		TRUE	FALSE	DON'T KNOW
<b>ATTITUDE</b>	1. All street children are criminals			
	2. A child who has stolen someone's wallet for the first time should be sent to prison			
	3. A child who is begging and bothering people should be arrested			
	4. Most children who commit crimes are poor			
	5. Most street children like to be on the street			
	6. Many street children have run away from home because they were abused or neglected at home			
	7. Most crimes committed by street children involve violence			
	8. If a male policeman searches a girl's body, she minds			
	9. Children belonging to other ethnic groups or religions should be treated differently to children from your own community / religion			
	10. A child with a physical or mental disability is cursed and will bring bad luck to others			
	11. It is useful to collaborate with NGOs			
	12. It is wise to physically punish flagrant child offenders on the spot rather than taking the case to court			

		TRUE	FALSE	DON'T KNOW
PRACTICE	13. If a child is bothering people by begging on the street, it is good to hit them in order to chase them away and teach them a lesson			
	14. Police should be able to detain street children even though they have not committed any crime			
	15. All children who are accused of committing an offence can be sent to local community leaders for correction			
	16. All children should be handcuffed when they are arrested			
	17. Children who are accused of committing a crime and children who are victims of abuse should not be transported to the police station in the same vehicle as adult criminals			
	18. The arresting officer is responsible for recording / logging the details of the child at the police station			
	19. You only need to inform the child's parents / guardians if a child is accused of a serious crime (e.g. murder, rape, assault)			
	20. If a child has been sexually abused, it is good to hold them in a police cell so that they are safe from the person who abused them			
	21. A child can be kept in a police cell for up to one week			
	22. Boys must be kept in separate cells from adult men, but it is OK to keep girls in the same cell as adult women			
	23. It is the responsibility of the arresting officer to contact the court in the case of children accused of a serious crime			
	24. Fewer children are going to court these days compared with 5 years ago			
	25. Children in need of care and protection can be referred to NGOs for help			
	26. When street children who have no legal guardians are brought before the police stations for commission of a crime late on Thursday night / evening before the weekend they should be detained in police custody until they are taken to court			
27. It is appropriate for a male policeman to question / interview a girl who has been abused				

## SUMMARY

**Participants should now be familiar with the following:**

- **Their fellow students and the fact that they are free to contribute ideas and participate actively in the training;**
- **What they can contribute and what they expect to get from the training;**
- **The aims of the training;**
- **Their current level of knowledge and their attitudes and practice in relation to child rights and child protection.**

## 2. Attitudes towards children & police


### OBJECTIVES

By the end of this section the participants should be able to:

- Understand the importance of treating every child as if he or she was their own;
- Understand the definition of a 'child';
- Know under what circumstances they will come into contact with children and the duty they have towards those children;
- Understand that street children have both good and bad experiences of the police;
- Appreciate ways in which they can be a positive influence in the lives of children;
- Understand a basic definition of human rights.

### a. The police and children are very important people!

Write the following statement on the board.

 The police are very important people!

Ask participants if they agree or disagree and why. Try to elicit some roles and responsibilities of the police and write these on the board.

Next, write this second statement on the board.

 Children are very important people!

Ask participants if they agree or disagree and why.

Ask participants to close their eyes and think of a child that they love, for example their own child, or the child of someone they know. Ask:

#### ◆ How do you feel when you think about this child?

Elicit some adjectives from participants. It is likely that these words will be positive, e.g. 'happy', 'proud', 'friendly', 'kind', 'responsible' and 'sometimes angry / frustrated.' Write the participants' words to the left of the statement 'children are very important people.'

Now ask participants to close their eyes again, but this time to think of a child that they have arrested or whom they have come into contact with on the street. Ask:

#### ◆ How do you feel when you think about this child?

Elicit some adjectives from participants. Encourage them to be honest. They are allowed to include negative comments. It is possible that these words will be more negative than previously, e.g. 'angry', 'impatient', 'frustrated', 'responsible', 'sometimes friendly / kind'. Write the participants' words to the right of the statement 'children are very important people.' Compare the two sets of feelings about children.

#### ◆ What are the similarities and differences? Why?

◆ What conclusions can you draw from this? [If the participants have equally positive feelings for both of the groups, then praise them and explain that this training course will help to strengthen and reinforce those positive feelings about all children they encounter].

### DISCUSSION SUMMARY

◆ It is easy to say that "children are very important people" about our own children and children we know personally and whom we love – our sons and daughters, nieces and nephews and children of friends. We know that they are unique human beings with distinct, individual characteristics, filled with great potential, energy and a huge capacity for joy and kindness.

◆ However, it can be difficult to understand and feel the same way about boys and girls we do not know personally – children who are 'different' in some way; children who are 'difficult', 'troublesome' or sometimes even violent and disruptive; children in conflict with the law who grow up in difficult circumstances which we may not understand but which contribute to the way they are; children who have suffered and survived terrible neglect, abuse and exploitation. And yet these are the children who actually need our help and understanding the most.

- ◆ This is particularly true of police officers. The police have a duty to protect the most vulnerable members of society<sup>1</sup> and to make sure that children who do break the law are treated fairly and with respect, and are given a second chance and a guiding hand to lead them away from the negative choices they have made.<sup>2</sup>
- ◆ This training course aims to develop the knowledge, understanding and skills of police officers so that every child who comes into contact with the police is treated as we would want our own children to be treated: as very important people.



**Key learning points:** Treat all children as if they were your own because all children are very important people, even those who experience difficulties or who are in conflict with the law. The police are very important people because they are uniquely placed to help, support and guide these children when they need that guidance the most.



**See also:** Section 2.e on the police as friends of children, and Sections 4, 5 and 6 on ways in which to support children in difficult circumstances.

## b. Who is a 'child'?



**Key learning points:** Throughout this toolkit, and in the context of international standards, child rights and implementing the best possible practice in policing, a 'child' means every human being below the age of 18 years.<sup>4</sup> However, we all recognise that children acquire different capacities and degrees of maturity as they grow older. We therefore give children greater autonomy, independence and responsibility as they mature even before their 18th year. Children in your country may therefore be able to marry, vote, join the army and work etc. under the age of 18. However, this does not mean that they should receive less protection. We want to give the very best protection, opportunities and help to our young people for as long as possible in order to ensure them the best start in life on their journey to adulthood. Therefore all people under the age of 18 are entitled to all of the standards and rights outlined in this training.



**See also:** Section 5 on basic child development, Section 3.c on children's rights and Section 8.a on practical tips on how to determine a child's age.

## ACTIVITY 5 WHO IS A CHILD?<sup>3</sup>

**Aim:** To clarify the definition of a 'child.'

**Time:** 10 minutes

**Materials:** Board and pen

**Task:** Brainstorm. Ask the participants to give as many definitions of a 'child' as they can think of. Summarise their definitions on the board. Next, try to reach a consensus by asking the class to reflect on the following points:

- ◆ What makes a person a child?
- ◆ What makes a child different from an adult?
- ◆ When does a child become an adult?
  - ▶ If a 13-year-old child has sexual relations, is he/she still a child?
  - ▶ If a 15-year-old child has left school and is working, is he/she still a child?
  - ▶ If a 16-year-old child commits a serious crime and goes to prison, is he/she still a child?
  - ▶ If a 16-year-old girl gets married, is she still a child?
  - ▶ If a 15-year-old girl gives birth, is she still a child?
  - ▶ If a 16-year-old boy joins the militia or the army, is he still a child?
  - ▶ If a 17-year-old child votes in an election, is he/she still a child?

Explain that the answer to the above series of questions is yes. For the purposes of international standards and child rights, a 'child' is any person under the age of 18 regardless of their circumstances. What makes a person a 'child' is the person's 'age.'

## c. What is the role of the police?

Refer back to the roles and responsibilities of the police, which came out of the previous discussion on "The police are very important people!" [If you have not done this exercise, then quickly brainstorm the roles and responsibilities of the police]. Answers might include any of the following:

- ◆ Keep the peace and ensure the safety of all in the community
- ◆ Prevent crime
- ◆ Uphold the law
- ◆ Investigate and gather evidence any crimes reported to them

- ◆ Advise people of their rights in any investigation
- ◆ Deal with any crimes that they come across
- ◆ Interview victims, witness and suspects as part of the evidence collection process (may be the prosecutor or investigating judge that directs the police investigation)
- ◆ To ensure the rights of victims, witness and suspects/offenders are upheld
- ◆ Give evidence to the court of their investigation and answer any questions put to them
- ◆ Enforce court orders



**Please note: If the participants mention that it is the role of the police to ‘decide whether someone is guilty’ or to ‘punish criminals,’ gently correct them and point out that this is not the role of the police, but of the courts. The police may have conclusive evidence to show the person is guilty but it is the function of the court to make the finding.**

Ask participants:

- ◆ Which of these roles and responsibilities apply to children?

The answer should be ‘all of them’:

“Police have an obligation to adults and children to be peacekeepers, to be reliable, just and calm, and to try to do what is in the best interest of people, [the community] and children in accordance with the law’; ‘The role of a police officer is one of active peacekeeping, support of vulnerable groups and maintaining law and order. Children are one of the vulnerable groups that police officers should be watching out for.’”<sup>5</sup>

Ask participants:

- ◆ Under what circumstances do the police come into contact with children? Children who come into contact with the law may be:
  - ▶ at risk / in need of care and protection
  - ▶ suspected offenders
  - ▶ victims of crime
  - ▶ witnesses of crime

This manual looks at the each of these groups.



**Key learning points: You have a duty to protect all children, including those in conflict with the law, and to treat suspected child offenders fairly and with dignity.**<sup>6</sup>



**See also: Section 3 for more detail on the roles and responsibilities of the police in relation to other actors in the juvenile justice system and Section 8 for a step by step guide to good practice when dealing with different categories of children who come into contact with the police.**

## d. Police & children: enemies or friends?

Explain that we all know that some police have a good reputation and some police have a bad reputation.

Unfortunately, the ones with the bad reputation often get all of the media attention and this can give *all* police a bad name. [If this is relevant to your country / area, then you can give a local example of a high profile media case about police corruption / violence to illustrate this point and express sympathy that all police are often put in the same category]. Explain that street children experience both the positive and the negative side of the police, as shown by Activity 6. Hand out the quotations in Activity 6 and ask the participants:

- ◆ How do you feel about these statements?
- ◆ Why do you think different police officers act / react differently to children?

Answers might include:

- ▶ ‘Because some children are good and some are bad.’
- ▶ ‘Because some police do not have training on how to deal with children properly.’
- ▶ ‘Because some police are under a lot of pressure from local / national governments to keep the city streets free of street children / to round them up’ etc.
- ▶ ‘Because some police believe that you have to teach bad children a lesson so that they won’t commit crimes again’.

Respond to these points as best you can using the following information:

- ▶ Some children grow up in more difficult circumstances than others, with more challenges to face, but with less guidance and support from loving adults. All children make mistakes at least once. It is our duty to give them the support and second chance so that they don’t make the same mistakes again.
- ▶ Acknowledge that a small minority of children do actually commit serious offences and they have to be dealt with seriously in order to protect the public. However, the vast majority – especially of street children – are either first time or petty offenders, or they are not in conflict with the law at all: in November 2001, 85% of cases passing through the Juvenile Court in Nairobi, Kenya were ‘children

## ACTIVITY 6 GOOD AND BAD POLICE<sup>7</sup>

**Aim:** To illustrate different experiences street children have with the police.

**Time:** 15 minutes

**Materials:** Photocopies of street children’s quotations cut up in individual strips (one set for each group of 4 people).

**Task:** In groups of 4, participants divide the street children’s quotations into 3 piles: good police, bad police, or both.

[Please note: you are advised to collect and use quotations from local street children NGOs that are more relevant to your country / city situation].

“I came to Jeevanjee Gardens where I was arrested and taken to Kirigiti Girls’ Approved School where I was taught good manners. May God bless the police.” (Kenya)

“We were given the privacy and opportunity to talk to our parents”; “A policeman gave me food when I got arrested”; “I was brought to the hospital when I was sick”; “A policeman advised us to apologise so the complainant would not file a case against us”; “A policeman advised us to stop sniffing solvent.” (Philippines)

“Some are very good and they say don’t sleep in the road, be careful. Some are very bad and they beat us brutally and take the money from our pockets.” (India)

“Some [children] told us that at times they had been assisted by police and referred to certain ‘good’ policemen whom they knew and could rely on for help, but a greater number said they had never been helped by the police.” (Bulgaria)

“There are some good police, but most of them are bad. They get a kick out of hurting us.” (Guatemala)

“In one eye I see police is good, but another eye I see police is not good.” (Bangladesh)

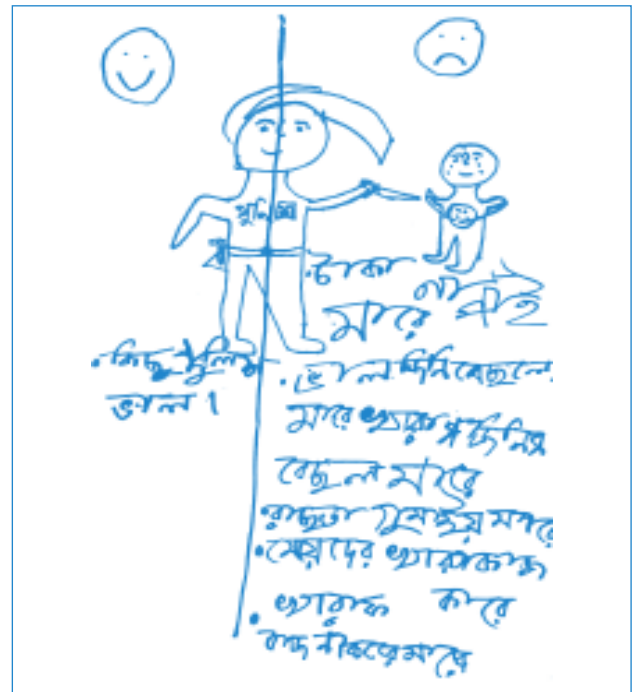
“They think every child who lives or makes a living in the streets is a bad child.” (Philippines)

“I’ve never bribed the police. That’s why I’ve been to jail ten times.” (Kenya)

“How can this be, that the agents of justice ask us for money? When we’re not doing anything to them? And to think, some poor kids are hauled away and beaten up, just because they don’t have any money to give the police.” (Guatemala)

in need of care and protection’ – i.e. street children who had been rounded up and taken to remand homes in the criminal system simply for being homeless.

- ▶ There are over 1 million children deprived of their liberty in the world;
- ▶ 80% of children come to police notice for only one offence, but if not given appropriate guidance, they may go on to commit more offences as adults;<sup>8</sup>
- ▶ There is an 80% likelihood of deterring first time offenders which represent 90% of children who come into contact with the law;<sup>9</sup>
- ▶ The majority of serious crime is committed by adults who were once badly-treated children;<sup>10</sup>
- ▶ We all understand that the police are under a lot of pressure – financial, political and time pressure – but this training will look at ways to overcome some of these obstacles and develop new skills in order to raise the level of police professionalism in relation to child protection;
- ▶ The way to help and guide children is not by beating them but by supporting them: “I want to be a policeman so I can beat others just as they beat us” (Romania). Is this the result we are looking for? Activity 7 (‘A police officer is a friend’) looks at ways in which the police can support children in difficult circumstances.



ABOVE: ‘Things we like and things we don’t like about the police.’ Drawing by street children in Bangladesh as part of the CSC police training evaluation project, September 2004.





**Key learning points:** Some police have a good reputation and some have a bad reputation.

Each police officer is an individual who must take responsibility for his or her own actions. This training toolkit will help equip you with the knowledge and skills to implement good, professional child protection practice, to better understand the situation of the children you come into contact with, and to identify and overcome obstacles.



See also: Section 6 which is aimed at breaking down barriers and increasing understanding between street children and the police, and which includes – amongst others – an activity that examines what the police think of street children and what street children think of the police.

## e. Friends

See Activity 7.

### WAYS IN WHICH A POLICE OFFICER CAN BE A FRIEND<sup>12</sup>

- ◆ Help when a child is lost
- ◆ Direct children to NGOs and other help
- ◆ Find people who have stolen something from children
- ◆ Protect children from people who hurt them
- ◆ Maintain peace, law and order



**Key learning points:** You are an important person in the community and you have the opportunity to be an important person in the life of a child who really needs a friend.



See also: Section 6 on support systems for children and 5 on the crisis / chance model of understanding the choices that children make.

## f) What are ‘human rights’?

See Activity 8.



**Key learning points:** Human rights are about treating people – including children – as we would wish to be treated ourselves: with dignity, respect, equality and justice. Human rights are the rights people are entitled to simply because they are human beings, irrespective of their citizenship, nationality, race, ethnicity, language, sex, sexuality, abilities or any other status.



See also: Section 3.c on international human rights laws, standards and guidelines in relation to policing and juvenile justice, including information on the UN Convention on the Rights of the Child.

## ACTIVITY 7 A POLICE OFFICER IS A FRIEND<sup>11</sup>

**Aim:** To introduce the concept of the police as a supportive and positive influence in the lives of the children that they come across in their work.

**Time:** 10 minutes

**Materials:** Board and pen.

### Task:

1. Ask participants to try to remember themselves when they were between 12 and 15 years old. Tell them to visualise their house, the people around them, their school, their friends and village or community.
2. Next, tell the participants to remember a person who was important to them during this time – someone who was a real friend to them. This could be an adult or a child. Ask them why they consider this person important to them. (What did the person do or say that made him / her so important?) Tell them to name 3 characteristics of this person (e.g. honesty, good listener, wisdom, loyalty etc.)
3. Ask the participants to:
  - a) Give a short definition or characteristic of what a friend is: “A friend is someone who.....”
  - b) Give a definition of what it means to be a friend to children as a police officer: “A police officer is a friend who...” (e.g. maintains peace in the community). If participants need prompting, give some ideas from the list on the left. Summarise key points and write them on the board.



The friendship of a police officer goes hand in hand with a responsibility for the human rights of people and a respect for the law.<sup>13</sup>

## ACTIVITY 8 THE MEANING AND SIGNIFICANCE OF HUMAN RIGHTS<sup>14</sup>

**Aim:** To introduce the concept of 'human rights' in a very non-threatening, non-detailed, non-legal way as a precursor to activities & legal standards which come up later in the training; to understand what it means to be human; to enable participants to think about an individual's sense of dignity and self-worth.

**Time:** 30 minutes

**Materials:** Board and pen

**Task:** Brainstorm and discuss the differences between human beings and animals. Note responses on the board or flip chart paper. Ask participants to pair up. Each person should think of a situation where he/she felt that his/her dignity or sense of worth was denied or violated (possibly a work situation). Share the incident with his/her partner indicating why he/she was hurt, how he/she felt, and what the effect of the incident was on his/her relationship with the other person. In plenary, ensure that participants share their experiences.

## SUMMARY

**Participants should now be familiar with the following:**

- **The importance of treating every child as if he or she was their own;**
- **The definition of a 'child';**
- **The circumstances under which they will come into contact with children and the duty they have towards those children;**
- **The good and bad experiences street children have with the police;**
- **Ways in which they can be a positive influence in the lives of children;**
- **A basic definition of human rights.**

## FOOTNOTES

- 1 UN Code of conduct for Law Enforcement Officials, Art. 1: " Law enforcement officials shall at all times fulfill the duty imposed upon them by law, by serving the community and by protecting all persons against illegal acts, consistent with the high degree of responsibility required by their profession."
- 2 UN CRC Art. 40.1: "States parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's rights sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society."
- 3 Adapted from UNICEF Timor-Leste Child Protection Section, Training Manual for Police Officers on Child Rights, Juvenile Justice, Child Abuse and Children At-Risk, Draft 2004, Module 4, p.7
- 4 UN CRC Art. 1: "For the purpose of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier." However, for the purpose of this manual we have taken the higher standard of age 18 in order to promote protection for children for the longest possible time. (See also ACRWC Art. 2 if relevant).
- 5 Adapted from Timor-Leste Manual, Module 1, p.2.
- 6 UN Code of Conduct for Law Enforcement Officials Art. 2: "In the performance of their duty, law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons."
- 7 Street children quotations taken from CSC police training evaluation project and Wernham, M., *An Outside Chance: Street Children and Juvenile Justice – an International Perspective*, Consortium for Street Children, London, May 2004. [www.streetchildren.org.uk/juvenilejustice](http://www.streetchildren.org.uk/juvenilejustice)
- 8 Findings from the New Zealand police.
- 9 UNICEF EAPRO – cited in Timor-Leste manual, Module 5, p.2.
- 10 Philippine National Police, Office of the High Commissioner for Human Rights, UNICEF, *Juvenile Justice Training Manual for Law Enforcers: Child Rights Training, Volume One*, Philippines, 2002, p.247.
- 11 Adapted from Timor-Leste manual Module 1, p.1.
- 12 Ibid. p.2.
- 13 Ibid. Illustration by Aldrin Menardo, Philippine manual, p.63.
- 14 Uganda Police Force and UNICEF, *The Role of the Uganda Police in the Protection of Women and Children's Legal Rights*, A Trainer's Manual, Uganda.

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### 3. Policing in the overall context of juvenile justice

#### OBJECTIVES

By the end of this section the participants should be able to:

- Know how the juvenile justice system works as a whole, its overall purpose and their place within the system;
- Know who else makes up the system and how they work together to protect children;
- Recognise international standards on juvenile justice and how these relate to national laws;
- Assess to what extent they are putting international standards into practice in their work and identify areas for personal improvement;
- Understand how child 'rights' relate to 'wants' and 'needs' and be familiar with the articles in the UN Convention on the Rights of the Child and how these relate to police work.

#### a. The purpose and function of the criminal justice system

##### **Criminal justice system and juvenile justice system: what's the difference?**

The term criminal justice system is used to describe the process or processes for those who commit an offence or fail to comply with the criminal law. The criminal justice system can range from the first contact with the police to release from custody after serving a prison or custodial sentence. Even after release from a prison or custodial sentence there may be a period of probation or supervision during which the person is still part of the criminal justice system.

International standards require jurisdictions to develop a separate criminal justice system for children (those under 18 years of age). Juvenile justice is the term used to describe a criminal justice system developed for children. Most countries have a juvenile justice process but often it does not conform to international standards.

##### **THE PURPOSE OF THE CRIMINAL JUSTICE SYSTEM**

See Activity 9.

##### **The purpose of the criminal justice system is to:**

- ◆ Set and maintain standards of behaviour that are acceptable in the community;
- ◆ Allow for a peaceful or law abiding society;
- ◆ Uphold / enforce the law;

- ◆ Protect society from harm, especially society's most vulnerable members;
- ◆ Prevent crime;
- ◆ Have an authority (police or prosecutors) to investigate crimes/offences;
- ◆ Deal with those who commit or are accused of committing acts against individuals and society that have been deemed to be crimes;
- ◆ Have legally established courts to hear evidence against accused persons and to impose a sentence / punishment as prescribed by law;
- ◆ Provide the accused person the opportunity to be legally represented; to be heard by an independent and impartial person or persons; to challenge the witness/evidence presented against them; to appeal against any finding.

##### **THE ROLE OF THE POLICE WITHIN THE CRIMINAL JUSTICE SYSTEM**

See Activity 10.

##### **The role of the police within the criminal justice system is to:**

- ◆ Keep the peace and ensure the safety of all the community;
- ◆ Prevent crime;
- ◆ Uphold the law;
- ◆ Investigate and gather evidence of any crimes reported to them;

## ACTIVITY 9 WHAT IS THE PURPOSE OF THE CRIMINAL JUSTICE SYSTEM?

**Aim:** To stimulate ideas about the purpose of the overall justice system.

**Time:** 5 minutes

**Materials:** Board and pen

**Task:** Participants brainstorm ideas which are written on the board. Which are the most important? Participants may want to prioritise the answers they have given. Ideas might include any from the list on p. 68.

- ◆ Advise people so they understand their rights in any investigation;
- ◆ Deal with any crimes that they come across;
- ◆ Interview victims, witness and suspects as part of the evidence collection process (may be the prosecutor or investigating judge that directs the police investigation);
- ◆ Ensure the rights of victims, witness and suspects/offenders are upheld;
- ◆ Give evidence to the court of their investigation and answer any questions put to them;
- ◆ Enforce court orders.



Please note: The purpose of the criminal justice system, and of the police, is not just to arrest and prosecute criminals. **The system as a**

**whole has a greater purpose** – to prevent crime and to balance the best interests of society, victim and offender.

**Your role is not just about short term actions, but what effect they have in the longer term.** For example, if a street child is arrested and put in prison for over a year for stealing a piece of bread, this does not address why he or she stole the bread in the first place (because they were hungry) and nor does it prevent him / her from stealing again in the future. In fact it may be more likely that he or she commits a more serious crime in the future which they have learned from other criminals in prison. A much better approach would be a 'restorative justice' response which seeks to 'restore' relationships to the state they were in before the crime and to ensure that the outcome balances the best interests of society, victim and offender. (Restorative justice is examined in more detail in Section 4).

## ACTIVITY 10 WHAT IS THE ROLE OF THE POLICE WITHIN THE CRIMINAL JUSTICE SYSTEM?'

**Aim:** To stimulate ideas about the role of the police within the overall justice system; to encourage participants to start thinking about their role in a broader context.

**Time:** 5 minutes

**Materials:** Board and pen

**Task:** Participants brainstorm ideas which are written on the board. Which are the most important? Participants may want to prioritise the answers they have given. Ideas might include any from the list on pp. 68-69.

## THE 'REVOLVING DOOR' OF THE CRIMINAL JUSTICE SYSTEM

With this in mind, look at Diagram 1 which represents a general overview of the way that street children are currently dealt with in the criminal justice system in practice, as opposed to theory. This diagram is based on the experiences of street children in many countries. The process is likened to a 'revolving door': however far the children enter into the system, without intervention, they are likely to end up back on the streets again where they started from – most likely even worse off than before.<sup>1</sup>

This diagram is in no way intended to indicate that all countries are the same, nor to disregard the commendable efforts of civil society organisations and governments that are working towards more child-friendly options for the processing of children through the criminal justice system.

See Activity 11.



**Key learning points:** Current justice systems often do not act in the best interests of society, victims and/or offenders. The police have an important role to play in helping to improve the system so that it achieves its purpose more effectively. The earlier a positive intervention occurs in the system, the better: prevention and early intervention are essential.



See also: Section 4 on restorative justice.

Diagram 1

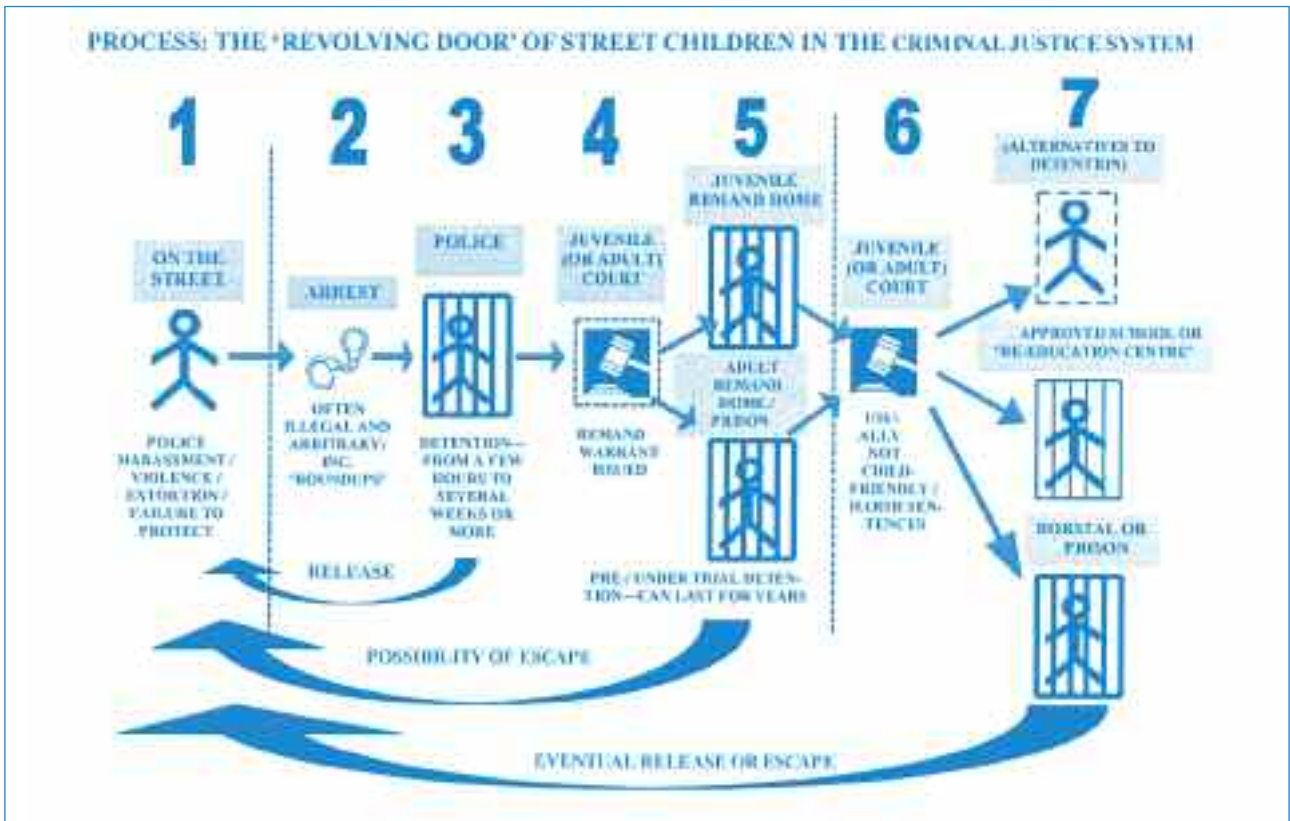
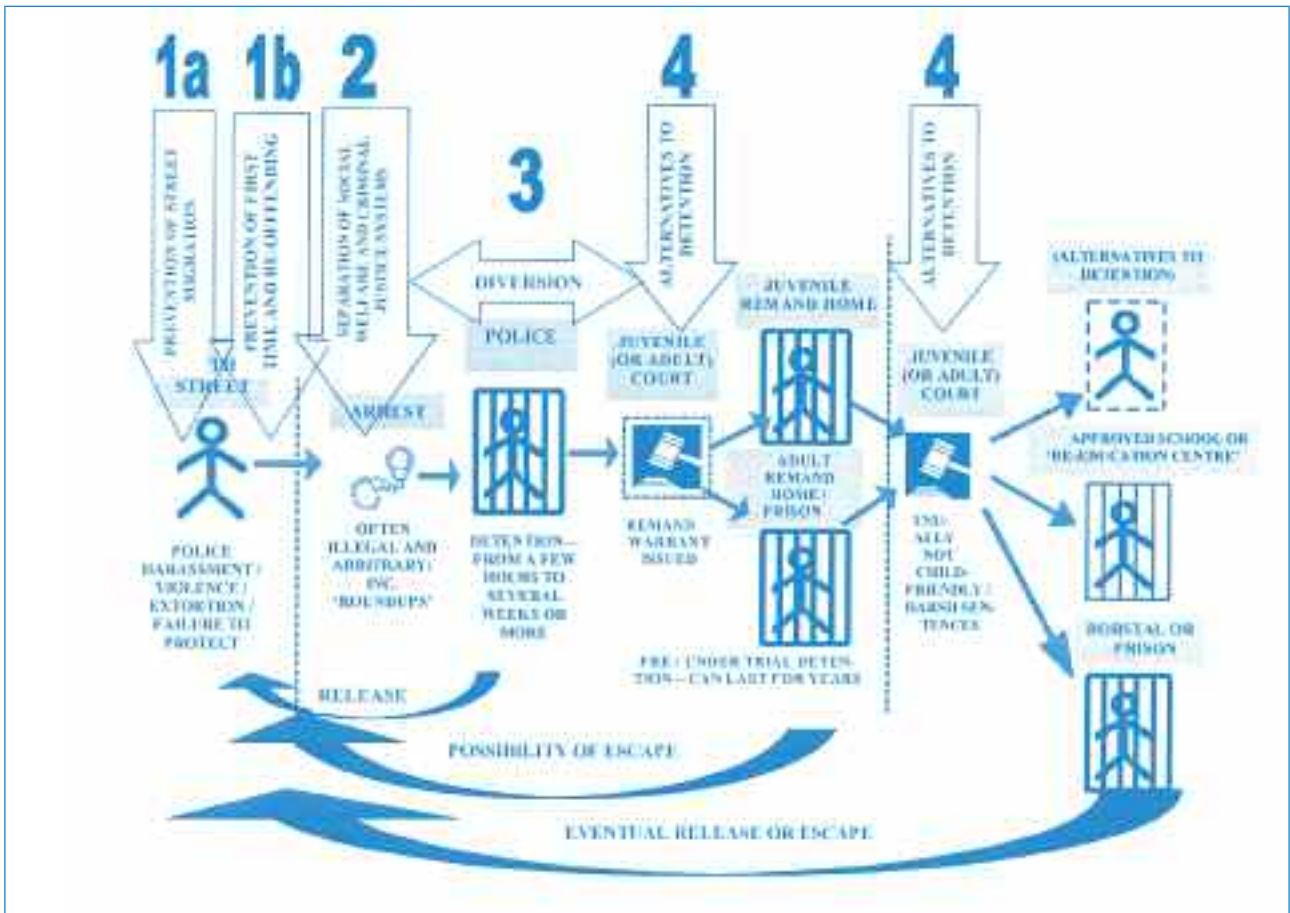


Diagram 2



## ACTIVITY 11 THE REVOLVING DOOR OF THE CRIMINAL JUSTICE SYSTEM

**Aim:** To assess to what extent the criminal justice system in your country is like a 'revolving door' for street children.

**Time:** 45 minutes – 1 hour

**Materials:** Board and pen

**Task:** Participants vote on whether they believe this 'revolving door' experience is true of street children in their own country. Mark these answers on the board in 3 columns: agree, disagree and 'to some extent'. Encourage a discussion / debate between the two sides if there is a difference of opinion.

[This can be made more lively by getting participants to stand in the part of the room allocated to their answer. For example, those who agree that this is representative of their country stand by the left hand wall; those who disagree stand on the right; those who think it is true to some extent stand in the middle. Each group can try to persuade those from other groups of their opinion. If they are successful, those who change their mind can move to another group].

If there are those who feel that Diagram 1 is representative of the situation in their country, ask participants:

- ◆ How does this fit with the aims / purpose of the justice system as discussed above? (refer back to brainstorm ideas)
- ◆ How many of the purposes we identified earlier does this fulfil?
- ◆ Does this revolving door system serve:
  - ▶ the best interests of the community / society? How?
  - ▶ the best interests of the victim? How?

- ▶ the best interests of the offender? How?

[This activity can be extended by using a weighting / scoring system: each participant is given 6 small 'stars' which they stick against 'community', 'victim' and 'offender' according to how well the current systems serves the best interests of each of those groups. For example, 1 participant may feel strongly that the current system serves the community very well and may stick all of his/her 6 stars on that group; another may feel that the benefits are more equally balanced. This scoring system should show up any imbalances in the current system].

If participants are all agreed that the revolving door diagram does *not* represent the situation in their country, then ask them to draw a diagram that *does* represent the situation in their country (encourage them to use their imagination). Then use this revised diagram as a basis to discuss the questions listed above.

Encourage participants to understand that the system of arresting and detaining children if they have not committed a crime (e.g. street children who are actually in need of care and protection) or if they have committed a minor crime (e.g. petty theft) does not act in the best interests of any of these 3 groups.

Encourage participants to think of ways to 'break' the revolving door cycle:

- ◆ At what stages can we intervene to prevent children getting trapped into this situation? How?
- ◆ What is the most important stage to intervene / which stage should have the greatest priority?
- ◆ What can the police do at each of these stages to help?

Use this discussion as a basis for the presentation in the next section.

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## PRIORITIES FOR POLICE INTERVENTION

See Diagram 2.

In the context of extremely limited resources and competing priorities, there are four areas in which reform would help to break the revolving door cycle of street children caught up in the criminal justice system:

- ◆ **Priority 1:** Prevention
- ◆ **Priority 2:** Separation of criminal justice and social welfare systems
- ◆ **Priority 3:** Diversion
- ◆ **Priority 4:** Alternatives to detention

## PRIORITY 1: PREVENTION

### What is prevention?

Prevention is about anticipating risks and putting in place actions to reduce the likelihood of difficulties happening, rather than responding to problems after they have already happened. In the context of street children in the criminal justice system, prevention can be considered in two stages: preventing children from leaving their homes and communities of origin in the first place; and preventing street children becoming involved in the criminal justice system once they are already on the streets. Early intervention can also take place to prevent first-time offenders from re-offending.

## What is the role of the police in prevention?<sup>2</sup>

- ◆ Early identification of any developing problems/issues with particular children;
- ◆ Develop relationships with agencies and NGOs;
- ◆ Arrange meetings with relevant agencies and NGOs so early intervention can occur and the situation does not escalate;
- ◆ Refer at-risk children to social services and NGOs;
- ◆ Put families in touch with social services or NGOs who could help them in times of difficulty;
- ◆ Coordinate with social services and NGOs in family reunification;
- ◆ Develop 'community policing' (law enforcement that seeks to integrate officers into the local community to reduce crime and gain good community relations);
- ◆ Take violence against women and children within families very seriously as this is a key reason for children leaving home to live on the streets;
- ◆ Advocate with communities and families on prevention of violence and abuse, parental responsibility, children's rights, positive child-rearing practices, non-violent and non-humiliating school discipline;
- ◆ Do not call children and young people 'deviant' or 'delinquent' as this often increases undesirable behaviour.



**Key learning points:** The police have an important role in preventing children from running away from home and preventing children from committing offences. The most effective ways to do this involve: making positive links with the community; being aware of families and children who are at risk; finding out about what services are available in the area to refer these families and children to in times of trouble; taking violence within families seriously to prevent children running away from home; being a visibly positive and helpful role model to troubled children and young people. Identifying and intervening in a positive way before a problem arises is a much more effective method of policing than dealing with the problem after it is too late.



See also: Section 5 on choices / crises in relation to children.

## PRIORITY 2: SEPARATION OF CRIMINAL JUSTICE AND SOCIAL WELFARE SYSTEMS

### What is separation of criminal justice and social welfare systems?

- ◆ 'Separation' of the criminal justice system and the social welfare system does not mean that social welfare departments should not be involved in the handling of children in conflict with the law.
- ◆ It means rather that children who are *not* in conflict with the law (i.e. children in need of care and protection) should *not* be being processed through the criminal justice system.
- ◆ It means *not* arresting and detaining girls and boys simply because they are poor.
- ◆ According to international standards and guidelines, children involved in 'vagrancy,' begging and being the victims of commercial sexual exploitation are in need of care and protection. They are *not* in conflict with the law.
- ◆ Most children who *do* come into conflict with the law, however, *also* have care and protection issues. If the offence committed is not serious but there are serious care and protection issues then the care and protection issues should take priority over the offending behaviour and the child should be treated as a child in need of care and protection.

### What is the role of the police in separation of criminal justice and social welfare systems?

- ◆ Distinguish between, and correctly deal with, different categories of children: children in conflict with the law, children in need of care and protection (begging, vagrancy, homeless etc.), and children who are victims/survivors of crime and abuse.
- ◆ Cooperate and liaise closely with the social services department and NGOs to refer children in need of care and protection to suitable services *outside / separate from* the criminal justice system.



**Key learning points:** Each time you come across a child in the course of your work, ask yourself: is this child in need of care and protection or are they a suspected offender? Do not arrest or detain children who are in need of care and protection (this includes children who are merely living on the street, who are 'vagrant' or begging, or children who are victims of commercial sexual exploitation). Refer these children to social services and NGOs.



See also: Section 8 on the step by step process of dealing with children who come into contact with the police, and how to distinguish between different categories of children.

## PRIORITY 3: DIVERSION<sup>3</sup>

“By locking them up we confirm all their worst beliefs about themselves and society, and make it more likely that they will offend again and again.”<sup>4</sup>

“Offenders sentenced to forms of disposal that introduce them to more criminals (in particular in custodial sentences) learn criminal skills, language and culture that is very likely to reinforce offending behaviour. Once defined as a criminal in their own eyes and those of wider society, they find it much more difficult to change and adjust to the world of school work and family life. It is therefore argued that children should be diverted from court processes and from custody whenever possible.”<sup>5</sup>

### What is diversion?

- ◆ Diversion means ‘diverting’ children in conflict with the law away from the formal criminal justice system, and in particular away from formal court processes and detention. Through this process the diverted person comes to realize that there are other options in life apart from crime.
- ◆ Restorative justice is an important component of diversion.
- ◆ It is based on the understanding that not every criminal violation warrants a formal courtroom prosecution, particularly in the case of non-violent, first-time offences.
- ◆ It recognizes the special needs and vulnerabilities of children and young people, as well as the need to protect society.
- ◆ Diversion can occur in more than one way and at any point in the criminal justice system.
- ◆ True diversion occurs inside a child’s mind.



**Please note: It is important to note that diversion applies only to children in conflict with the law. Street and other children who are need of care and protection should not be being processed through the criminal justice system in the first place, as outlined in the previous section on separating social welfare and criminal justice systems.**

### What is the role of the police in diversion?

- ◆ The police are the first point of contact between children and the criminal justice system and, as such, are the key actors in diverting children away from that system at the earliest possible stage.
- ◆ Assess whether a particular child / case is suitable for diversion and if so, draw up a diversion plan which might include:
  - ▶ Refer children to other services such as NGO programmes and substance abuse centres;
  - ▶ Issue police warnings or behaviour contracts for non-serious offences rather than arrest and detention;

- ▶ Facilitate mediation or family group counselling;
- ▶ Refer offenders to community service;
- ▶ Recommend conditional or unconditional release.



**Key learning points: Divert as many children in conflict with the law as possible from the formal criminal justice system at the earliest possible stage, especially first-time, non-serious offenders. This reduces re-offending and is therefore in the best interests of the child, victim, and community in general.**



**See also: Section 4 on restorative justice and Section 8 on the step by step process of dealing with children who come into contact with the police, and distinguishing between different categories of children.**



**Please note: The role of the police in diversion is extremely important and will be dealt with in a lot more detail in Section 8. Supporting materials on diversion are available at [www.streetchildren.org.uk/policetraining](http://www.streetchildren.org.uk/policetraining).**

## PRIORITY 4: ALTERNATIVES TO DETENTION

“I don’t want to remember anything that happened here. Because if you put a child in prison his mind changes. His mind becomes hardened, so he doesn’t mind being imprisoned again. He’s not scared to go to jail anymore, so he will do bad things.” (12-year-old Eugene, accused of raping a 21-year-old woman, had been in jail for 7 months, despite the fact that the complainant had already withdrawn the charges, Philippines)<sup>6</sup>

“What I’m praying for now is to get out so I can enjoy what youth I have left. I’m only a teenager, but I haven’t had a chance to enjoy life, just suffering and hunger. This is a junior school for crime, then the prisons are a university for crime. You can learn all the worst things there, but I don’t want that kind of life. I didn’t have a real childhood, just prison, prison, prison.” (Brazil)<sup>7</sup>

### What are alternatives to detention?

- ◆ According to all international standards, detention of children should only be used as a last resort, for the most serious crimes, and even then for the shortest time possible;<sup>8</sup>
- ◆ Unfortunately, alternatives to detention are rarely implemented;
- ◆ Detention has negative effects for both the individual and society as a whole: it fails to address the root causes of crime and recidivism (re-offending), and it reinforces criminal behaviour amongst young people, further isolating them from their support networks and compounding discrimination against them;



- ◆ There is a lot of overlap between alternatives to detention and diversion: pre-trial diversion measures such as mediation, family group conferencing, NGO referrals, community service etc. automatically provide alternatives to detention and should ideally be implemented at the earliest possible stage of contact with the system – especially given the shocking length of time children in many countries spend in pre-trial detention / on remand;
- ◆ However, in some cases it may not be possible to divert a child from the formal system prior to the trial stage, e.g. in cases of serious crimes where release into the community would not be appropriate, or where the child has not admitted guilt (a pre-requisite for most diversion options);
- ◆ In this case, even at the stage of disposal / sentencing, there are still possibilities to avoid the damaging effects of detention by promoting the use of alternatives to detention;
- ◆ An alternative to detention should meet the needs of the child, their family and the community;
- ◆ The Beijing Rules specify the following non-custodial sentencing options:
  - ▶ Care, guidance and supervision orders;
  - ▶ Probation;
  - ▶ Community service orders;
  - ▶ Financial penalties, compensations and restitution;
  - ▶ Intermediate treatment and other treatment orders;
  - ▶ Orders to participate in group counselling and other similar activities;
  - ▶ Orders concerning foster care, living communities or other educational settings.



**Please note: As with diversion, it is important to note that alternatives to detention in the context of the criminal justice system apply only to children in conflict with the law. Street and other children who are need of care and protection should not be being processed through the criminal justice system in the first place, as outlined in the previous section on separating social welfare and criminal justice systems.**

#### What is the role of the police in alternatives to detention?

- ◆ Recommend to prosecutors, probation and judges alternative courses of action based on your knowledge of the circumstances;
- ◆ Children can be released into the community while awaiting trial if they agree to comply with specific conditions such as not to associate with certain people, to maintain a curfew, to go to school, to report to the police, and/or be under the supervision of an NGO.



**Key learning points:** Even if a case has to go to court first (e.g. serious cases, or cases where a child does not admit guilt) it is still possible to implement options which do not involve detention. The police have detailed knowledge of the individuals involved in a case (child, victims and others) and are therefore well placed to make positive recommendations to other actors in the system for a sentencing option that acts in the best interests of all of these parties.



**See also:** [www.streetchildren.org.uk/policetraining](http://www.streetchildren.org.uk/policetraining) for case studies / examples of alternatives to detention.



**Diversion and alternatives to detention:** Street children may well not qualify for many diversion options in the first place given their lack of ties to responsible adults / guardians and stable residential environments which are pre-requisites for the majority of pre-trial diversion options. It is obvious that more creative approaches will be necessary to implement pre-trial diversion programmes and alternatives to detention that meet the needs of street children to ensure that they are able to benefit from restorative justice options along with other children, and that they are not simply locked up for lack of innovative approaches. Success in this area depends on relationship-building with the community and identifying alternative support persons for street children if they are not in contact with family members or other responsible adults.

## b. Police in relation to other actors in the juvenile justice system

Police do not just work in a vacuum when dealing with crimes and especially when it comes to juvenile offenders. Many other institutions are involved to ensure that the welfare of the child is still a priority and that their rights are not denied. Police are used to operating with the judicial system. However, many other bodies, both governmental and non-governmental are involved in children's issues and a system of collaboration and coordination must be implemented in order that all stakeholders are involved in the protection of children's rights.<sup>10</sup>

### THE PILLARS OF THE CRIMINAL JUSTICE SYSTEM

See Activity 12.

## ACTIVITY 12 THE PILLARS OF THE CRIMINAL JUSTICE SYSTEM<sup>11</sup>

**Aim:** To map out the roles of other actors in the criminal justice system; to demonstrate the need for collaboration between different actors in the criminal justice system.

**Time:** 30 – 45 minutes

**Materials:** Board and pen, prepared cards containing the different roles of the different actors in the criminal justice system taken from the matrix below, sticky tape.

### Task:

1. Draw 7 large vertical pillars (columns shaped like building pillars) on the board with a roof on top of the pillars. Write the words 'criminal justice system' inside the roof. Tell the participants to think of the criminal justice system as though it were a building or structure with 7 pillars supporting it.
2. Inform the participants of the different pillars of the justice system – law enforcement, prosecution, public defenders, courts, corrections, social work and community. As you introduce each pillar, write down the name of the pillar on the appropriate pillar on the board.
3. Next, ask the participants to identify the actors who belong to the particular pillars. Write down the actors on the corresponding pillars as the participants correctly identify them. For example:
  - a. law enforcement = police under the Ministry for Home Affairs
  - b. prosecution = public prosecutors under the Prosecutor General's Office
  - c. public defender = public defenders under the Ministry of Justice Public Defenders Office

d. courts = magistrates and judges under ...

e. corrections = prison officials, prison wardens, guards etc. under MoJ Prison Service

f. social work = social workers under the Department for Social Services

g. community = church workers, schools, NGO workers, youth, media, community organisations etc.

4. Distribute to participants prepared cards containing the different roles of the different actors in the criminal justice system (see matrix overleaf for guidance).

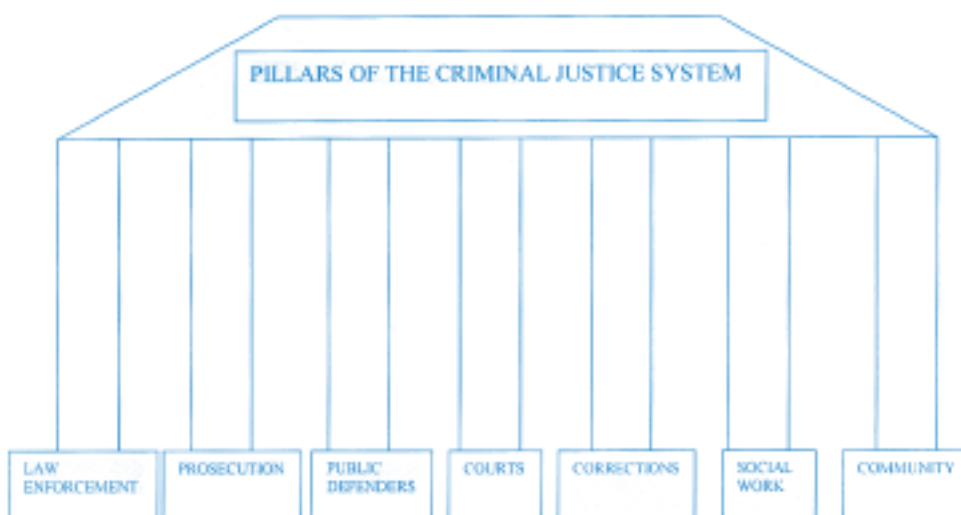
5. Ask the participants to stick the 'role' cards under the corresponding pillar and actor on the wall. Give them 5 minutes to do this.

6. Process their answers / make any changes necessary to their answers by group consensus.

7. After you have finished, explain that all laws and policies in relation to juvenile justice form the country's juvenile justice system. The juvenile justice system is made up of different pillars or institutions with different actors performing complementary roles. Explain the importance of each pillar or institution for the effective and efficient functioning of the justice system.

8. Next, ask the participants what would happen if one of the pillars crumbles or falls. Ask this whilst erasing one pillar. The answer is that the entire structure would collapse. Erase one pillar followed by the dome roof and then the other pillars one at a time to illustrate the collapse of the entire structure.

9. Explain that without the efficient and effective functioning of any one pillar or institution, the whole justice system collapses. The roles of the different pillars are complementary and together make up the protection mechanism of the country for children in contact with the law.



PILLARS	ACTORS	ROLE
1. Law enforcement	Police	<ul style="list-style-type: none"> <li>◆ Prevent crime</li> <li>◆ Preserve peace and order</li> <li>◆ Protect life and property</li> <li>◆ Investigate crimes under direction of Prosecutor</li> <li>◆ Collect evidence</li> <li>◆ Implement diversion options as much as possible</li> <li>◆ Effect arrest of suspects</li> <li>◆ Effect search and seizure to collect evidence</li> <li>◆ File complaint and other recommendations with Prosecutor's Office</li> </ul>
2. Prosecution	Prosecutor	<ul style="list-style-type: none"> <li>◆ Investigate complaints</li> <li>◆ Direct police investigation of crimes</li> <li>◆ Collect, examine and analyse evidence</li> <li>◆ Determine what crime, if any, should be charged</li> <li>◆ Dismiss complaint or issue indictment (or formal criminal charge in court)</li> <li>◆ Prosecute (litigate) cases in court</li> </ul>
3. Public defenders	Public defender	<ul style="list-style-type: none"> <li>◆ Advise accused of his/her rights</li> <li>◆ File motions / petitions on behalf of accused</li> <li>◆ Defend poor litigants in court</li> </ul>
4. Courts	Investigating judge	<ul style="list-style-type: none"> <li>◆ Issue warrant of arrest for a suspect</li> <li>◆ Issue order for detention</li> <li>◆ Issue substitute restrictive measure or conditional release (diversion)</li> <li>◆ Issue order for forensic examination</li> <li>◆ Issue order for search and seizure</li> <li>◆ Conduct review hearing of arrests and detention</li> </ul>
	Trial judge	<p>Conduct trial hearings</p> <ul style="list-style-type: none"> <li>◆ Hear the facts of case and determine law applicable to facts</li> <li>◆ Determine guilt or innocence of the accused</li> <li>◆ Impose penalty or sentence</li> <li>◆ Order alternative or other disposition measures (alternatives to detention: e.g. probation, community service, suspended sentence, vocational training)</li> </ul>

5. Corrections	Prison guards / wardens	<ul style="list-style-type: none"> <li>◆ Carry out programmes to treat and rehabilitate (including re-educate) the prisoners</li> <li>◆ Carry out punishment of imprisonment</li> <li>◆ Facilitate probation or parole</li> <li>◆ Carry out programmes to prepare prisoners for social reintegration</li> </ul>
6. Social work	Social workers	<p><b>a) Case management</b></p> <ul style="list-style-type: none"> <li>◆ Work with child victims in identifying the children's needs and problems and in finding and implementing solutions</li> <li>◆ Conduct social case investigations, diagnostic assessments and rehabilitation plans</li> <li>◆ Provide children with the support, counselling and motivation which they need in implementing rehabilitation plans</li> </ul> <p><b>b) Assistance during legal / court process</b></p> <ul style="list-style-type: none"> <li>◆ Advise criminal justice actors on the psycho-social aspects of eth case; prepare / submit social case study reports with case assessments and recommendations on the best interests of the children</li> <li>◆ Advise court actors on: child-friendly procedures; conditional release of children; release of children whose detention has become illegal</li> <li>◆ Ensure the children's presence during court hearings</li> <li>◆ Accompany and advise children during the investigation and trial process;</li> <li>◆ Advise children and their families of case status and case developments</li> <li>◆ Monitor children granted conditional release and provide assistance to ensure their compliance with the conditions and terms of release</li> </ul> <p><b>c) Delivery and facilitation of rehabilitation and reintegration services</b></p> <ul style="list-style-type: none"> <li>◆ Provide social counselling and rehabilitative assistance for the child victim</li> <li>◆ Conduct home visits and family counselling to prepare for the social reintegration of children</li> <li>◆ Facilitate family visits or reunification for children in institutions</li> <li>◆ Assist in reintegration of children to their communities through facilitating access to school, vocational training and other community activities or programmes</li> </ul>
7. Community	Church, schools, NGOs, community organisations, child protection networks, media, universities etc.	<ul style="list-style-type: none"> <li>◆ Crime prevention</li> <li>◆ Detect and report crime</li> <li>◆ Victim / offender support and assistance (psycho-social and economic)</li> <li>◆ Rehabilitation / education</li> <li>◆ Reintegration</li> </ul>

## RELATIONSHIP-MAPPING

### ACTIVITY 13 RELATIONSHIP MAPPING – THE STRING EXERCISE

**Aim:** To demonstrate the connections between different actors in the criminal justice system through the case study of a particular child; to show how the functioning of the system as a whole depends on each actor playing his / her part.

**Time:** 30-45 minutes

**Materials:** Name tags / labels to identify the roles of participants, ball of string

#### Task:

1. Participants choose, or are assigned, role play identities of relevant actors in the system (e.g. police officer, prosecutor, public defender, investigating judge, trial judge, prison guard, social worker, school teacher, church worker, NGO, journalist).

2. One of the participants is asked to volunteer an example story / case study of a child that they have arrested in the past. Identify which additional character roles are needed for this particular story – e.g. young offender, victim, parent, local shopkeeper etc. and assign these roles to other participants. All participants taking part in the role play should have a large, visible name tag / label so that everyone can see who they are.

3. The participants then stand in a circle. The volunteer narrates the events in the story in the order in which they happened, drawing attention to which actors were involved at each stage. As this is being narrated, the facilitator takes a ball of string and crosses backwards and forwards across the circle demonstrating the connections are between the various actors in the system and how they come into contact

with each other. By the end of the story, there should be a 'web' of connections.

4. Point out how the police are connected to others in the system. Next, ask one of the actors (e.g. the 'police officer') to drop all the string they are holding. The web will collapse / fall apart. This can be repeated to demonstrate the importance of all actors working together.

5. In order to extend this activity even further, participants can discuss how they think a child feels when they are going through the system. Ask the following questions:

- ◆ Would a child understand what is happening to them at each stage as they pass through the system? Who explains to them what is happening?
- ◆ Do you think the system is too complicated?
- ◆ Which of the actors in the system does the child currently have most contact with? Why?
- ◆ Which of the actors in the system *should* the child have most contact with, in an ideal world? Why?
- ◆ Is there a way to reform the juvenile justice system to improve the contact a child has with helpful, positive influences and to minimize the contact a child has with parts of the system that are more negative?
- ◆ If the child in the case study had been diverted from the formal criminal justice system at an early stage, what would the 'web' look like?
- ◆ What can you, as a police officer, do to make sure that the 'web' is a well organized, positive, supportive 'safety net' for children rather than a complicated knot which they get tangled up in?

## STAKEHOLDER MAPPING & PERSONAL CONTACT SHEET

### ACTIVITY 14 STAKEHOLDER MAPPING & PERSONAL CONTACT SHEET

**Aim:** To create a map of local facilities and services where children can be referred for social, medical, legal, welfare or other support, or from where you can seek advice.

**Time:** 45 minutes – 1 hour

**Materials:** Flipchart paper and pens

**Task:** In groups of 4-5 people, identify facilities and services which you may need to contact regarding the welfare of a child (both state actors and non-state actors). On a piece of flipchart paper, construct a 'stakeholder map.' By drawing and brainstorming, locate your police station in the map and show connections from your police station to the other actors who you think would be useful in the handling of children you come across in your job – both children in need of care and protection and children in conflict with the law. Pay particular attention to those who may be of help with diversion and psychosocial support. Try to identify particular names of people or places so that the map is as practical as possible. Refer back to the matrix detailing the pillars of the criminal justice system for an idea of possible types of services. Feel free to be as creative as possible when drawing your map!



[ABOVE: Participants from Kenya, Nicaragua, Nigeria, the Philippines and Romania take part in a relationship mapping exercise based on a case study of a street children in the Philippines, as part of the Consortium for Street Children International Workshop on Street Children and Juvenile Justice, London, 14-18 July 2003.]

- ◆ When you have finished drawing the map, use a different coloured pen and circle the actors with whom you have the most contact at the moment in relation to children.
- ◆ Where do you need to strengthen your contacts?
- ◆ If you start employing diversion more often, would you need to develop new contacts? Where? How?

Participants will have the opportunity to present their maps to the rest of the group at the end of the activity.

#### Particular questions to think about:

- ◆ Law enforcement: is there a special juvenile unit in your police station? Any particular officer with experience of handling children?
- ◆ Courts: is there a specialised juvenile court in your area? Any particular judge(s) with experience of handling children?
- ◆ Social work: do you know how to contact the duty social worker? Probation services?
- ◆ Community: examples of actors could include: Local clinics and hospitals; local schools; helplines – e.g.

telephone advice lines for children; crisis centres / refuges; drug rehabilitation centres; someone's opinion or advice you can trust (may be a senior manager); NGOs and community organisations – providing shelter for street/ abandoned children/ children whose parents or guardians cannot be identified/ advice on appropriate treatment of children/ medical services / legal aid; supportive religious groups / churches / mosques / temples etc.; International Committee of the Red Cross to assist with family tracing; UNICEF.

On the contact sheet overleaf write the contact details of as many of the actors you have identified as possible along with any tips about contacting these organisations or individuals within these organisations.



**Please note: It would be useful for the facilitator to prepare a list of contact details of relevant actors themselves so that participants can take this away with them to update further, as it is unlikely that participants will have all this information. Participants should be encouraged to keep this contact sheet safe and to carry it with them so that they can refer to it when they come into contact with children.**

## CONTACT SHEET

Contact Sheet	Name of institution/ organisation	Type of service/ support offered	Main contact person/s	Contact details (address, phone – office/cell/, email, fax)	Hours contactable	Who to contact out of office hours	Tips/ extra information



ABOVE: Mural painted inside the Juvenile Court, Nairobi, Kenya.



**Key learning points: Police are the first point of contact by the public with the criminal justice system. Children’s experience of the police will therefore colour their view of the system as a whole and the way the police handle the case in the early stages of arrest and investigation will affect the outcome / result of the case. Without all pillars / actors in the justice system acting together, the system will collapse: each pillar needs to be aware of the functions of the other pillars and to support each other / work together.**



See also: Section 8 on diversion.

## c. International legal standards and how these relate to national laws

“As child-sensitive law enforcers, we are duty-bound and obligated by law to uphold the UN standards on juvenile justice in order to respect and protect the rights of children in conflict with the law. Children are naturally good and we have to do our very best to make it easy for them to stay that way.”<sup>12</sup>

### INTERNATIONAL LAW, STANDARDS AND GUIDELINES – WHAT DOES IT ALL MEAN?

The United Nations has developed a series of laws, standards and guidelines to assist the pillars of the criminal justice system in dealing with children in conflict with the law. These ‘instruments’ can be grouped as shown in the table overleaf.

- ◆ The shaded instruments are **legally binding** on states that have ratified them.
  - ▶ This means that if the government of your country has officially agreed to, signed and ‘adopted’ these international laws, they should – in theory – already be incorporated into your national laws and, as police officers, you should already be following these rules.
  - ▶ If the government of your country has not signed up to these international laws, or if they have signed up to them but not yet included them into your national laws yet, they still represent the ‘best practice’ for a humane, fair, efficient and effective justice system. By understanding and following these rules, you will be carrying out your work to the best possible standards, joining the increasing numbers of law enforcers around the world who take pride in contributing to modern and professional police services.

- ◆ All the other non-shaded guidelines and rules listed here are not official ‘international laws’ like the shaded ones, but they still carry the authority of the UN and can be used to support the legally binding instruments by providing more detail and guidance. Once again, they represent the best possible standards that you, as a modern and professional police officer, can follow, for the benefit of your community and country.

As police officers, the most important standards to know about in relation to children are:

1. UN Convention on the Rights of the Child: CRC (1989)
2. African Charter on the Rights and Welfare of the Child: ACRWC (1990) – if you are in a country which has ratified this treaty
3. UN Guidelines on the Prevention of Juvenile Delinquency: the ‘Riyadh Guidelines’ (1990)
4. UN Minimum Rules for the Administration of Juvenile Justice: the ‘Beijing Rules’ (1985)
5. UN Rules for the Protection of Juveniles Deprived of their Liberty: the ‘JDLs’ (1990)
6. UN Minimum Rules for Non-Custodial Measures: the ‘Tokyo Rules’ (1990)
7. UN Code of Conduct for Law Enforcement Officials (1979)
8. UN Basic Principles on the use of Force and Firearms by Law Enforcement Officials (1990)

To make things easier, we have summarized all of these instruments into a table, showing how they support each other and how they are relevant to particular areas of your police work. This table includes references to all of the instruments listed above, even if we have not gone into detail on some of them in this introductory session. This table is shown in Appendix 4.

There is a short description of some of the key instruments here, but rather than going into too much detail at this stage, we have mainstreamed references to specific standards throughout the training in order to better show how they relate to your actual work.



**See also: Section 8 on the step by step process of dealing with children, as well as footnotes throughout the manual referencing specific international laws, standards or guidelines which relate to particular areas of police work.**



	CHILD-SPECIFIC INSTRUMENTS	NON-CHILD-SPECIFIC INSTRUMENTS
<b>INTERNATIONAL</b>	UN Convention on the Rights of the Child: CRC (1989)	UN International Covenant on Civil and Political Rights: ICCPR (1966)
	UN Guidelines on the Prevention of Juvenile Delinquency: the 'Riyadh Guidelines'(1990)	UN International Covenant on Economic, Social and Cultural Rights: ICESCR (1966)
	UN Minimum Rules for the Administration of Juvenile Justice: the 'Beijing Rules' (1985)	UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: CAT (1984)
	UN Rules for the Protection of Juveniles Deprived of their Liberty: the 'JDLs' (1990)	UN International Convention on the Elimination of All Forms of Racial Discrimination: CERD (1966)
	UN Resolution 1997 / 30 – Administration of Juvenile Justice: the 'Vienna Guidelines' (1997)	UN Convention on the Elimination of All Forms of Discrimination Against Women: CEDAW (1979)
		UN Standard Minimum Rules for the Treatment of Prisoners: The Standard Minimum Rules (1995)
		UN Minimum Rules for Non-Custodial Measures: The Tokyo Rules (1990)
		UN Code of Conduct for Law Enforcement Officials (1979)
	UN Basic Principles on the use of Force and Firearms by Law Enforcement Officials (1990)	
<b>REGIONAL</b>	African Charter on the Rights and Welfare of the Child: ACRWC (1990)	African Charter on Human and People's Rights: 'Banjul Charter' (1981)  American Convention on Human Rights: ACHR (1969)  European Convention for the Protection of Human Rights and Fundamental Freedoms: ECHR (1950)

## BRIEF OVERVIEW OF KEY INTERNATIONAL INSTRUMENTS

### 1. UN Convention on the Rights of the Child (CRC)<sup>13</sup>

The CRC is the most important legal instrument in relation to juvenile justice because it is legally binding on all countries except Somalia and the USA. It is therefore more powerful and more widely applicable than some of the other instruments. It defines ‘children’ as all people under the age of 18. The most specific articles in relation to juvenile justice are **Articles 37** and **40**. However, the CRC is not just a list of separate articles. It was designed to look at children as entire human beings. It is therefore very important to set **Articles 37** and **40** in the context of the overall framework of the CRC and its main ‘umbrella rights.’ These include: **Art. 6** (the right to life, survival and development); **Art. 3.1** (the best interests of the child as a primary consideration); **Art. 2** (non-discrimination on any grounds); **Art. 12** (the right to ‘participation’); **Art. 4** (implementation – including of economic, social and cultural rights to the maximum extent of available resources). Other CRC articles relevant to street children and juvenile justice, including aspects of prevention, are Articles 3.3, 9, 13, 14, 15, 16, 17, 19, 20, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34, 36 and 39.



See also: **Activity 17** for more information on understanding the importance of the CRC to police practice.

### 2. African Charter on the Rights and Welfare of the Child (ACRWC)<sup>14</sup>



Please note: This section is only relevant for those working in Africa.

The ACRWC can be considered as an adaptation of the CRC to the regional context of Africa. It was drafted by the Organisation of African Unity (now known as the African Union) and it guarantees children’s basic rights within the context of African culture. As with the CRC, the ACRWC contains a broad range of socio-economic provisions that can be referred to holistically, as well as the specific juvenile justice provisions of Article 17.

### 3. UN Guidelines for the Prevention of Juvenile Delinquency: the ‘Riyadh Guidelines’<sup>15</sup>

The Riyadh Guidelines represent a comprehensive and proactive approach to prevention and social reintegration, detailing social and economic strategies that involve almost every social area: family, school and community, the media, social policy, legislation and juvenile justice administration. Prevention is seen not merely as a matter of tackling negative situations, but rather a means of positively promoting general welfare and well-being. It requires a more



proactive approach that should involve “efforts by the entire society to ensure the harmonious development of adolescents”. More particularly, countries are recommended to develop community-based interventions to assist in the prevention of children coming into conflict with the law, and to recognise that ‘formal agencies of social control’ should be utilised only as a means of last resort. General prevention consists of “comprehensive prevention plans at every governmental level” and should include: mechanisms for the co-ordination of efforts between governmental and non-governmental agencies; continuous monitoring and evaluation; community involvement through a wide range of services and programmes; interdisciplinary co-operation; and youth participation in prevention policies and processes. The Riyadh Guidelines also call for the decriminalization of status offences and recommend that prevention programmes should give priority to children who are at risk of being abandoned, neglected, exploited and abused.

### 4. UN Minimum Rules for the Administration of Juvenile Justice: the ‘Beijing Rules’<sup>16</sup>

The Beijing Rules provide guidance to states on protecting children’s rights and respecting their needs when developing separate and specialised systems of juvenile justice. They were the first international legal instrument to comprehensively detail norms for the administration of juvenile justice with a child rights and child development approach. They pre-date the CRC, are specifically mentioned in the CRC Preamble, and have several of their principles incorporated into the body of the CRC. The Rules

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encourage: the use of diversion from formal hearings to appropriate community programmes; proceedings before any authority to be conducted in the best interests of the child; careful consideration before depriving a juvenile of liberty; specialised training for all personnel dealing with juvenile cases; the consideration of release both on apprehension and at the earliest possible occasion thereafter; the organisation and promotion of research as a basis for effective planning and policy formation. According to these Rules, a juvenile justice system should be fair and humane, emphasize the well being of the child and ensure that the reaction of the authorities is proportionate to the circumstances of the offender as well as the offence. The importance of rehabilitation is also stressed, requiring necessary assistance in the form of education, employment or accommodation to be given to the child and calling upon volunteers, voluntary organisations, local institutions and other community resources to assist in that process.

### 5. UN Rules for the Protection of Juveniles Deprived of their Liberty: the JDLs<sup>17</sup>

This very detailed instrument sets out standards applicable when a child (any person under the age of 18) is confined to any institution or facility (whether this be penal, correctional, educational or protective and whether the detention be on the grounds of conviction of, or suspicion of, having committed an offence, or simply because the child is deemed ‘at risk’) by order of any judicial, administrative or other public authority. In addition, the JDLs include principles that universally define the specific circumstances under which children can be deprived of their liberty, emphasising that deprivation of liberty must be a last resort, for the shortest possible period of time, and limited to exceptional cases. In the context where deprivation of liberty is unavoidable, detailed minimum standards of conditions are set out. The JDLs serve as an internationally accepted framework intended to counteract the detrimental effects of deprivation of liberty by ensuring respect for the human rights of children.

### 6. UN Standard Minimum Rules for Non-Custodial Measures: The Tokyo Rules<sup>18</sup>

The Rules are intended to promote greater community involvement in the management of criminal justice, especially in the treatment of offenders, as well as to promote among offenders a sense of responsibility towards society. When implementing the Rules, governments shall endeavour to ensure: proper balance between the rights of individual offenders, victims and concern of society for public safety and crime prevention. In order to provide greater flexibility consistent with the nature and gravity of the offence, with the personality and background of the offender and with the protection of society and to avoid unnecessary use of imprisonment, the criminal justice system should provide a wide range of non-custodial measures, from pre-trial to post sentencing dispositions. Where appropriate and compatible with the legal system, the police, the

## ACTIVITY 15 COMPARATIVE TABLE OF INTERNATIONAL LAW, STANDARDS AND GUIDELINES ON JUVENILE JUSTICE – MAPPING FRAMEWORK FOR NATIONAL LAWS

**Aim:** To familiarise participants with the types of standards set out in international human rights instruments and how they compare with national laws; to assess participants’ knowledge of national laws; to assess to what extent participants are already putting human rights standards into practice.

**Time:** 1 hour

**Materials:** 1 photocopy of the comparative table in Appendix 4 per participant

**Task:** The comparative table can be used as a reference tool and provided as a handout to participants. Alternatively, it can be used as an activity to see how much the participants know about local laws in relation to international standards.

1. Give each participant a copy of the table. In groups of 4 or 5, give participants 15-20 minutes to see if they can fill in any of the column relating to local / national laws in relation to each of the points raised.
2. Get one person in each group to get up and move to the next group, circulating clockwise around the room. This ‘messenger’ should spend 5 minutes comparing the results from their first group with the new group to see if they can ‘pool’ more information together. You may repeat this ‘circulating feedback’ more than once, depending on time available.

prosecution service or other agencies dealing with criminal cases should be empowered to discharge the offender if they consider that it is not necessary to proceed with the case for the protection of society, crime prevention or the promotion of respect for the law and the rights of victims.

## COMPARATIVE TABLE OF INTERNATIONAL LAW, STANDARDS AND GUIDELINES ON JUVENILE JUSTICE – MAPPING FRAMEWORK FOR NATIONAL LAWS

See Activity 15 and Appendix 4.

## MORE ABOUT CHILD RIGHTS

### Human rights

- ◆ The international instruments explained above have so far been presented as laws, standards and guidelines – in other words ‘rules’ which governments, and those working for the government, such as police officers, have a duty to implement.

## ACTIVITY 16 WHAT DOES A CHILD NEED?<sup>19</sup>

**Aim:** To stimulate thinking about the needs of children, to make links between children's rights and children's needs, and to increase familiarity with the articles of the Convention on the Rights of the Child (CRC).

**Time:** 30 minutes.

**Materials:** Flip chart paper, pens, tape

### Task:

1. Working in small groups, participants draw a large outline of a boy or girl. The group gives the child a name and then decides on the mental, physical, spiritual, and character qualities they would like this child to have as an adult (e.g. good health, sense of humour, kindness). They should write or draw symbols to represent these qualities inside the outline of the child.
2. On the left hand side of the outline the group lists the human and material resources the child will need to achieve these qualities (e.g. if the child is to be healthy, he/she will need food and health care).
3. Get participants to stick the picture of their child onto the wall and briefly introduce him or her to the other groups.
4. Explain to participants that you will return to this activity later in the session to see how the needs they have identified are linked to human and children's rights.

- ◆ However, these standards are also part of the UN international human rights system. Section 2 of this manual introduced the idea of human rights – the rights people are entitled to simply because they are human beings, irrespective of their citizenship, nationality, race, ethnicity, language, sex, sexuality, abilities or any other status.
- ◆ The instruments outlined here are actually lists of human rights which apply to justice systems.
- ◆ As police officers, you are expected to always uphold the rights of the people you come into contact with – whether they are offenders, victims or members of the community you are helping to protect.

### Children's rights

Human rights belong to all people, regardless of their age, including children. However, because of their special status – whereby children need extra protection and guidance from adults – children also need some special rights of their own. These are called children's rights and they are documented in the UN Convention on the Rights of the Child (CRC), mentioned above.

See Activity 16.

### The difference between wants, needs and rights<sup>20</sup>

Write the following statements on the board.

- ◆ I **want** a fizzy drink.
- ◆ I **need** a drink of water.
- ◆ I **have a right to** clean drinking water.

Ask participants:

- ◆ What is the difference between these statements?
- ◆ Which is stronger? Why?

Explain to participants:

- ◆ Needs are common to many children and are often essential for a child's survival, protection, development and/or participation;
- ◆ Common and essential needs of every child have been translated into the rights of children and written down in the UN Convention on the Rights of the Child, agreed by every country in the world except Somalia and the USA. Child rights are those things that the international community consider are fair and just for every child to have, or to be able to do. For example:
  - ▶ **To have:** education, health and nutrition, name, nationality and identity, care of parents, protection from violence etc.
  - ▶ **To be able to do:** play, access information, express opinion, participate in decision-making, participate in cultural activities, form or join associations etc.
- ◆ The basic needs of children are sometimes referred to as children's rights (or 'child rights'). However, children's rights implies something more than just the 'needs' of children. For example:
  - ▶ Child rights are universal and apply to every child; needs are not necessarily universal;
  - ▶ Child rights – unlike needs – always imply obligations and responsibilities;
  - ▶ Rights are entitlements which can be demanded; needs cannot be demanded.

See Activity 17.

“There is no hierarchy or prioritisation in the observance of children's rights as no right is more important than the other. In case of conflicting rights, decisions are made based, not on a hierarchy of rights, but based on the principle of the best interests of the child. Children's rights are interdependent and indivisible. The enjoyment or non-enjoyment of one child right affects the enjoyment or non-enjoyment of another child right. It is important that police officers consider the effect of any action or decision to be made on the totality of children's rights.”<sup>22</sup>

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## ACTIVITY 17

### CRC – CLUSTERING RIGHTS CARDS<sup>21</sup>

**Aim:** To familiarise participants with the articles of the UN Convention on the Rights of the Child; to encourage participants to think about which CRC articles relate to policing and juvenile justice.

**Time:** 1 – 2 hours

**Materials:** A copy of the set of ‘CRC rights cards’ in Appendix 5, cut out individually.

#### Task:

##### Part 1 – Grouping CRC articles (30 minutes)

1. In advance, copy the sheet of CRC rights in Appendix 5. Cut out the cards. (If you are intending to do more than one training session, you might consider sticking the paper onto stronger card to make it more durable).

2. Spread the cards out face up on the floor and ask each participant to choose one card (it does not matter if there are extra cards left over – leave these face up on the floor).

3. Tell participants to move around the room and interact with each other, explaining the right which is described on their card. If two participants feel that their cards have something in common, they should form a group. Keep on walking around the room and keep adding to your group. As the activity progresses, participants may also switch to a different group or ‘category’ of rights covered by the CRC. Some may even end up alone and not belonging to any group if there is no commonality found in the cards.

4. Stress that there are no right or wrong answers here. Child rights, like all human rights, are very closely linked each other and it can be difficult to ‘divide them up.’ Just keep encouraging discussions among the participants. When there is no more movement, ask each group to give themselves a name or title (e.g. ‘survival’, ‘education’, ‘health’, ‘juvenile justice’ etc.)

5. Ask participants:

- ◆ Were some rights more difficult to categorise than others?
- ◆ If so, which ones and why?
- ◆ Have any rights been left out of the CRC which you think should have been included?

##### Part 2 – Interdependence of CRC articles (30 minutes)

1. Ask participants:

- ◆ ‘Who thinks they are holding the most important right in the whole Convention?’ Why?

Encourage friendly debate and argument. Prompt participants to see that all of the rights are interdependent and linked together. For example, if Article 6 (right to life, survival and development) claims to be the most important, ask if ‘survival’ is possible without health. If participants think they are linked, then get Article 6 to move across the room to join Article 24 (health). Then ask if ‘health’ is possible without resources. If participants think they are linked, get Article 24 to move across the room to join Article 4 (implementation...to the maximum extent of available resources)...and so on.

2. Alternatively, ask all participants to stand in a circle around the room, displaying their cards. Ask for a volunteer to stand in the middle. Tell the volunteer:

- ◆ ‘Imagine you are your own son or daughter’ (or niece / nephew / grandchild / child that you care for). ‘Pretend that your son/daughter is only allowed to have 2 rights from the whole of the CRC: which do you think he/she should choose?’ Repeat this with other volunteers if time allows.

Ask the volunteers:

- ◆ How do you feel, being allowed only 2 rights out of so many?
- ◆ Do you think it’s fair?
- ◆ Is it possible for a child to grow into a well-rounded, happy, confident, knowledgeable, healthy, safe child if they are denied any of their rights?

##### Part 3 – CRC articles in relation to policing and juvenile justice (30 minutes)

1. Ask participants:

- ◆ Which rights are specifically linked to police work? (Ask the participants holding the relevant cards to step forward if they think their ‘right’ is related to juvenile justice. Expect that Articles 37 and 40 will step forward).
- ◆ Are these the only rights that you need to consider as police officers?
- ◆ What about Articles 1, 2, 3, 5, 6, 9, 12, 14, 15, 16, 19, 24, 28, 30, 31, 32, 33, 34, 35, 36 and 39 as well as 37 and 40?

2. Encourage as many participants as possible standing in the circle to give one reason why their article may be relevant to policing – e.g. ‘children who come into contact with the law might need medical assistance (health-24)’; ‘I should treat all children equally, regardless of their ethnicity or how poor they are (non-discrimination-2)’; ‘I should let the child explain their side of the story before I arrest them (right to express an opinion-12)’; ‘I should follow-up all reported cases of child abuse (protection from abuse and neglect -19) etc. Encourage participants to help each other out and come up with answers. Ideas will not be possible for all rights.

**Part 4 – Linking rights and needs (5 – 30 minutes depending on whether the game is played)**

1. Get participants to think back to the drawing they made of a child in Activity 16 (‘What does a child need?’). Ask participants:

- ◆ How many of the needs that you identified for ‘your child’ have a corresponding CRC article? (education, health, family etc.).

If there is time, you could turn this into a light-hearted game as follows:

2. Get all participants to return their CRC card to the centre of the room and place it face down on the floor. The facilitator should mix up the cards, keeping them face down and spread out. Then ask participants to get back into the groups they were in for Activity 16 and stand by their drawing.

3. Explain that only one group member at a time can run to the middle of the room and pick up only one card at a time which they must take back to their group. If the card matches a ‘need’ that they identified for their ‘child’, they can stick it in the correct place on the drawing (provide each group with tape for this) and the next group member can run to the centre and collect another card. If the card does not match, then the next group member must take it back and place it face down in the centre of the room again and collect another card and so on.

4. Explain that this is a race and that the group with the most cards correctly stuck to their drawing at the end of 10 minutes wins. Expect chaos! But try to strictly enforce the rules. Anyone caught cheating should be made to sit out of the game. If there is much cheating going on, and if it is appropriate in the circumstances, you can gently joke with participants that you hope they will follow human rights rules better than they followed the rules for this game!

5. Encourage the groups to circulate and look at each other’s drawings and discuss the allocation of ‘rights’ to ‘needs’.

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Diagram 3: The 5 umbrella rights of the CRC



Explain that there are lots of rights to remember in the CRC and that this is obviously very difficult. However, to make things simpler, there are 5 rights in particular which cut across all of the others. They are the 5 'umbrella rights':

- ◆ Article 6: the right to life, survival and development
- ◆ Article 3.1: the best interests of the child
- ◆ Article 2: non-discrimination
- ◆ Article 12: participation
- ◆ Article 4: implementation & resources

It might help to remember these 5 rights by thinking of them as a table with 4 legs:

See Diagram 3.

Ask participants to imagine that the child they are dealing with is sitting or standing on the table. If they forget to consider any one of the four legs, the table (and the child's right to life, survival and development) will fall down. Imagine how they would feel if this was their own child, falling to the ground!



**Key learning points:** There is a series of international rules on juvenile justice that you, as a police officer, should follow. These rules are actually human rights and child rights. Rights are similar to needs in some ways, but they apply to everybody equally and they are 'stronger' than needs. With rights, there is an obligation for the government to: support families and communities to care for children; to look after children if the family or community is not able to; and to protect children from harm. As a police officer, you are part of the system that helps governments to promote and protect children's rights. Remember that all rights are enjoyed by all children at all times, even if they are in conflict with the law.



**See also:** Section 4 on why children are different to adults, the best interests of the child and non-discrimination in relation to policing as well as Section 8 which looks at international standards in more detail in relation to the practice of policing.

## SUMMARY

**Participants should now be familiar with the following:**

- **How the justice system works as a whole, its overall purpose and their place within the system;**
- **Who else makes up the system and how they work together to protect children;**
- **International guidelines on juvenile justice and how these relate to national laws;**
- **To what extent they are putting international standards into practice in their work and areas in need of improvement;**
- **How child rights relate to 'wants' and 'needs', the articles in the UN Convention on the Rights of the Child and how these relate to police work.**

## FOOTNOTES

- 1 These diagrams are based on the first hand experiences of children who took part in the Consortium for Street Children 'Street Children and Juvenile Justice Project' 2002-2004 as well as secondary research from other countries. It broadly represents the experience for street children in countries that have retributive justice systems, where reform of juvenile justice is either non-existent or in its infancy. This diagram is taken from Wernham, M., *An Outside Chance: Street Children and Juvenile Justice – an International Perspective*, Consortium for Street Children, London, May 2004, pp.63 and 114, [www.streetchildren.org.uk/juvenilejustice](http://www.streetchildren.org.uk/juvenilejustice)
- 2 Adapted from UNICEF Timor-Leste Child Protection Section, Training Manual for Police Officers on Child Rights, Juvenile Justice, Child Abuse and Children At-Risk, Draft 2004, Module 5, pp.13-15.
- 3 UN CRC, Art. 40.3(b): "States Parties shall seek to promote... whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected." UN CRC, Art. 40.4: "A variety of dispositions, such as care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence."
- 4 Blewett, K. and Woods, B., *Kids Behind Bars* [film], True Vision productions, 2001 and their supporting feature article in *Just Right: Kids Behind Bars* (special issue), Jubilee Action, Autumn 2001, p.8.
- 5 Petty, C. and Brown, M. (eds), *Justice for Children*, 1998, p.12.
- 6 Footage from Blewett, K. and Woods, B., *Kids Behind Bars* [film], True Vision productions, 2001.
- 7 Julio, aged 14. Footage from *ibid*.
- 8 UN CRC Art. 37(b); Beijing Rules 13(1); JDLs I(2).
- 9 Roy, N., *Juvenile Justice Presentation*, December 2001.
- 10 Uganda Police Force and UNICEF, *The Role of the Uganda Police in the Protection of Women and Children's Legal Rights, A Trainer's Manual*, Uganda, p.70.
- 11 Adapted from Timor-Leste manual, Module 2, pp.1-7.
- 12 Philippine National Police, Office of the High Commissioner for Human Rights, UNICEF, *Juvenile Justice Training Manual for Law Enforcers: Child Rights Training, Volume One*, Philippines, 2002, p.130.
- 13 Available, along with a list of states who have ratified it and those who have entered any reservations to any of the provisions at <http://www.unhchr.ch/html/menu3/b/k2crc.htm>.
- 14 Available at <http://www1.umn.edu/humanrts/africa/afchild.htm>.
- 15 Available at [http://www.unhchr.ch/html/menu3/b/h\\_comp47.htm](http://www.unhchr.ch/html/menu3/b/h_comp47.htm) . Information in this section is compiled from Roy, N. and Wong, M., *Juvenile Justice Review and Training Documents prepared for Save the Children UK, 2002-3* and Penal Reform International, *International Instruments Governing the Rights of Children in Conflict with the Law*, [www.penalreform.org](http://www.penalreform.org) Illustration by Aldrin Menardo, Philippine manual, p.106.
- 16 Available at [http://www.unhchr.ch/html/menu3/b/h\\_comp48.htm](http://www.unhchr.ch/html/menu3/b/h_comp48.htm). Information compiled as in *ibid*.
- 17 Available at [http://www.unhchr.ch/html/menu3/b/h\\_comp37.htm](http://www.unhchr.ch/html/menu3/b/h_comp37.htm). Information compiled as in *ibid*.
- 18 Philippine manual, pp.124-246
- 19 Adapted from Nancy Flowers, Human Rights Educators' Network, Amnesty International USA, <http://www1.umn.edu/humanrts/edumat/hreduseries/hrhandbook/activities/22.htm>
- 20 Much of this section has been adapted from Timor-Leste manual, Module 4, p.2.
- 21 Adapted and expanded from Philippine manual, pp.65-66.
- 22 Timor-Leste manual, Module 4, p.13.

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## 4. 5 Guiding Principles for policing & child protection

### OBJECTIVES

By the end of this section the participants should be able to:

- Understand the 5 Guiding Principles for policing and child protection;
- Remember the 5 Guiding Principles through the image of an outstretched hand with 5 digits;
- Remember to ‘STOP’ every time they come into contact with a child: Stop, Think, Options, Proceed.

### Introduction

In Section 2 we started to look at how all children are very important people and how the police have a special responsibility to guide and support them as friends, and to treat them fairly in accordance with their human rights – just as we would want to be treated ourselves, or how we would want our own children to be treated. This section looks at these ideas in more detail.

### Remember these 5 Guiding Principles when dealing with children

1. **BEST INTERESTS OF THE CHILD:** treat him/her as your own child and as a unique individual requiring an individualised approach
2. Be **CHILD-FRIENDLY & GENDER-SENSITIVE:** children are different to adults; boys are different to girls
3. Practice **NON-DISCRIMINATION**
4. Understand and expand **CHOICES** available to children and empower them to make them
5. Practice **DIVERSION & RESTORATIVE JUSTICE**



Think of these 5 Guiding Principles as each of the digits of a hand. When you come into contact with a child, ‘STOP!’<sup>1</sup>

**STOP**  
**THINK**  
**OPTIONS**  
**PROCEED**

And then remember 1 digit (finger or thumb) for each Guiding Principle.

These 5 Guiding Principles are introduced here, at an early stage of the training but they appear throughout the manual from this point on.

See Activity 18.

### 1. BEST INTERESTS OF THE CHILD: treat him/her as your own child and as a unique individual requiring an individualised approach

#### BEST INTERESTS OF THE CHILD



International human rights standards: “In all actions concerning children [...] the best interests of the child shall be a primary consideration” (UN Convention on the Rights of the Child, Article 3.1)

- ◆ When dealing with children, you need to make decisions as much as possible in the ‘best interests of the child.’
- ◆ Due to their physical and emotional immaturity, children need support and guidance from caring adults. Because of this, adults often assume they know what is best for children.
- ◆ However, decisions taken by adults are not always in the best interests of the child, especially if they fail to consult with the children themselves, or to take into account the needs, circumstances and choices available to individual children.
- ◆ The best interests of the child is best arrived at after consultation with significant stakeholders (e.g. parents, teacher) and helping professionals (social worker, psychologist etc.). It is always good to have a team decision in difficult cases.

## ACTIVITY 18 A HELPING HAND WITH THE 5 GUIDING PRINCIPLES

**Aim:** To help participants remember the 5 Guiding Principles of policing and child protection.

**Time:** 10 minutes

**Materials:** A sheet of paper and pen for each participant

**Task:** Get participants to draw round the outline of their hand on a piece of paper. Ask them to number each of the digits from 1 to 5. Explain that as you go through each of 5 Guiding Principles, they will write in what they are next to the appropriate finger. Make sure that participants keep their drawing safe so they can refer to it throughout the rest of the training.

### Extension activities:

1. To make the activity more visually interesting, you can provide different participants with different coloured pieces of paper and have them cut out the outline of their hand. The multi-coloured, different sized hands could then be displayed on a wall at the beginning of this section and referred to during the presentation of Guiding Principle 1 to emphasise ‘each child is unique and requires an individualised approach’ by showing that we are all individual as well. If you do this, then make sure participants remember to collect their ‘hand’ at the end of Guiding Principle 1 so they can continue to make notes on it.

2. Arrange with a local street children NGO in advance for the children to prepare cut-outs, outlines or handprints of their own – perhaps with a drawing or some words about how they would like to be treated by the police. This could be made into a display for police to look at throughout the training. As a gesture of solidarity, at the end of the training, the police could draw around their hand again and send messages back to the children about how they will treat them from now on.

- ◆ You need to balance best interests of the child with the best interests of other parties involved (e.g. parents, victim, community). You need to consider all of these interests, but amongst these, those of the child should be ‘a primary’ or main consideration. However, in incidences where the child is clearly the main subject of a case (e.g. adoption, guardianship) then the best interests of the children shall surpass the interests of all others.<sup>2</sup>

## ACTIVITY 19 BEST INTERESTS OF THE CHILD – DISCUSSION<sup>3</sup>

**Aim:** To explore what is meant by the ‘best interests of the child’ and how to make decisions in the best interests of the child.

**Time:** 20 minutes

**Materials:** Case study

**Task:** Give participants the following case scenario and lead them into a discussion of the best course of action to take either in small or large groups.

*A 17-year-old mother living on the streets with a one-year-old child was arrested and detained for the attempted murder of a man who was paying her for sex. She claimed self-defence. She tells you that her baby needs to be breast-fed and asks permission to take the baby with her while in detention. She also requests you to make such recommendation to the prosecutor and judge so that she will not be separated from her child. What should you do?*

Remind participants that the mother is still considered a ‘child’ herself according to the UN Convention on the Rights of the Child.

Ask the participants how they arrived at their decision:

- ◆ How did they determine the ‘best interests of the child’?
- ◆ Which child’s interests take precedence? The mother’s or the baby’s?
- ◆ Who else’s interests need to be considered? (baby, victim and community)
- ◆ Who should determine the best interests of the child?

## IMAGINE THE CHILD IN FRONT OF YOU IS YOUR OWN CHILD

“We are poor – that’s why we’re begging. We are like your daughter. Why do you behave like this to your daughter? We are also human beings so you have to behave humanely to us.”

“We feel scared when we see the police. When a policeman calls us in the street, we feel scared: maybe I made a mistake or the policeman will do something. Police should want to be the friend of people.”  
(Street girls, Dhaka, Bangladesh)

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Tell participants: The child in front of you is likely to be scared. This is true whether they are in conflict with the law or in need of care and protection. If the child in front of you is suspected of committing a crime, they are not only scared, but they have also made a mistake. Remember a time when you were a child, you made a mistake and you were scared:

- ◆ Who did you turn to for help? Did you have a caring and supportive adult to help and advise you? (parent, aunt, uncle, grandparent, older brother or sister, friendly teacher etc.)
- ◆ What would have happened if you hadn't had a supportive adult to help and advise you?
- ◆ If your own child was scared, what would you do?
- ◆ If this was your own child, how would you want them to be treated? Would you want them protected from beating and humiliation?

See Activity 20.

## EACH CHILD IS UNIQUE AND REQUIRES AN INDIVIDUALISED APPROACH

- ◆ Each child is unique, just like each one of us is unique. The circumstances of how each child has ended up in front of you are different.
- ◆ Some children are more responsible or at higher level of emotional and moral development than others.
- ◆ Some children have better 'support networks' than others: they have more access to helpful and supportive adults and positive influences than others.
- ◆ Some children have better choices available to them than others.
- ◆ This is true even if you come across children as a group. Groups of children in conflict with the law or children in need of care and protection should not be dealt with as a group. Each child within the group deserves to be dealt with individually – as you would want your own child to be treated.
- ◆ You need to be aware of the range of options available to you for dealing with children in contact with the law so that the most appropriate option is implemented in individual cases.
- ◆ This will ensure the best outcome for the child, the victim, for society and for the justice system.

See Activity 21.



**Key learning points:** Always consider the best interests of the child every time you make decisions concerning children. Balance this with the interests of others involved, e.g. victim, society and family. Consult with others as much as possible. Treat all children you come into contact with as if they were your own. Treat each child sensitively and fairly, choosing the best possible option to take, based on an understanding of their individual needs and circumstances, even if they are in a group.



**See also:** The other Guiding Principles outlined in this section, Section 5 on child development, Section 6 on street children and Section 8 on the role of the police in diversion and on dealing with children in conflict with the law and children in need of care and protection.



**Remind participants to make a note of Guiding Principle 1 on the first finger of their 'hand' drawing, e.g. 1. 'Best interests of the child: treat as your own, unique and individual.'**

## 2. Be CHILD-FRIENDLY & GENDER-SENSITIVE: children are different to adults; boys are different to girls

### BE CHILD-FRIENDLY: CHILDREN ARE DIFFERENT TO ADULTS



**International human rights standards:** "Youthful behaviour or conduct that does not conform to overall social norms and values is often part of the maturation and growth process and tends to disappear spontaneously in most individuals with the transition to adulthood" (UN Guidelines on the Prevention of Juvenile Delinquency (Riyadh Guidelines), Fundamental Principles, para. 5.e)

- ◆ 80% of children come to police notice for only one offence, but if not given appropriate guidance, they may go on to commit more offences as adults.<sup>5</sup>
- ◆ Children and young people are still in the process of developing – physically, emotionally and morally. This is true even of children who appear to be 'adult' in some ways, such as street children. Street children may have developed some 'streetwise' survival skills – such as looking after themselves, and they may engage in sexual behaviour earlier than their peers who live in supportive families, but they are still children. It is likely that their emotional and moral development is at a lower level than their outward behaviour suggests.

## ACTIVITY 20 IMAGINE IT'S YOUR CHILD<sup>4</sup>

**Aim:** To encourage participants to treat all children, including children in conflict with the law, as their own.

**Time:** 15 minutes

**Materials:** Board and pen

**Task:** Tell the participants to think of themselves not as police officers but as parents.

- ◆ They must imagine one of their own children to be 10 years old.
- ◆ They must think about the aspirations they have for their children at that age, and their ideals as parents.
- ◆ Now they must imagine themselves being telephoned at work and informed that their child has been arrested for stealing a bag of candies at a local shop.
- ◆ Ask the participants to share their feelings about the news of the arrest with the person sitting next to them.
- ◆ How would you want your child to be treated by the police?
- ◆ Get feedback from the group about their feelings and record key points on the board.
- ◆ Explain that, based on international human rights standards on juvenile justice, this should also be the exact manner you would treat all children – not just your own.

## ACTIVITY 21 JORGE AND JUAN – CASE STUDY

**Aim:** To impress on participants that each child requires an individualised approach.

**Time:** 45 minutes

**Materials:** Case study of Jorge and Juan, board and pen

**Task:** Read out the following case study. Write key words about Jorge and Juan on different sides of the board to serve as a reminder. Alternatively, this can be given to small groups as a written handout for small group discussion, or it can be demonstrated as a role play.

*Jorge and Juan are friends. Jorge is 15 years old and Juan is 13. They spend most of their time washing cars and hanging out with others on the streets of Guatemala City. They usually sleep at the central bus station.*

- ◆ *Jorge is more confident, aggressive and daring than Juan. He sometimes bullies other, younger children on the streets. He ran away from home at the age of 10 to escape severe beating and bullying by his father. He has not been in contact with his family since that time,*

*although he did try – unsuccessfully – to contact his mother 2 years ago. He is distrustful and disrespectful of adults, especially those in authority. He has been arrested several times for theft and 6 months ago, when he was arrested for sniffing glue, he was beaten badly by the police. He used to dream of being a famous football player, but over the years he has stopped thinking about this.*

- ◆ *Juan is from the countryside. He came to the city 18 months ago to try and earn money to send home to his mother, younger brothers and sisters. At first he kept in regular contact with them, but over the last 6 months, he has started to lose contact with them. He is shy but has a very good sense of humour. He looks up to Jorge. He envies Jorge's confidence and the fact that Jorge always has lots of girlfriends. He doesn't like the fact that Jorge is often very aggressive with the girls, hitting them and shouting at them, but he doesn't say anything as he doesn't want to upset Jorge. He tends to do what Jorge tells him, and tries to impress him as much as possible.*

*One day, Jorge tells Juan that they are going to steal some clothes from a market stall. When they steal the clothes, the market stall owner catches them. During the struggle, Jorge pulls out a knife and tries, unsuccessfully, to stab the market stall owner. The police are called. You arrive on the scene. Jorge does all the talking. Juan is silent.*

- ◆ What would you do?
- ◆ Would you listen to their stories individually?
- ◆ Would you treat both boys the same?
- ◆ What are the options available to each of them?

**Facilitator's notes:**

- ◆ Make sure that the participants do not 'demonise' Jorge: they need to understand his background. There are still counselling/ NGO referral options available to Jorge as well as to Juan.
- ◆ Bring out differences such as: it is Juan's first offence, but Jorge is a repeat offender; only Jorge had a weapon; Juan has better family contact than Jorge.
- ◆ Bring out similarities: they are both living in the same environment; they both have something they are good at (Jorge is good at football, Juan is good at making people laugh) – how can these strengths be brought into their options?
- ◆ Ensure that the participants take into account the Guiding Principles already outlined: act in the best interests of the child and treat each child as if they are your own.
- ◆ **Extension activities:** This can be performed as a role play. The situation can be repeated and adapted a number of times to illustrate different genders, ages, personality types, situations etc.

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- ◆ Different children reach stages of understanding and responsibility at different ages: this process of maturing depends not only on their biological age, but also on their influences and environment.
- ◆ Children learn what is right and wrong by observing those around them. If they do not have good role models and clear guidance, they may not understand what is right and wrong or the impact that their actions have on others.
- ◆ They may not be able to reason or understand in the same way that adults do.
- ◆ They may not understand complicated or unfamiliar language such as legal and police terms.
- ◆ Child victims/survivors of sexual abuse may not understand what has happened to them. They may not have the language or confidence to describe what has happened.
- ◆ Children make mistakes and test the boundaries of what they are, and aren't, allowed to do. This is all part of the process of growing up and learning. Ask participants:
  - ▶ How would you feel if you were judged now for a mistake you made when you were younger?
  - ▶ If your child was in trouble, how would you feel if nobody gave him or her a second chance?
- ◆ For these reasons, according to international human rights law, every country is supposed to have a separate criminal justice system from adults for dealing with children. Amongst other things this means:
  - ▶ Children should not be kept together with adults in transport vehicles, police cells or other places of detention;
  - ▶ You should explain things in a language that children understand;
  - ▶ You should try, wherever possible, to divert children away from the criminal justice system and guide them towards people who can help them;
  - ▶ You should make sure that a parent, guardian or other appropriate adult is present when you interview a child.<sup>6</sup>

See Activity 22.

## BE GENDER-SENSITIVE: BOYS ARE DIFFERENT TO GIRLS<sup>7</sup>

“The sensitisation of law enforcers to the human rights of women and girls is a very important part of your learning regardless of your gender. It will help you carry out the special task of preventing all forms of discrimination against women, and protecting women and girls – in your home, in law enforcement, in your daily encounters, in the community, and those who come into conflict with the law.”<sup>8</sup>

## ACTIVITY 22 CHILDREN ARE DIFFERENT TO ADULTS – ROLE PLAY

**Aim:** To explore the different approaches needed when dealing with a child – as opposed to an adult – during a potential arrest situation.

**Time:** 20 – 30 minutes or longer

**Materials:** None

**Task:** Get 2 participants to act out a short, simple situation where a police officer arrests an adult for theft. Discuss with the whole group:

- ◆ How does the police officer physically handle the offender?
- ◆ What language does he/she use?
- ◆ What options are there in this situation?
- ◆ What do you think should happen next?

Now repeat the role play with 2 different participants, but this time, the police officer is arresting a child (boy or girl) for theft. Discuss the same questions as above, and in particular what could be done to ensure that the encounter is child-friendly. Ask the ‘child’ in the role play how they feel about the situation.

**Extension activities:** Repeat the role play of the arrest of the child, but change the imagined child’s gender. Get participants to think about, and act out what, if anything, they would do differently. Repeat again with children (boys and/or girls) of different ages: e.g. 8, 11, 14 and 17. These role plays can be done in pairs.

“The penal system, adult and juvenile, is the most heavily gendered institution in society.”<sup>9</sup>

### Introduction

**Sex:** being male or female (biological differences)

**Gender:** social, economic, political and cultural roles and expectations assigned to males and females.

Being ‘gender-sensitive’ is partly about understanding how to treat boys and girls appropriately in the context of your work, but it is also about understanding gender inequality in relation to economic, social and political power. It is often this inequality that contributes to women and children – both girls and boys – ending up in situations in need of care and protection.

“A childhood spent in a violent, abusive or neglectful home dramatically increases the likelihood of arrest as a juvenile, arrest as an adult and arrest for a violent crime.”<sup>10</sup>

Ask participants:

- ◆ Did you know that:
  - ▶ Women perform 67% of the world's working hours
  - ▶ Women earn 10% of the world's income
  - ▶ Women are 2/3 of the world's illiterates
  - ▶ Women own less than 1% of the world's property

### Human rights of women and girls

- ◆ The **UN Convention on the Rights of the Child (CRC)** applies equally to both girls and boys up to the age of 18, even if they are married or already have children of their own. (See Section 3 on international standards).
- ◆ In addition, the **UN Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)** also applies to women of all ages, including girls under the age of 18. CEDAW is a comprehensive and detailed international agreement seeking the advancement of women which<sup>11</sup>: seeks to guarantee full enjoyment and exercise of women's human rights; requires governments which have ratified CEDAW to eliminate discrimination against women in the enjoyment of all civil, political, economic and cultural rights – in public and private life such as legal status and political participation; is concerned with ways that women are discriminated against and how to prevent that discrimination; focuses on ways women are treated differently from men.

### Attitudes and behaviour towards women and girls

- ◆ Attitudes and expectations are shaped through family, school, church / religion, mass media, legal system, workplace.
- ◆ Women are often defined in terms of their relationships with men rather than as individual human beings in their own right (daughter, sister, wife, mother).
- ◆ Women are seen in many cultures as the 'property' of men (fathers, brothers, husbands, sons).
- ◆ Due to the attitudes about women listed above, and due to their lack of economic and political power, physical, psychological and sexual violence against women and girls is common.

### The truth about violence against women and girls

- ◆ Violence against women and girls is a widespread phenomenon.
- ◆ Women and girls are most at risk of violence from men they know.
- ◆ Gender-based violence cuts across all socio-economic groups and educational groups.
- ◆ Emotional and psychological abuse can be at least as debilitating as physical abuse.

- ◆ Alcohol and drugs may facilitate and exacerbate the commission of violent acts but they are not the real cause of violence against women and girls.

- ◆ Violence against women and girls may be physical, psychological or sexual. It includes: battering, sexual abuse, dowry violence, non-spousal rape and violence, marital rape, harmful traditional practices, sexual harassment, forced prostitution, trafficking in women and girls, and exploitation-related violence.

- ◆ Violence against women and girls, in all its forms, violates the human rights and freedoms of women and girls.

- ◆ Violence against women is now recognised as a major public health concern. Studies from a range of countries show that 40-70% of female murder victims were killed by their husband or boyfriend, often during an ongoing abusive relationship.<sup>12</sup>

### Gender-sensitivity in relation to juvenile justice

- ◆ There are more boys than girls who live on the streets (estimates of girls range between 3 and 30% depending on the country in question<sup>13</sup>).
- ◆ Many more boys than girls come into contact with the police as suspected offenders. Surveys have shown that 25% to 30% of victims of sexual abuse are boys, but these figures only reflect crime which has actually been reported and there is low reporting by boys of abuse.
- ◆ On the one hand, in some countries girls suspected of offending are more likely to be treated more leniently than boys – e.g. to be diverted away from the criminal justice system at police stations, are less likely to be prosecuted or to be given a custodial sentence than boys.<sup>14</sup>
- ◆ On the other hand, because there are fewer facilities available for girls and fewer female police officers in general in most countries, girls are also particularly vulnerable to inappropriate treatment including sexual harassment and abuse in a male-dominated system.
- ◆ There is little recognition that the needs of boys and girls are different: programmes in Kenya, Senegal, Bolivia, Brazil and Guatemala report that girls on the street display more psychological damage than boys – a combination of both sexual abuse and rupture in the family;<sup>15</sup> the internalisation by girls of the effects of domestic violence, sexual abuse and family break-up may find expression in violent behaviour, depression, withdrawal and self-mutilation;<sup>16</sup> girls appear to grow out of crime more successfully and at an earlier age than is the case with boys.<sup>17</sup>
- ◆ There is little recognition that the needs of girls and older / adult women are different: girls should not be placed in detention with adult women. (See section above on how children are different to adults).
- ◆ No child – whether a boy or girl – should suffer violence, corporal punishment or exploitation.

## Implications of gender-sensitivity for the police<sup>18</sup>



- ◆ Girls should be dealt with by female police officers. This includes supervision, handling, searching, interviewing etc.
- ◆ Health services need to take into account the different needs of boys and girls (especially sexual and reproductive health).
- ◆ If detention is unavoidable: girls should not be kept in detention with male detainees or with adult women; pregnant girls and nursing mothers shall be provided with special facilities in detention and child-care facilities need to be taken into consideration in cases where girls have babies.
- ◆ Psychosocial and rehabilitation interventions such as professional counselling, family reintegration and other programmes need to take into account the different psychology of girls and boys.
- ◆ Facilities for a full range of community options should be available to girls as well as boys in the local area, including community punishment orders and attendance centre orders. This might involve:
  - ▶ Ensuring that provision is in place to avoid the necessity of placing single girls alone with a group of boys;
  - ▶ Developing attendance centres for girls where these do not exist;
  - ▶ Providing child-care facilities where these are needed.<sup>19</sup>
- ◆ Violence against women is a crime and must be treated as such, including when occurring within the family.

- ◆ Law enforcers should exercise due diligence to prevent, investigate and make arrests for all acts of violence against women and girls, whether perpetrated by public officials or private persons, in the home, the community, and official institutions.
- ◆ Law enforcers shall take rigorous official action to prevent the victimisation of women and girls, and shall ensure that re-victimisation does not occur as a result of the omissions of police, or gender-insensitive enforcement practices.
- ◆ Law enforcement agencies shall not discriminate against women in recruiting, hiring, training, assignment, promotion, salary, or other career and administrative matters.
- ◆ Law enforcement agencies shall recruit sufficient numbers of women to ensure fair community representation and the protection of the rights of female suspects, arrestees and detainees.

See Activity 23.

[Trainers are encouraged, with the assistance of a local legal expert, to do a mapping / summary of local laws in relation to women and girls in advance of the session, e.g. family code, anti-sexual harassment laws, marriage laws, anti-rape laws, anti-violence laws, anti-discrimination, labour code, maternity leave benefits, family planning services etc. However, avoid spending too much time in the session going over detailed laws. It is better to provide information such as this on a handout.]



**Key learning points: Treat children differently to adults: your response to children suspected of committing an offence should be 'proportionate' to their age, their stage of moral development, their maturity and their concept of what is right or wrong. Children who are in need of care and protection / who are victims of crime need your patience and support. Treat girls and boys equally as much as possible, but be aware that sometimes they need different treatment: girls and boys may react to things in different ways; girls should be handled by female police officers (supervising, handling, searching, interviewing) and should not be kept in detention with males or with adult women; pregnant and nursing mothers need special facilities in detention. Take violence against women and girls seriously – it is a serious crime – and take care not to cause victim-survivors additional distress by handling the situation insensitively.**



**See also: Section 5 on child development and Section 8 on the role of police in diversion and how to treat children in conflict with the law and children in need of care and protection.**



**Remind participants to make a note of Guiding Principle 2 on the second finger of their 'hand' drawing, e.g. 2. 'Child-friendly & gender-sensitive: children different to adults, boys different to girls.'**

## ACTIVITY 23 BORN EQUAL?<sup>20</sup>

**Aim:** To identify discrimination experienced by girls and women.

**Time:** 30 minutes

**Materials:** Some form of random selection (e.g., cards, slips of paper), paper and pens, 'male' and 'female' labels.

### Task:

1. Divide participants into small groups. Ask half the groups to list 5 advantages and 5 disadvantages of being a woman. Ask the other half to do the same for men.
2. Ask each small group to report their lists. Record them on chart paper. Then ask the whole group to rate on a scale of 1-5 how important each item is to the life of an individual. For example, something trivial like 'Wearing a certain kind of attractive clothing' might receive a 1 while 'Not get as much food' might receive a 5.
3. Draw a line on the floor with chalk or outside on the ground. Explain that this is the starting line and ask everyone to put his or her toes on the line. Explain that all the participants are babies born on the same day, and according to the UN Universal Declaration of Human Rights they are 'born free and equal in dignity and rights.' Then explain that unfortunately, some members of the community are not really

'equal in rights and dignity.' Ask each participant to draw a card indicating whether they are 'male' or 'female.'

4. Then read one of the advantages for men that received a 5 rating (e.g., 'Make more money') and ask everyone who is 'male' to step forward 5 steps. Do the same for an advantage for women. Then read a disadvantage for men and ask the 'males' to step backward the number of steps that the disadvantage was rated; then do the same for the 'females.'
5. Continue in this same manner through the advantages and disadvantages on the list. When a large gap has developed between the 'males' and the 'females,' ask them to turn and face each other. Ask several individuals from each group:

- ◆ How do you feel about your 'position'?
- ◆ What do you want to say to those in the other group?
- ◆ How would you feel if you were in the other group?

6. Emphasise that this activity points out how cumulative discrimination works to erode the human rights principle of equality.

**Variation:** This activity can be adapted to illustrate any form of discrimination (e.g., against people with disabilities; ethnic, racial or religious minorities; indigenous people; street children).

## 3. Practice NON-DISCRIMINATION



**International human rights standards:** "1. The States Parties shall respect and ensure the rights set forth in the Convention to each child within their respective jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property disability, birth or other status. 2. States Parties shall take all appropriate measures to ensure that he child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members." (UN Convention on the Rights of the Child, Articles 2.1 & 2.2)

- ◆ In most societies there are often groups of people who are treated differently by the majority on account of their different religion, race, ethnicity, social status or other factors. These minority groups are looked down on and treated differently by those who have more power in society. They often have less access to resources, information and support systems. In other words, they are often discriminated against in the way they are treated and in the opportunities available to them.

- ◆ However, all human beings, including children, deserve the same fair treatment, regardless of whether they are rich or poor, whether they are from a different gender, race, ethnicity, religion, political party or any other reason.
- ◆ Street children deserve the same treatment and access to support services as children from middle class or rich families.
- ◆ Street children are likely to come from the poorest sectors of society which may well be minority groups in a country / communities which are economically disadvantaged due to societal discrimination.

### DISABLED CHILDREN<sup>21</sup>

Disabled children include those with movement, speech, visual, hearing, learning/intellectual, hidden and multiple impairments who are made disabled by being discriminated against and excluded. Children with mild impairments can be severely disabled by lack of access to their basic needs and rights.

#### Disabled children are particularly vulnerable to physical, psychological and sexual abuse

- ◆ They are more likely to attend residential institutions.
- ◆ They are dependent on other people for their care.



## ACTIVITY 24 WHAT MAKES US TREAT PEOPLE DIFFERENTLY?<sup>22</sup>

**Aim:** To explore how it feels to be discriminated against.

**Time:** 20-30 minutes

**Materials:** Photocopy of a 'signature sheet' for each participant, based on the example below

**Task:** Participants are given 10 minutes to collect signatures from people who fit the following criteria. [Adapt to local circumstances. Handle this exercise very sensitively but be aware that it is deliberately meant to make participants feel slightly uncomfortable so that they are able to reflect on what it feels like to be discriminated against]:

- A person who wears glasses.....
- A person who is from the north of the country / city.....
- A person who is tall.....
- A person who has a beard.....
- A person who has brown socks.....
- A person from the countryside.....
- A person with a different accent to you.....
- A person who has the letter 'M' in their name.....
- A person who polished their shoes this morning.....
- A person who bought new shoes this year.....

◆ When enough signatures have been collected, choose one of the categories from the list. Ask all participants in that category to stand up (e.g. 'all those who bought new shoes this year'). Tell them that there is not enough tea today and so they are not allowed to share refreshments with the others during the break because

'they are obviously so rich that they can go outside and buy their own tea'...etc.

- ◆ Alternatively, give everyone else in the room, apart from the selected group, a sweet and explain that the selected group can't have a sweet because they are different and you only like sharing your sweets with people who are the same as you (make sure all participants get a sweet at the end of the exercise, however, and explain that, in this training session, everybody respects the important human right of non-discrimination even if this is unfortunately not the case in some parts of the juvenile justice system). [This demonstration can be adapted in many different ways as you see fit].

Ask all participants:

- ◆ How did you feel when people were asking for your signature simply because of the way you look, what you are wearing or where you are from?

Ask the selected groups in the second part of the exercise:

- ◆ How did you feel when you were denied the same benefits as everyone else, simply because of the way you look?
- ◆ Close your eyes and reflect silently for a minute. Do you treat people differently in your job because of the way they look, sound, dress or speak? Do you discriminate against different groups of people? Do you discriminate against street children and judge them just because of the way they look? Do you give them fewer opportunities and treat them less sympathetically than children from middle class families?

“*The police do not behave well with those who are not rich or well dressed. Police only work for rich men, not the poor. Please treat everybody equally. Don't judge somebody only by the money they have.*”  
(Street girl, Dhaka, Bangladesh)

- ◆ They sometimes don't understand that they are being abused.
- ◆ They may not have the opportunity to tell people what is happening.
- ◆ Their difficulties with communication can make it hard to tell what is happening to them.

### Facts about disabled children and abuse

- ◆ Abuse of disabled children is widespread, and exists across all cultures.
- ◆ Disabled children are twice as likely to be abused within their families as non-disabled children.

- ◆ There is a strong link between disabled children being undervalued, and their abuse.
- ◆ Cruel behaviour, which would provoke outrage if it were practiced on a non-disabled child, is more likely to be accepted towards a disabled child.
- ◆ The seriousness of emotional abuse cannot be underestimated. It is destructive to the child's self-esteem and reinforces the child's feeling of inferiority.
- ◆ Sometimes, it can be hard to tell when a disabled child is being abused. People might think a child is behaving differently just because of his or her disability and not realise they are being abused.

See Activity 24.

If you did Activity 17 in Section 3 (CRC rights cards), encourage participants to remember how they felt when they were told they could only choose 2 out of the many rights in the CRC. Explain that this is what it feels like to be denied your rights on the basis of discrimination. This is why it is important to remember to treat each child you come into contact with as if they are your own, without discrimination.



**Key learning point: Treat all children the same, regardless of their race, ethnicity, religion, social status or any other factor. Be aware of the particular vulnerability of disabled children to physical, psychological and sexual abuse.**



**See also: Section 8 on dealing with children in conflict with the law and children in need of care and protection.**



**Remind participants to make a note of Guiding Principle 3 on the middle finger of their 'hand' drawing, e.g. 3. 'Non-discrimination on any grounds.'**

## 4. Understand and expand CHOICES available to children and empower them to make them

**“ We did not have enough food to eat, so we would steal [food] from the market and get beaten by the shopkeeper ” (a girl trafficked into Togo, living on the streets)<sup>23</sup>**

**“ These two men asked me to steal with them. They told me, ‘If you steal for us we will clothe and feed you.’ I said ‘no,’ but they then said, ‘Then we’ll kill you and bury you.’ So that’s why I started to steal for them. ” (Boy in detention, Mongolia)<sup>24</sup>**

- ◆ We all make choices every day – some big, some small. Each child in front of you has made a series of choices that have brought them to where they are now in their life journey.
- ◆ However, for many children who are not lucky enough to have the support of a loving family and positive role models, these choices may actually be ‘limited choices’ or even ‘non-choices.’ For example, a boy or girl may be faced with the dilemma: ‘Do I stay at home and continue to be abused by my step-father, or do I take my chances of being abused on the street?’; ‘Do I steal or go hungry?’; ‘Do I help the older boy in a robbery or get beaten up by him?’ These are ‘limited’ or even ‘non-choices.’
- ◆ You, as a police officer, can help to change a child’s life by understanding and expanding the choices available to that child when they come into contact with you. This approach is known as the ‘3-stage choice process.’ Understanding and

employing this process will ensure the best outcome for the child, the victim, for society and for the justice system:

### The ‘3-stage choice process’

**1. Understanding choices:** We need to understand, from their own perspective, why individual children have made the choices they have. Only once we understand the background to a particular child’s situation can we attempt to identify a suitable intervention that we can work with them to implement.

**2. Expanding choices:** The next logical step is to help expand the choices available to children. For example, for children in conflict with the law, options can include: diverting a child away from the criminal justice system to an NGO project; victim-offender mediation and other restorative justice options; family reunification; a helpline telephone number in order to contact someone who can help the child at the police station. For children in need of care and protection, options can include: residential shelters as an alternative to sleeping in a dangerous alleyway; family reunification or group living; the option of less hazardous employment through a local NGO; ensuring that victims, especially of sexual abuse, are given the opportunity to take control of what happens to them and that their opinion is respected.

**3. Empowering children to make choices:** Even when choices are expanded, it can be difficult for children to make, and carry through, their choices. This can be especially difficult in the case of children who are not used to being able to make free choices, e.g. children who have been abused, children who have limited decision-making power in gangs, children who are addicted to drugs. In some cultures, girls may be less used to making decisions for themselves than boys. In spite of these obstacles, it is still very important that children – to the greatest possible extent within given circumstances – make educated choices for themselves, rather than having ‘choices’ made for them by others, no matter how well-intentioned. Children who are empowered to make their own choices are better able to protect themselves, assess and strengthen their own support networks, and take part in shaping their own lives and contributing to society in a positive way.<sup>25</sup>



**Non-discrimination: It may be that, due to socio-economic and cultural constraints, there are fewer choices available to some children compared with others. Therefore particular efforts should be made to ensure that options are made equally available to all children, regardless of whether they are male or female, rich or poor, what religion or race they are etc.**



**See also: Section on non-discrimination above.**

See Activity 25.

## ACTIVITY 25 CHOICES – JORGE AND JUAN REVISITED

**Aim:** To explore how the ‘3-stage choice process’ can be used in practice in handling children in conflict with the law.

**Time:** 45 minutes – 1 hour

**Materials:** Case study of Jorge and Juan from Activity 21

### Task:

- ◆ Refer back to the stories of Jorge and Juan under Guiding Principle 1 (‘Each child is unique and requires an individualised approach’);
- ◆ Divide participants into 2 groups. Group 1 will look at Jorge’s story and Group 2 will look at Juan’s story. Based on the information available:
  - a. Each group should identify what choices the child has made up to the point when they are caught stealing.
  - b. The groups should decide whether those choices were:
    - ▶ full choices
    - ▶ limited choices or
    - ▶ non-choices
  - c. The groups should look again at the options they, as police, can use in dealing with this situation. To what extent are they helping to expand the choices available to these boys? Which group can come up with the most number of possible choices / options for action?
  - d. Each group should imagine that they are Jorge (or Juan, depending on which group they are in). How would Jorge (or Juan) react to the choices the police make available to them? What support would Jorge (or Juan) need to carry through those choices?

### Plenary group feedback:

- ◆ Each group should report on their findings.
- ◆ Questions for discussion:
  - ▶ Who do you feel more sympathetic towards? Why?
  - ▶ Who has experienced fewer ‘full choices’ or more limited and non-choices?
  - ▶ Who now has the fewest number of choices available to him in the current situation?
  - ▶ Who do they think will find it harder to make and carry through those choices? Why?
  - ▶ Who do you think will take the greatest responsibility for their actions?

- ▶ Who is more likely to re-offend / get into even more serious trouble?
- ▶ Who needs the greatest amount of support in order to not re-offend? Why?

### Facilitator notes:

- ◆ The aim of this activity is to highlight that although the police are likely to be less sympathetic to Jorge, he is actually the one who has faced more problems / difficult choices in his life and who is in need of more support.
- ◆ In order to gain the best result for Jorge, the victim and for the community in general, both Jorge and Juan need to be offered the greatest range of choices.
- ◆ Ensure that the participants take into account the Guiding Principles already outlined: 1. Act in the best interests of the child: treat each child as if they are your own and based on their individual needs and circumstances; 2. Treat them differently to adults; 3. Do not discriminate.

### Extension activities:

Participants can be asked to imagine ‘what happens next?’ based on the range of options they have identified. Encourage them to use their imaginations about, e.g. what would happen 5 years from now if Jorge / Juan was put in jail? If he was referred to an NGO programme? If he agreed to have counselling for anger-management? If he was given the opportunity to contact his family again? If he was given the opportunity / encouraged to start playing football again / to use his comedy to help others? etc. Emphasise the likely negative effects of detention compared with other options. These scenarios can be discussed, performed as a role play or illustrated as drawings and displayed around the room.



**Key learning point:** Understand and expand children’s choices and empower / support them to make those choices. This will help to turn a negative situation into a positive situation as much as possible.



**See also:** Section 5 on child development, Section 6 on street children and Section 8 on the role of the police in diversion and on dealing with children in conflict with the law and children in need of care and protection.



**Remind participants to make a note of Guiding Principle 4 on the forth finger of their ‘hand’ drawing, e.g. 4. ‘Choices: understand, expand and empower.’**

# 5. Practice DIVERSION & RESTORATIVE JUSTICE



International human rights standards: “States Parties shall seek to promote... whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.” “A variety of dispositions, such as care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.” (UN Convention on the Rights of the Child, Articles 40.3(b) & 40.4)

## DIVERSION

As outlined in Section 3, diversion means ‘diverting’ children in conflict with the law away from the formal criminal justice system, and in particular away from formal court processes and detention. Through this process the diverted person comes to realize that there are other options in life apart from crime. It is one of the most important things police officers can do to help a child in conflict with the law and it therefore makes up the law of the 5 Guiding Principles. Restorative justice is an important component of diversion.

### Objectives of diversion<sup>26</sup>

- ◆ To encourage the child to be accountable for the harm caused by him/her and to prevent re-offending;
- ◆ To provide an opportunity for victims to express their views, encourage restitution, and promote reconciliation;
- ◆ To reintegrate the child into his/her family and community, prevent stigmatization and to give the child a second chance / prevent the child from acquiring a criminal record;
- ◆ To improve the use of resources (allow courts and jails to concentrate on serious crime);
- ◆ To avoid delays, costs and traumas involved in trial;
- ◆ To provide help for children in conflict with the law through concrete programmes; and
- ◆ To improve perceptions of the police (police-community relations).

## THE BENEFITS OF DIVERSION

### Benefits for the individual child

- ◆ Diversion is likely to have a positive impact in reducing rates of offending.<sup>27</sup>

- ◆ Diversion aims to break the revolving door cycle of stigmatisation, violence, humiliation, and rupturing of social relationships.

- ◆ It avoids labelling children and reinforcing their criminal experience.

- ◆ It avoids limiting their options for reintegration and future development.

### Benefits for society

- ◆ Successful divertees are integrated rather than isolated and are given the opportunity to make reparations to their communities.

“Activities such as the building of bus shelters or school-rooms, or the planting of gardens in public places have in general proved highly successful in maintaining the principle that the key objective of penal policy should be whenever possible to reintegrate the offender into the community and not distance him or her from it.”<sup>28</sup>

### Economic benefits

- ◆ Many non-formal justice options are much cheaper than court procedures and detention.
- ◆ Imprisonment prevents people from contributing to their local economies and their families.
- ◆ Imprisonment is very costly. For example, according to a former Brazilian prison administrator,

“The annual cost of a prisoner in Brazil is US\$4,440, but in some states this number is much higher... If the money that is being spent to maintain the 45,000 prisoners that did not commit violent or serious crimes could be used in some different ways, one could, for example, build 18,163 units of houses for the poor; or 4,995 health care units; or 391 schools.”<sup>29</sup>

### Diversion plans

If a case is suitable for diversion, then a ‘diversion plan’ can be drawn up by the investigating officer in consultation with those involved and the assisting social worker. The plan may include any or a combination of the following options<sup>30</sup>:

- ◆ Written or oral apology;
- ◆ Written or oral reprimand, warning, or citation by the police (telling the child that what he/she did was wrong, if possible in the presence of parents / guardians, and warning the child not to do it again);
- ◆ Written essay on why the offence is wrong / on the effects of the offence committed;
- ◆ Undertaking to attend school regularly;
- ◆ Agreement to be home during certain hours;

1

2

3

4

5

6

7

8

9

10

- ◆ Prohibition on approaching the victim / on going to certain areas;
- ◆ Return or restoration of property taken or damaged;
- ◆ Non-cash restitution or activity to redress the wrong (e.g. cleaning or painting the wall vandalized);
- ◆ Payment of the damage caused (consideration needs to be taken of the child's ability to pay for the damage);
- ◆ Counselling sessions for the child and/or the family;
- ◆ Attendance at trainings, seminars, sessions on values formation, life skills, problem solving, conflict resolution and anger management;
- ◆ Enrolment in a vocational training course;
- ◆ Psychosocial therapy sessions;
- ◆ Participation in community-based programmes;
- ◆ Guidance and supervision orders;
- ◆ Institutional care and custody;
- ◆ Supervised community-service work (the child could be asked to perform a certain number of hours of community service; community service should be linked to the offence in some way and should have a developmental and educational function – e.g. child who vandalized a wall can be asked to make posters promoting a clean environment); or
- ◆ Referral to mediation or a family group conference.



**Key learning points:** The police can use their discretion in the way they deal with children in conflict with the law. If the case is not serious (i.e. not rape, murder or serious violence) and if the child freely admits guilt without being pressured to do so, then ask yourself: can I divert this child away from the criminal justice system? What are the options available? If a case cannot be dealt with simply and immediately (e.g. through returning a stolen item and apologising), then restorative justice conferencing is an excellent way to balance the best interests of the child, victim and community. However, be careful not to 'overuse' conferencing if there is a simpler and equally effective option available. For example, if the case can be settled through a formal apology from the child, then there is no need to arrange a conference.



See also: Section 3 on 'what is diversion?' and 'what is the role of police in diversion?', Guiding Principle 4 on choices available to children, and Section 8 on handling children in conflict with the law. Additional materials on diversion plans and conferencing are available from [www.streetchildren.org.uk/policetraining](http://www.streetchildren.org.uk/policetraining).

## RESTORATIVE JUSTICE

### Principles and ethos of restorative justice

- ◆ Criminal justice systems in many countries are 'retributive' – i.e. they are concerned with 'retribution' and punishing the offender. Retributive justice is concerned with the crime itself more than with the people involved. However, this is often not in the best interests of the victim, the offender, or society in general. Those parties involved may emerge from the process further alienated, more damaged, disrespected, disempowered, feeling less safe and less cooperative with society.
- ◆ A much better system is that of 'restorative justice'. This approach focuses on 'restoring' damaged relationships (between victim, offender and community) to the way they were before a crime was committed – to 'make things right as much as possible.' It promotes solutions to repair damage, reconcile parties involved, restore community harmony and reassure those involved. The ultimate aim of restorative justice is healing. It emphasises the active participation of the offender, victim and community in listening to the facts and feelings of those involved, and identifying and implementing solutions which balance the best interests of all sides involved. The offender takes responsibility for their crime and makes amends to the victim and to the community. It allows for repentance, forgiveness and reintegration. Restorative justice emphasises the need for a 'proportionate response' and is a much more sustainable and effective response to crime which is much more likely to reduce re-offending.
- ◆ Restorative justice applies to people of all ages but it is especially important in relation to young offenders as it provides the option of having a lasting impact on their emotional and moral development which is positive, rather than negative: it can stop the process of a young offender turning into an adult offender.
- ◆ The table on the following page demonstrates the benefits of restorative justice in comparison with approaches used in the formal justice system.<sup>31</sup>
- ◆ Restorative justice recognizes that not all offenders will choose to be cooperative. Therefore there is a need for an outside authority to make decisions for the offender who is not cooperative.<sup>32</sup>
- ◆ Restorative justice prefers that offenders who pose significant safety risks and are not yet cooperative be placed in settings where the emphasis is on safety, values, ethics, responsibility, accountability and civility. They should be exposed to the impact of their crime/s on victims, invited to learn empathy, and offered learning opportunities to become better equipped with skills to become productive members of society. They should continually be invited (not coerced) to become cooperative with the community and be given the opportunity to demonstrate this in an appropriate setting as soon as possible.<sup>33</sup>

	RETRIBUTIVE	REHABILITATIVE	RESTORATIVE
<b>Focus</b>	Offence	Offender	Relationships
<b>Reaction</b>	Punishment	Treatment	Reparation
<b>Objective</b>	Deterrence	Conformism	Restoration
<b>Victim's position</b>	Secondary	Secondary	Central
<b>Social context</b>	Authoritarian	Welfare	Democratic
<b>Child's reaction</b>	Anger	Dependency	Responsibility

◆ Restorative justice requires follow-up and accountability structures utilising the natural community as much as possible, since keeping agreements is the key to building a trusting community.<sup>34</sup>

**Getting the right balance**

◆ Restorative justice is about balancing the rights of offenders, rights of victims and concern for public safety and crime prevention. As a police officer, you have a key role to play in this important process. Your actions can make the difference between a good outcome and a bad outcome for all those involved.

◆ **The balanced approach**<sup>35</sup>:



In practice, restorative justice involves:

◆ **Prevention** of children coming into conflict with the law

◆ **Diversion** of offenders away from the formal criminal justice system: e.g. victim-offender mediation, family group conferencing, referral to an NGO or other community or social programme, including substance abuse programmes, family reunification, community service, police warnings, behaviour contracts, conditional or unconditional release

◆ **Alternatives to detention**: e.g. care, guidance and supervision orders; probation; community service orders; financial penalties, compensations and restitution; intermediate treatment and other treatment orders; orders to participate in group counselling and other similar activities; orders concerning foster care, living communities or other educational settings

◆ **Detention only as a last resort**, for the shortest time possible

◆ **Access to legal assistance**

◆ **No capital or corporal punishment**

◆ **Public awareness**

◆ **Rehabilitation**

Illustrations by Aldrin Menardo, Philippine manual, pp.52&60.



## ACTIVITY 26 RESTORATIVE JUSTICE ROLE PLAYS<sup>37</sup>

**Aim:** To compare restorative and non-restorative approaches to dealing with children in conflict with the law; to practice implementing restorative justice options in a role-play situation.

**Time:** 1 hour

**Materials:** One role play cards per group of 3-4 people

**Task:** Divide the participants into 2 equal sized groups, A and B. Group A will perform the 'police' role plays. Group B will perform the 'parent' role plays. Tell each group to sub-divide into smaller groups of 3-4 members which will be called Groups A1, A2, A3, A4 and B1, B2, B3, B4. Allocate the following role plays to each group. Tell them to come up with a short role play at the end of 10 minutes. Tell them to assign among themselves the different roles needed to act out a scenario.

- ◆ After 10 minutes, ask Group A1 to join together with Group B1, Group A2 with B2, A3 with B3, A4 with B4 etc. Group A1 should then perform their role play to Group B1, Group A2 performs their role play to B2, A3 to B3, A4 to B4.
- ◆ The groups then swap over. Group B1 should then perform their role play to Group A1, Group B2 performs their role play to A2, B3 to A3, B4 to A4.

Ask participants:

- ◆ Did you note any differences in the way that the situation was handled by Group A and Group B?
- ◆ In each case:
  - ▶ How do you think the victim felt?
  - ▶ How do you think the offender felt?
  - ▶ How do you think the community felt?

- ◆ Were the children given the chance to explain their sides of the story by both groups, A and B?
- ◆ During the process, did the children understand the wrong they committed and how it affected the victims? Did the children feel accountable / responsible for the harm they caused? Did the children feel remorse?
- ◆ Were the situation settled amicably or not?
- ◆ Did the parties experience hostility and anger, or healing, after the discussions?
- ◆ In your opinion, which – if any – group handled the situation better, A or B?

Ensure that the participants take into account the Guiding Principles already outlined: 1. Act in the best interests of the child: treat each child as if they are your own and based on their individual needs and circumstances; 2. Treat them differently to adults; 3. Do not discriminate; 4. Understand and expand choices and empower children to make them.

### Alternative methods:

- ◆ This activity can be conducted with just 2 small groups performing corresponding role plays in front of the whole class. Or...
- ◆ This activity can be conducted only using the Group A scenarios (for the police). In this case, conduct this activity twice: once before presenting the topic of restorative justice, and then repeat the activity after presenting the topic of restorative justice, encouraging the participants to come up with restorative justice options and treatment from a police perspective. Point out the differences in the two police approaches with an emphasis on how each of the parties involved feels. Encourage participants to come to their own conclusions about which is the most effective method.

CASE	GROUP A: 'POLICE'	GROUP B: 'PARENTS'
1	The police arrest an 11-year-old boy for stealing a T-shirt at a market stall.	An angry market stall owner arrives at your house with your 11-year-old son whom he caught stealing a T-shirt from his stall.
2	The police arrest two teenage girls for vagrancy in a 3-star hotel lobby.	A friend of yours who works as a doorman at a local 3-star hotel has told you that your teenage daughter has been hanging around in the hotel lobby for the past week talking to well-dressed male guests. You speak to her.
3	Police officer telling a sickly mother with several young children that her teenage son has been arrested for drug pushing.	You suspect that your teenage son is involved in drug pushing. You confront him.
4	Police officer interviewing a 16-year-old boy and a 14-year-old girl caught in the act of indecent exposure in a public park.	You catch your 16-year-old son in the act of indecent exposure in a public park with a 14-year-old girl.

**Restorative justice is like good parenting<sup>56</sup>**

Parents usually apply the restorative approach or principle when dealing with the harms caused by their own children. This is because the parents are directly involved and affected by their children’s acts. They try to reason out with their children and mediate between their children and the victim, with a view to obtaining what is best for their children. At the same time, they reprimand their children or impose certain conditions on the children to ensure that the children do not repeat the same harms in the future. The parents take a direct role in discussing what could be done to repair the harm caused by their children to the victim. The victim is also given the chance to express his/her feelings and what he/she wants.

This process demonstrates the use of restorative justice principle in cases where the offender admits the crime.

When police employ a restorative justice approach, they are acting in many ways like a good parent would when their child is in trouble. Once again, it helps to think of the child in front of you as your own child:

- ◆ Listen to all sides of the story;
- ◆ Act in the best interests of the child. This includes:
  - ▶ Reprimand them;
  - ▶ Make sure they understand the harm they have caused;
  - ▶ Give them the chance to accept responsibility for their actions;

- ▶ Discuss together agreeable solutions to repair the loss or harm caused to the victim;
- ▶ Make sure they won’t do it again (this is achieved through the child understanding and taking responsibility, not through corporal punishment).



**Key learning point: Practice restorative rather than retributive justice: make decisions based on the best interests of victims, offenders and the community which focus on healing and reconciliation rather than punishment; focus on the people themselves rather than just the rules which have been broken; employ diversion options as much as possible.**



**See also: Section 8 on the role of the police in diversion and on dealing with children in conflict with the law and children in need of care and protection, Section C.3 on choices.**



**Remind participants to make a note of Guiding Principle 5 on the last finger / thumb of their ‘hand’ drawing, e.g. 5. ‘Diversion and restorative justice.’ Encourage participants to memorise the 5 Guiding Principles and keep testing them throughout the rest of the training. E.g. in between sessions and after breaks hold up 3 fingers and ask what Guiding Principle number 3 is. Reward participants who remember with a sweet.**

**SUMMARY**

**Participants should now be familiar with the following:**

- **The 5 Guiding Principles for policing and child protection;**
- **The image of an outstretched hand with 5 fingers as a memory aid to remember the 5 Guiding Principles;**
- **The need to ‘STOP’ every time they come into contact with a child: Stop, Think, Options, Proceed.**



## FOOTNOTES

- 1 The 'STOP' acronym is an original idea of Angela Murray, Consortium for Street Children.
- 2 Adapted from UNICEF Timor-Leste Child Protection Section, Training Manual for Police Officers on Child Rights, Juvenile Justice, Child Abuse and Children At-Risk, Draft 2004, Module 4, p.17.
- 3 Ibid.
- 4 Adapted / condensed down from Namibian Police Training Manual as quoted in *Juvenile Justice Training Manual for Law Enforcers: Child Rights Training – Volume One*, PNP, OHCHR, UNICEF, Philippines 2002, pp.88-91. The original exercise goes into details about a parents response at different stages of the process and is available at [www.streetchildren.org.uk/police/training](http://www.streetchildren.org.uk/police/training).
- 5 Findings from the New Zealand police.
- 6 See Section 3 for more detailed guidelines on international standards in relation to juvenile justice.
- 7 Material in this section has been adapted from the Philippine manual pp.252-279 and Wernham, M., *An Outside Chance: Street Children and Juvenile Justice – an International Perspective*, Consortium for Street Children, London, May 2004, pp.15-16. [www.streetchildren.org.uk/juvenilejustice](http://www.streetchildren.org.uk/juvenilejustice)
- 8 Adapted from Philippine manual, p.263.
- 9 Abramson, B., 'Juvenile Justice: The 'Unwanted Child' – Why the potential of the Convention on the Rights of the Child is not being realized, and what we can do about it', August 2003.
- 10 Widom, 1992, cited in Philippine manual, p.262.
- 11 Adapted from Philippine manual, p.264.
- 12 World Health Organisation fact sheet on intimate partner violence, 2002, [http://www.who.int/violence\\_injury\\_prevention/violence/world\\_report/factsheets/en/ipvfacts.pdf](http://www.who.int/violence_injury_prevention/violence/world_report/factsheets/en/ipvfacts.pdf)
- 13 1991 study, quoted in *Urban Girls: Empowerment in Especially Difficult Circumstances*, Gary Barker and Felicia Knaul, 2000, p. 8.
- 14 Roy, N. and Wong, M., *Juvenile Justice Review and Training Documents* prepared for Save the Children UK, 2002-3.
- 15 *Urban Girls*, p.9.
- 16 This is born out by reports from Guatemala, Bolivia and the USA in *ibid*, p.9.
- 17 Roy, N. and Wong, M., *Juvenile Justice Review and Training Documents* prepared for Save the Children UK, 2002-3.
- 18 Illustration by Aldrin Menardo, Philippine manual, p.251.
- 19 Roy, N. and Wong, M., *Juvenile Justice Review and Training Documents* prepared for Save the Children UK, 2002-3.
- 20 Nancy Flowers, *National Training of Trainers for Human Rights Education*, August 2000, <http://www1.umn.edu/humanrts/edumat/hreduseries/hrhandbook/activities/5.htm>
- 21 Information in this section is adapted from *Save the Children Disabled Children's Rights – a Practical Guide* (2001) and NSPCC Website – Disabled Children and Child Protection [www.nspcc.org.uk](http://www.nspcc.org.uk).
- 22 Adapted from Children's Developmental Centre, Lagos, Nigeria – workshop on street children and mental disabilities in the juvenile justice system, June 2003.
- 23 Human Rights Watch interview, 3 May 2002, cited in Human Rights Watch, *In the Shadow of Death: HIV/AIDS and Children's Rights in Kenya*, 2001, p.14.
- 24 Footage from Blewett, K. and Woods, B., *Kids Behind Bars* [film], True Vision productions, 2001.
- 25 Adapted from *An Outside Chance*, pp.26-27.
- 26 Adapted from Timor-Leste manual, Module 5, p.47 and Philippine manual p.155.
- 27 Petty, C. and Brown, M. (eds), *Justice for Children*, 1998, p.13.
- 28 FRELIMO, Mozambique Briefing: Building a New Legal System, Information Department, Frelimo Party Central Committee (no date), quoted in Stevens, J., *Access to Justice in Sub-Saharan Africa: The Role of Traditional and Informal Justice Systems*, Penal Reform International, November 2000, p.57.
- 29 Julita Lemgruber addressing the PRI/UPR Conference on alternatives to imprisonment, quoted in Singh, W., *Alternatives to Custody in the Caribbean: The Handling of Children who Come into Conflict with the Law*, paper presented at the Innocenti Global Seminar on Children Involved with the System of Juvenile Justice, Florence, 12-22 October 1997, [http://www.penalreform.org/english/frset\\_pub\\_en.htm](http://www.penalreform.org/english/frset_pub_en.htm)
- 30 Adapted from Timor-Leste manual, Module 5, p.49.
- 31 Table taken from Mukonda, R., *Juvenile Justice Project in Namibia*, Legal Assistance Centre, Namibia, paper presented at a seminar on Juvenile Justice held in Lilongwe, Malawi, 23 – 25 November 1999.
- 32 *Restorative Justice, Fundamental Principles*, by Ron Claasen, Co-Director for Peacemaking and Conflict Studies, Fresno Pacific College, revised 1996, reproduced in Philippine manual pp.144-145.
- 33 Ibid.
- 34 Ibid.
- 35 Diagram adapted from Bazemore and Washington, 1995, cited in Philippine manual p.147.
- 36 Adapted from Timor-Leste manual, Module 5, p.16.
- 37 Adapted from a combination of exercises from the Philippine manual, pp.135-136 and Timor-Leste manual Module 5, p.16.

# 5. Basic child development

## OBJECTIVES

By the end of this section the participants should be able to:

- Understand that children develop in 4 different areas and that the younger the child, the less developed they will be in all of these areas;
- Understand that a child’s development depends on the input they receive from family, friends and environment and that without positive input, their development may be low or ‘uneven’ across the 4 areas;
- Understand the implications this has for police work and how it relates to the age of criminal responsibility and the 5 Guiding Principles of policing and child protection;
- Understand the concept of ‘crisis’ and ‘chance’ in a child’s development and how the police can turn crisis situations into chance opportunities for children.

### a. Stages and areas of child development

Show participants the illustration above, or alternatively, collect in advance and display around the room pictures / photographs / illustrations of children of different ages – for example a small baby and children aged 3, 8, 13 and 17. Indicate children of different ages and ask participants:

- ◆ In what way are these children different to each other? [Elicit words such as ‘grow’, ‘age’, ‘development’, ‘size / big / small’, ‘older’, ‘mature’, ‘intelligent’].
- ◆ In what ways might you come across these children in your work? [Try to elicit that the younger the child, the more likely he or she will be in need of care and protection rather than in conflict with the law].
- ◆ At what age do you start seeing children coming into conflict with the law? What age was the youngest child



you have dealt with in conflict with the law? The youngest in need of care and protection? [See if participants can come to a rough agreement. It is unlikely that participants would be dealing with children in conflict with the law under the age of about 7].

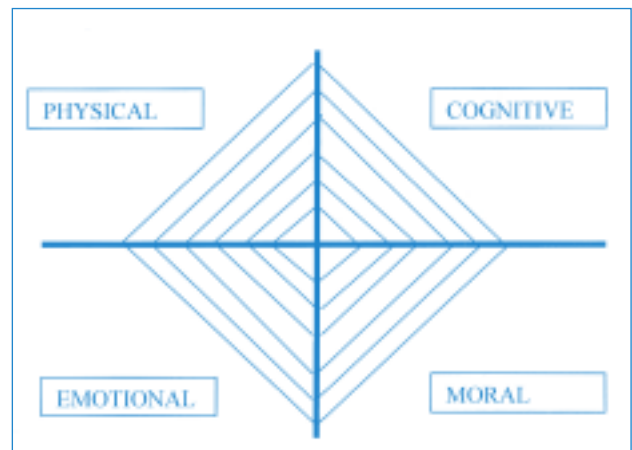
- ◆ Do you treat children of different ages differently? Why? [Encourage a general discussion about why a 7-year-old’s behaviour is so different to a 17-year-old’s behaviour, and why one particular 17-year-old can behave so differently from someone else of the same age].

### AREAS OF CHILD DEVELOPMENT

Explain that as children grow, they ‘develop’ in four different areas. Draw Diagram 4 in the middle of the board:

Check that participants understand these four terms and the differences between them, *but do not spend too long on detailed definitions:*

Diagram 4.



- ◆ **Physical:** Refers to the child's body. Physical development includes the child growing bigger and changes in the body due to the development of the internal and external sex organs and associated 'secondary sexual characteristics' (e.g. facial hair and deeper voice for boys, development of breasts and menstruation for girls). Physical sexual development includes changes in hormones (chemicals in the body) which can strongly affect an adolescent's emotional state.
- ◆ **Cognitive:** Refers to what a person or child knows and understands. It refers to the mental process of knowing, thinking, remembering, reasoning, understanding, problem solving, evaluating, and using judgment. It is in contrast to emotional processes. As children get older, their ability in all of these areas increases.
- ◆ **Emotional:** Refers to feelings rather than knowledge. As a child gets older, he or she gains increasing control over his/her emotions, learning – through social interactions – what is considered 'appropriate' emotional behaviour in different circumstances and within the context of his/her culture.
- ◆ **Moral:** Refers to knowing what is right and wrong. As a child gets older, his/her understanding of this increases, but it depends very much on what environment he/she is in and who his/her role models are. Explain if necessary that there is a difference between 'cognitive' and 'moral' reasoning and judgment. For example, a child might 'understand' in a cognitive way, that stealing is 'against the rules' because they have been told this, but they might not 'understand' that it is 'wrong' in a moral sense.

Tell participants:

- ◆ Each of the children in the picture(s) displayed at the beginning of the session is at different stages of physical, cognitive, emotional and moral development.
- ◆ Of course children do not develop in isolation. [Facilitator note: if you did Activity 16 in Section 3, 'What a child needs,' you can refer back to this activity / the drawings that participants made at this point].
- ◆ Children need an environment that gives them the things they need – and where their rights are respected – in order to develop into a fully rounded, confident, responsible and happy adults. [Draw arrows on the diagram on the board pointing in towards each of the 4 sections].

Ask participants what type of inputs are needed into each of the four areas so that a child develops properly and write answers by the appropriate arrows: e.g.

- ◆ **physical development** – proper nutrition, protection from violence etc.;
- ◆ **cognitive development** – stimulation, education, play etc.;
- ◆ **emotional development** – supportive family, love, protection from neglect and emotional abuse etc.;

- ◆ **moral development** – positive role models, positive and consistent discipline in a loving context (praising good behaviour, explaining why bad behaviour is wrong) etc.

[Trainer note: add in the ideas that participants had during Activity 16 if this applies. Also, try to phrase the inputs in terms of rights. For example, if a participant mentions 'education,' write 'right to education' on the board].<sup>1</sup>

Tell participants:

- ◆ In an ideal situation, all children's rights are respected and fulfilled and children receive all of the input they need in order to develop as well-rounded individuals. [Start shading in areas of the diagram starting from the centre moving outwards in a spiral pattern so that each area 'develops' simultaneously / at an equal rate].
- ◆ The younger the child, the less developed they will be in all of these areas, but if they are growing up in a supportive, safe and loving environment, they will still be on track for overall balanced development.

## 'UNEVEN' CHILD DEVELOPMENT

However, if children do not get the right kind of input and they grow up in an environment where their rights are not respected or fulfilled, then their development will be affected and can be 'unbalanced.' For example:

- ◆ If a child does not get enough nutritious food he or she will not develop properly **physically**;
- ◆ If a child does not get enough stimulation or education, his or her **cognitive development** will be affected;
- ◆ If a child does not grow up in a loving and supportive environment, or if they grow up in a situation of neglect and emotional abuse, then their **emotional and moral development** will be less advanced than that of a child who has better opportunities.

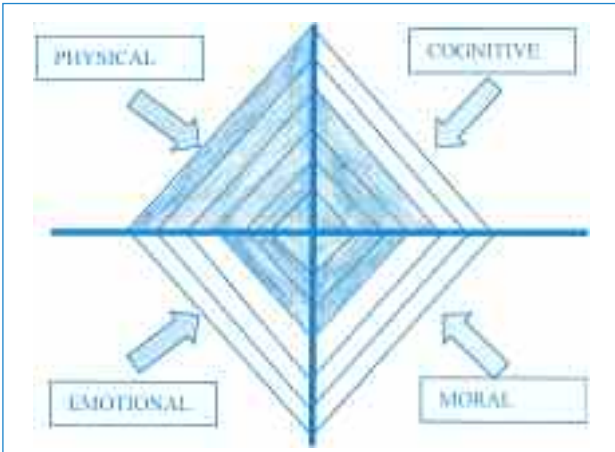
For example, a 15-year-old boy or girl living on the streets may be physically (including sexually) developed and may 'look' like a '15-year-old', and they might even have quite good cognitive 'streetwise' skills which they have picked up in order to survive, *but their emotional and moral development might be at a much lower level.* [Erase some of the shading from the diagram to illustrate this incomplete, uneven or unbalanced development as in Diagram 5].

This unbalanced development is a violation of one of the most fundamental rights outlined in the UN Convention on the Rights of the Child – Article 6 which states:



**International human rights standards:**  
**"States Parties shall ensure to the maximum extent possible the survival and development of the child"** (UN Convention on the Rights of the Child, Article 6.2)

Diagram 5.



It also has some very important implications for the justice system and for the police when they come into contact with children.



See also: [www.streetchildren.org.uk/policetraining](http://www.streetchildren.org.uk/policetraining) for additional, more detailed information on the stages of moral development.

## b. Age of criminal responsibility in relation to child development

**Definition:** The minimum age of criminal responsibility refers to that age below which all children are deemed legally incapable of committing a crime. They are therefore exempt from criminal liability and cannot be prosecuted or penalised.

International laws do not specify a minimum age of criminal responsibility, leaving it up to particular States to determine their own policy.



**International human rights standards:** “States Parties shall seek to promote...the establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law” (UN Convention on the Rights of the Child, Article 40.3(a)); “[T]he beginning of that age shall not be fixed at too low an age level, bearing in mind the facts of emotional, mental and intellectual maturity” (Beijing Rules, Article 4.1)

The minimum age of criminal responsibility varies a lot across the globe. In some countries such as India, Australia and South Africa, the minimum age is 7 years old. In other countries such as Colombia, Guinea and Ecuador, the minimum age is 18.<sup>2</sup>

See Activity 27.

### ACTIVITY 27 AGE OF CRIMINAL RESPONSIBILITY IN YOUR COUNTRY – DISCUSSION3

**Aim:** To stimulate debate about the age of criminal responsibility in your country.

**Time:** 10 minutes

**Materials:** Board and pen

**Task:** Ask participants if they know the age of criminal responsibility in your country. Write it on the board. Ask participants:

- ◆ Do you agree that this should be the minimum age of criminal responsibility?
- ◆ In your opinion, should it be higher or lower?

Take a vote on this and make a note on the board of the number of participants who think it is appropriate, the number who think it should be lower, and the number who think it should be higher. You can refer back to this further on in the training to see if anyone changes their mind after learning more about child development. Ask participants:

- ◆ Based on your experiences with your own children, or children that you know:
  - ▶ At what age do children normally begin to understand the concept of ‘right and wrong’?
  - ▶ At what age do children normally begin to understand the consequences of their actions upon others?

#### What does the ‘criminal age of responsibility’ mean in practice?

See the table overleaf. [Adapt this table, in consultation with local legal experts, to reflect the ages and procedures in your country].

**Discussion:** Ask participants once again if they agree with your country’s minimum age of criminal responsibility. Take another vote on whether it should stay the same, be higher or be lower and compare the numbers from this second vote with those from earlier on. If any participants changed their minds, give them the opportunity to explain why.

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AGE OF CHILD	PROCEDURES
<p><b>Under the age of criminal responsibility</b></p> <p>(For example: if this age is set at (e.g.) 12 in your country, then these procedures applies to all children who have not yet reached their 13th birthday. It would still include a child who commits an offence the day before their 13th birthday).</p>	<ul style="list-style-type: none"> <li>◆ Return the child to his/her parents/guardians.</li> <li>◆ Agree a plan to prevent re-offending with the child's parents and, if possible, with social workers.</li> <li>◆ If the child is not in the care of parents or guardians (e.g. a homeless child), refer them to social services or an NGO for care and protection as well as agreeing a plan to prevent re-offending.</li> </ul>
<p><b>Over the age of criminal responsibility</b></p> <p>(For example: if the age of criminal responsibility is set at (e.g.) 12 in your country, then these procedures apply to all children aged 12 and over <i>at the time of the alleged offence</i>).</p>	<ul style="list-style-type: none"> <li>◆ Child is responsible for an offence.</li> <li>◆ Diversion, where possible (i.e. except in very serious cases) should be employed at the earliest possible stage.</li> <li>◆ When deciding diversion also consider age, maturity of the child, any previous offending, and views of the victim.</li> <li>◆ As a last resort, i.e. for serious cases, detention may be prescribed in a special juvenile facility, the standards of which conform to international guidelines, with emphasis on the earliest possible release and reintegration into the community.</li> </ul>

## c. Implications for the police

- ◆ **Different ages:** A 7-year-old is obviously very different to a 17-year-old. The younger the child is in general, regardless of their background, the less he or she will be to understand certain things.
- ◆ **Different backgrounds:** In addition to age differences, children such as street children, who lack the necessary supportive and nurturing environment needed in order to develop to their fullest potential, are likely to have experienced uneven, or 'unbalanced' development across the four areas discussed above. Even if an adolescent street child appears to be physically well developed, he or she might well display a lower level of emotional and moral development.

“A 2000 study of out-of-school youth in the Philippines found that: *At 18 years of age, the out-of-school children and youth tested ... were at a level of discernment comparable to that of the average 7-year-old. At this level, an individual thinks that an action is right or moral when it satisfies his or her needs while satisfying the needs of others.*”<sup>4</sup>

In general, younger children, and those with uneven / unbalanced development may be less able to understand:

- ◆ The implications of what they have done – the impact on others and ramifications for themselves;
- ◆ The difference between right and wrong;

- ◆ The way the justice system works;
- ◆ Complex / technical language;
- ◆ Adult concepts and understanding of time – e.g. they might refer to an event as happening 'on the same day that my friend Ahmed hurt his leg' rather than 'three days ago' as an adult would describe it.



### Remember the 5 Guiding Principles of policing and child protection!

- 1. Best interests of the child:** treat each child as you would your own – on an individual basis as their stages of development and understanding may be different from one another.
- 2. Be child-friendly:** remember children are different from adults. Be patient and understand that the child may not see the situation in the same way as you do; explain very carefully what is happening at all times; use simple language and words that the child understands; check they have genuinely understood by getting them to repeat the information back to you.
- 3. Non-discrimination:** do not assume that a street child has achieved 'adult' levels of emotional and moral development because of the way they look and act. Treat them the same way you would a middle class child.

**4. Choices:** Understand the choices that the child has made within the limits of their particular developmental context and work to expand those choices so as to have a positive, rather than a negative, impact on their development.

**5. Diversion and restorative justice:** employ a restorative justice approach which offers guidance and opportunities to further a child's moral development and encourage them to take responsibility for their actions.



**Key learning points:** Your treatment of every child should always be appropriate to the individual child's developmental age – not just how old they 'look.' Be patient and understanding; use child-friendly language; explain things clearly; expand choices available and employ restorative justice options as much as possible and as early as possible.



**See also:** Section 8 for more details on how to communicate with, and handle children appropriately.

## d. Police as a positive influence on child development

Tell participants:

- ◆ For children's development to be healthy and balanced, children's rights must be respected and fulfilled and children must be given support and guidance. [Refer back to the arrows on the earlier diagram. If you did Activity 7 from Section 2 ("A police officer is a friend"), refer back to it at this stage. Alternatively, remind participants of other moments in the training so far when you have discussed opportunities for police officers to be a positive influence in the lives of children in difficult circumstances].<sup>5</sup>
- ◆ The following activities show why it is important that you, as police officers, ensure that every child's encounter with the police is an opportunity for positive change within their life and a further step down the road towards greater emotional and moral development.

See Activity 28.

### ACTIVITY 28 WHAT YOU PUT IN WILL COME OUT<sup>6</sup>

**Aim:** To understand that children's behaviour is shaped by how they are treated by, and what they learn from, their family, community and society; to recognise that all children have great potential to contribute positively to society if provided positive inputs and influences.

**Time:** 10 minutes

**Materials needed:** Bowl of water and a large sponge

#### Task:

1. Put a bowl of water on a table in front of the room and have a (large) sponge available. Ask the participants what will happen when the sponge is put into the water.
2. Now ask the participants what will happen if the sponge is put into a bowl of beer and a bowl of blood. The essential part of this exercise is for the participants to understand that the sponge will completely soak up the water, beer or blood.
3. Explain that if the sponge is squeezed, then water, beer or blood (or whatever has been soaked up) will come out.
4. Take the (still dry) sponge and hold it in plain view of the participants. Tell them that:
  - ◆ The sponge symbolises a child. When a child is born he or she is like a clean and empty sponge, needing everything from the adults around him or her such as food, love, warmth and teaching. In order to develop, the

child needs input from all those around him or her [put the sponge into the water, take it out and squeeze it in front of the group].

- ◆ This means that if we give the child healthy food, clean water, love, protection, warmth and good education and guidance, the child will become a healthy, strong and loving person.
5. However, if we fill the child with beer (which represents drunkenness and bad family circumstances) then beer (or bad habits and aggression) will come out. [Fill and squeeze of the sponge to demonstrate]. And if we fill the child with blood (which represents violence, anger, abuse, war and death) then blood (hatred, violence and death) will come out. [Fill and squeeze of the sponge to demonstrate].
  6. This exercise demonstrates that children are dependent on adults and their external environment for their development. The way people treat them, the surrounding area and the society in which they live will determine their behaviour significantly. Police officers should always bear this in mind in their encounters with children. The police have a duty to protect children from violence and harm ('beer' and 'blood') and the opportunity to be a positive influence in their lives (refreshing and nourishing 'water'). You can achieve this by being a good role model and giving children the chance to: expand the choices available to them at a difficult time; make the best of their difficult circumstances; and, in the case of children in conflict with the law, learn from their mistakes and take responsibility for their actions.

## CRISIS OR CHANCE?<sup>7</sup>

A child's every encounter with another person, or the tasks given to a child during certain stages of development, can bring either a crisis (risk) or a chance (opportunity). For example:

CHANCE / OPPORTUNITY	CRISIS / RISK
When parents are loving and caring and give a safe home environment, it will give the child the chance to learn and grow with the parents' encouragement.	If the parents are abusive, alcoholic or careless, the child will not grow and develop in a positive way. Instead of gaining confidence and feeling safe and loved, the child may develop a sense of fear, incompetence and loneliness and may feel unsafe.
When a child succeeds in tasks, and is given praise and encouragement, it gives the child an opportunity to grow and to gain self-esteem, to feel confident and competent (i.e. the child thinks 'I can do this!').	If a child fails in tasks and is constantly criticised, it can cause a crisis or pose a risk to the child's development. The child can develop a feeling of negativity about her/himself (i.e. the child thinks 'I'm worthless, I can't do anything, I'm stupid')

### ACTIVITY 29 CRISIS OR CHANCE? – DISCUSSION

**Aim:** To identify examples of 'crises' and 'chances' in a child's life and the people who can play either a negative or positive role in such situations.

**Time:** 15 minutes

**Materials:** Board and pen

**Task:** Draw two columns on the board. Write the words 'crisis' and 'chance' at the top of each column. Ask participants for examples of 'crises' and 'chances' in a child's life and write them on the board in the appropriate column. Ask the participants to identify the main 'significant person(s)' in the examples given, both for the 'crisis' and for the 'chance' examples. In other words, in the crisis situation, who is the person who is a negative influence? In the chance situation, who is the person who is the positive influence?



**Please note:** The more crisis situations a child has to encounter in her or his life, the more risk there is for this child to develop a negative identity in the present and also the future. For example: children who encounter hunger and poverty, or neglect or exploitation, or who are exposed to violence, alcoholism and drug abuse may not develop enough self-esteem, tolerance, competence or positive problem-solving skills. They are therefore likely to come into contact with people whose behaviour could lead them to commit crime and possibly to further abuse and/or exploitation.

### Is a child's meeting with a police officer a crisis or a chance?

Although a meeting with a police officer may be in a situation of crisis, the police officer nevertheless has the opportunity to positively influence the life of a child and to stop the negative cycle that the child is involved in. If it is found that the child is living in an environment which poses crises or risks, the police have a chance to intervene in that situation and stop that negative cycle. [Refer back to the 'revolving door cycle' of street children in the criminal justice system, Section 3].



**Please note:** There is an excellent card game to demonstrate and practice how police can intervene in crisis situations and turn them into chance opportunities called the 'Crisis/Chance – Stop! Police!' game at [www.streetchildren.org.uk/policetraining](http://www.streetchildren.org.uk/policetraining).



**Key learning points:** A police officer can turn a crisis into a chance and an opportunity for change. A police officer can be 'significant person' that a child meets and can make sure that this encounter is a positive one.



**See also:** Activity 7 from Section 2 ('A police officer is a friend'), Activity 25 from Section 4 ('Jorge and Juan') and Section 6 on a child's social support systems.

## SUMMARY

Participants should now be familiar with the following:

- **Child development occurs in 4 different areas and the younger the child, the less developed they will be in all of these areas;**
- **A child's development is dependent on the input they receive from family, friends and environment and that without positive input, their development may be low or 'uneven';**
- **The implications this has for police work and how it relates to the age of criminal responsibility and the 5 Guiding Principles of policing and child protection;**
- **The concept of 'crisis' and 'chance' in a child's development and how the police can turn crisis situations into chance opportunities for children.**

## FOOTNOTES

- 1 Extension activity depending on time: Refer back to Activity 17 in Section 3, 'CRC – Clustering rights cards.' Ask participants if they remember any articles of the CRC which are relevant to the four areas of development and/or use the 'rights cards' again by getting participants to stick them onto the board by the appropriate arrows / areas of development.
- 2 See Melchiorre, A., 'At what age?...are school-children employed married and taken to court?' (Second Edition), *Right to Education*, 2004, p.10, available at [http://www.right-to-education.org/content/age/age\\_new.pdf](http://www.right-to-education.org/content/age/age_new.pdf) for a table of country comparisons in relation to age of criminal responsibility.
- 3 Adapted from UNICEF Timor-Leste Child Protection Section, *Training Manual for Police Officers on Child Rights, Juvenile Justice, Child Abuse and Children At-Risk, Draft 2004, Module 5, p.25.*
- 4 2000 study commissioned by UNICEF to the local NGO Philippine Action for Youth Offenders (PAYO), cited in Philippine National Police, Office of the High Commissioner for Human Rights, UNICEF, *Juvenile Justice Training Manual for Law Enforcers: Child Rights Training, Volume One, Philippines, 2002, p.218.*
- 5 E.g. The role of police at key stages to break the 'revolving door cycle' (Section 3) and the expanded choices the police might be able to offer to children like 'Jorge and Juan' (Activity 25, Section 4).
- 6 Adapted from Timor-Leste manual, Module 1, pp.9-10.
- 7 This section – apart from the 'Crisis or chance? Stop! Police!' game referred to – is adapted from Timor-Leste manual, Module 1, pp.5-6.



# 6. Street children

## OBJECTIVES

By the end of this section the participants should be able to:

- Understand who ‘street children’ are and the circumstances in which they come into contact with the police;
- Get a better understanding of street children, their perceptions of the police, their backgrounds, their experiences on the street, why they abuse substances and why they can come into conflict with the law;
- Learn ways in which the police can help street children and become a part of their ‘social support system.’

### a. Introduction

**Definition:** The term ‘street children’ includes a wide range of children who are homeless; who work on the streets but sleep at home; who either do or do not have family contact; who work in open-air markets; who live on the streets with their families; who live in day or night shelters; or who spend a lot of time in institutions (e.g. prison). Most ‘street children’ still have contact with their families and spend only a portion of their time on the streets. Those who are homeless, with no family contact are in a minority, but they grow up in an environment that is not conducive for their proper development or socialization. Homeless street children are also at greatest risk of coming into contact with the police, either as children in need of care and protection, or as children in conflict with the law. Some of these children do not like the term ‘street children’ because they say it is a negative label. Others feel it gives them a sense of belonging. It is important to take into account the child’s own perceptions of their individual circumstances and how they themselves wish to be described.

### b. Street children: contact with the police

As a police officer, you are likely to come into contact with street children in the following ways:

See Table on p.115.



**Key learning points:** Street children are individual human beings with complex problems and are often victims/survivors of violence, abuse, neglect and lack of opportunities even before coming into contact with the law. Police are mandated to protect all children they come into contact with, whether they are in need of care and protection, victims or perpetrators of crime. Remember that many children may not have chosen to be in the situation they are in and that you should help them get out of situations by treating them with compassion and understanding.<sup>1</sup>



See also: Section 4, Guiding Principle 4 on choices.

### c. Street children and the police: attitudes towards each other

See Activity 29.

### d. Understanding street children

**[Facilitator’s note:** You are strongly advised to contact local organisations working with street children in order to build up a specific profile of street children in your country / city to use within this section. Such a profile might include information on: categories of street children (homeless, working, with or without families etc.); average age and gender breakdown; family background (% living with parents, place of origin, family members’ occupation etc.); average education level of street children; reasons for being on the streets; type of work street children do; problems experienced; attitudes and aspirations of

TYPE OF CONTACT	POLICE DUTY / RESPONSIBILITY
<p><b>Children in need of care and protection</b> (e.g. homeless children, ‘vagrants’, children ‘loitering’, begging, involved in harmful work)</p>	<ul style="list-style-type: none"> <li>◆ Not all street children are in need of care and protection as many go home to parents or relatives at night and even go to school.</li> <li>◆ You have a duty to protect these children as part of your mandate to protect vulnerable persons – even if they are not victims or offenders.</li> <li>◆ Early interventions for at-risk children are a necessary part of any crime prevention strategy. These are essential components of the police mandate to preserve peace in the community.</li> <li>◆ Your community may include <i>many</i> street children in need of care and protection and it is usually not possible to help all of them.</li> <li>◆ You therefore need to prioritise which amongst these children are at risk of <i>serious</i> physical and/or mental harm. These are the children who require state intervention. You need to exercise good discretion on a case by case basis in deciding whether or not to take action with a particular street child.</li> </ul>
<p><b>Children as victims of crime</b> (e.g. victims of physical and/or sexual violence and/or exploitation)</p>	<ul style="list-style-type: none"> <li>◆ You have a duty to protect these children, the same as with children in need of care and protection.</li> <li>◆ In addition, you have a duty to take their allegations seriously and to handle their complaints in a child-friendly and sensitive manner.</li> </ul>
<p><b>Children in conflict with the law</b> (e.g. those who commit both serious and non-serious offences)</p>	<ul style="list-style-type: none"> <li>◆ You have a duty to protect these children, even though they have committed an offence.</li> <li>◆ A street child in conflict with the law is likely to <i>also</i> be a child in need of care and protection, support and guidance: treat them accordingly.</li> <li>◆ You have a duty to handle these children in a child-friendly and sensitive manner which complies with international standards and human rights, with an emphasis on diversion and restorative justice options, with detention only as a last resort.</li> </ul>
<p>Street children can fall into more than one of these categories. Even a street child who is suspected of committing an offence is likely also to have suffered abuse and/or exploitation. This may have happened either prior to leaving home or whilst actually on the streets. A street child in conflict with the law may willingly and freely choose to commit crime; or he/she may be forced by others into committing crime; or he/she may feel he/she has no other option due to limited choices about ways to survive on the streets. It is important to understand the choices, limited choices and non-choices that children have taken which have led them into specific situations.</p>	

street children. Try and get hold of a few statistics and lots of quotations and pictures from street children themselves about their situations and life stories].

- ◆ Boys and girls may spend a large proportion of their day or indeed their whole time on the streets for different reasons.
- ◆ In many cities around the world, girls and boys along with their families spend their days on the streets involved in informal employment such as selling a range of goods or begging. These families may travel back to homes in shanty towns at night.
- ◆ For others who cannot afford to go home or do not have homes to go to, they spend their nights on the streets, living in makeshift shelters, often being required to move along to other locations.

- ◆ The factors which drive boys and girls to the streets are as complex and diverse as the experiences of each child once they are on the streets.
- ◆ Once on the streets, children are exposed to a number of risks on a daily basis.
- ◆ Children like adults possess many characteristics that define their personalities and influence how they react to situations and the choices they make in life.
- ◆ Many street children possess an impressive resourcefulness and capacity for survival which is often forgotten by those who come into contact with them and who see them as a societal problem which needs to be resolved.

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## ACTIVITY 29 HOW POLICE AND STREET CHILDREN SEE EACH OTHER

**Aim:** To examine attitudes that police have towards street children and to compare them with attitudes that street children have towards the police, with a view to breaking down barriers and improving mutual understanding.

**Time:** 1 hour

**Materials:** Flip chart paper and pens; drawings of police prepared by street children and obtained from local NGOs in advance.

### Task:

#### Part 1: How the police see street children

Give each group of 4-5 participants a large sheet of paper. Ask one person in each group to draw a large picture / outline of a street child, filling the page. Encourage them to be creative! Give them 5 minutes to do this. Then, tell the groups to draw a vertical line down the middle of the page, dividing the drawing in half. On the left hand side they should write or draw 'things you like about street children.' On the right hand side, they should write or draw 'things you *don't* like about street children.' Give them 10-15 minutes to do this. Each group should then stick their drawing on the wall. Give the groups 10 minutes to circulate around the room, looking at each others' drawings.

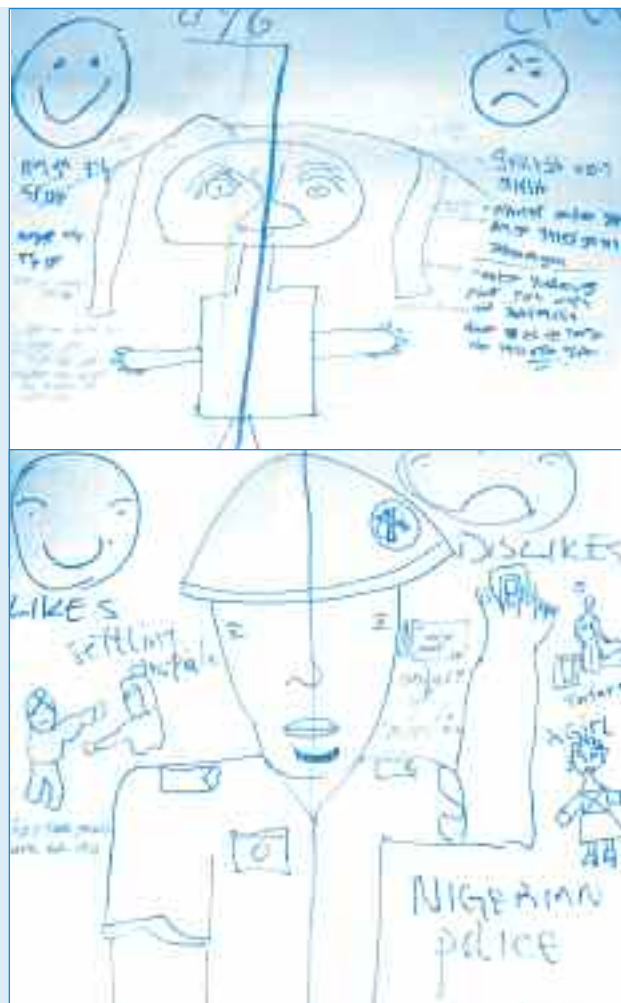
Ask participants to give feedback:

- ◆ What are the similarities and differences between the different groups? Are there any common perceptions about street children in the room?
- ◆ What did you base your ideas on? 'Street children' in general? One particular street child you know? The media?
- ◆ If your group drew a street boy, would your answers be different if you had drawn a street girl – and vice versa?
- ◆ In general, are the perceptions more negative or positive? Did people think of more things that they *did* like or *didn't* like about street children?

If there was a street child here, what do you think he or she would say about these pictures? Do you think these images are fair and accurate? How can they be made more accurate?

#### Part 2: How street children see the police

Explain that street children have done the same exercise in reverse, drawing what they think about the police. Show participants drawings which have been done by street children. Facilitator note: This exercise works best if you contact an NGO in advance and get local street children to prepare pictures. Make sure the children know what the pictures will be used for, and that they agree to this use of



their pictures. Make sure they don't put their names on the pictures. If it is not possible to get hold of locally produced street children pictures, then you can use the ones here.<sup>2</sup>

Give participants time to look at the pictures. Ask participants to give feedback:

- ◆ How do you feel about these pictures?
- ◆ What are the similarities and differences between the different pictures? Are there any common perceptions that street children have about the police? What do you think they based their ideas on?
- ◆ In general, are the perceptions more positive or negative? Did street children think of more things that they did like or didn't like about the police?
- ◆ Is this how you would like to be thought of by street children? Do you think these images are fair and accurate? How can they be made more accurate?

Emphasise that very often different groups have perceptions about each other which may or may not be accurate. If these perceptions are not accurate, then this can affect the way that people treat each other – on both sides. The best way to make sure perceptions are accurate and fair is to find out information and get to know and understand each other better.

- ◆ There are more boys than girls living on the streets. Both groups are vulnerable to violence and abuse. Do not ignore the fact that street boys are also sexually abused on a regular basis. However, girls living on the streets also face the added problems of early, unwanted pregnancy and may be more vulnerable to trafficking, and being forced into ‘off-street’ prostitution (i.e. brothels). Research has shown that because of cultural taboos about girls living on the streets, the reasons why they leave home are often more serious than for boys, and once they have left home, it can be more difficult for girls to be accepted back.
- ◆ Although each child is an individual, and it is dangerous to generalise, it is nevertheless a common finding that girls tend to react differently to abuse than boys: girls ‘internalise’ their pain and are more likely to self-harm and become depressed; boys ‘externalise’ their pain and are more likely to be aggressive.

Brainstorm with participants the reasons why they think children end up on the streets and the problems they face whilst on the streets. Compare answers with information provided in the following table.

## CAUSES AND CONSEQUENCES OF CHILDREN ENDING UP IN A STREET ENVIRONMENT<sup>3</sup>

See Table on p.118.

### Discussion:

- ◆ Do you think every street child has had the same experience, or acts in the same way? Why? / Why not?
- ◆ Do you think these issues or problems are different depending on whether the child is a boy or girl? What might some of the differences be?
- ◆ Do you think these issues or problems are different depending on how old the child is? Or how long they have been on the streets? What might some of the differences be?
- ◆ How do you think you could help street children?



**Please note: Positive things police can do to help protect street children<sup>4</sup>**

In addition to fulfilling your general duties to protect children, there are also specific actions you can take to help street children.

- ◆ Identify places and times where street children in your local area are engaged in various activities such as working, begging, playing and sleeping. Include these areas in your regular patrol rounds. Take time to establish eye contact, speak to, get to know, and make friends with the children there. Take a genuine interest in the name and personal situation of each boy or girl.

- ◆ Evaluate how you could help them.
- ◆ Understand that street children may lie and be aggressive because this is how they survive on the streets: build a balanced image of street children focusing on their positive qualities rather than dwelling on the negative qualities.
- ◆ Be a positive role model for the children, combining authority and friendliness at the same time.
- ◆ Give them advice and guidance as if they were your own child. Pass on information to the children about basic hygiene, the importance of safe sex, the harm of substance abuse etc.
- ◆ If some of the older children are bullying or being violent towards the younger children, take them to one side and counsel them about their behaviour.
- ◆ Let the children know that they can come to you if they have problems – for example if they are being beaten or abused by particular members of the public – and that you will treat their complaint seriously.
- ◆ Join in friendly games of football and other activities – especially those which encourage the children to spend their time in a structured way, keeping to agreed rules.
- ◆ Make sure the children know about local NGOs and other services which are available. Do not force children to go to these places, but let them know that they are available.
- ◆ If there is a telephone helpline in your country, make sure the children know the telephone number so that they can call it if they are in trouble.
- ◆ Police should have a list of referral information, available in all police stations, which includes medical facilities, shelter-homes, drug rehabilitation centres, NGOs etc. for referring children for specialised support/emergencies (see Section 3).



**Key learning points:** There are different categories of street children. Some are homeless but most have contact with their families. Within these categories, some need your help more than others. Learn to spot the children most at risk of serious physical, psychological and sexual harm. Each boy or girl has a different story. Understanding and taking an interest in their stories will help you to fulfil your duty to protect and guide them and become their friend.

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<p><b>CAUSES OF CHILDREN TURNING TO THE STREETS (USUALLY A COMBINATION OF FACTORS):</b></p> <ul style="list-style-type: none"> <li>◆ Poverty</li> <li>◆ Physical, psychological and/or sexual abuse in the home (made worse in some cases by alcoholism and/or drug abuse by carers)</li> <li>◆ Neglect / lack of protection</li> <li>◆ Loss of home or property</li> <li>◆ Family breakdown</li> <li>◆ Orphaned or separated due to disease (inc. AIDS), natural disasters, conflict etc.</li> <li>◆ Lack or deprivation of economic and cultural opportunities/facilities e.g.: <ul style="list-style-type: none"> <li>▶ Out of school</li> <li>▶ Limited access to health facilities</li> <li>▶ Limited access to recreational activities</li> </ul> </li> <li>◆ Limited connection to religious or community groups</li> <li>◆ Migration</li> <li>◆ Illegitimate child who has been rejected</li> <li>◆ Pressure to work to support family or self</li> <li>◆ Exploitation by adults</li> <li>◆ Trafficking</li> <li>◆ Social discrimination &amp; traditional cultural beliefs (e.g. blaming a child for bad luck / sorcery)</li> </ul>	<p><b>PROBLEMS FACED BY CHILDREN IN THE STREET ENVIRONMENT:</b></p> <ul style="list-style-type: none"> <li>◆ Lack of care, support and love</li> <li>◆ Basic needs of clothing, food and shelter are not fulfilled</li> <li>◆ Lack of education</li> <li>◆ Unhygienic environment</li> <li>◆ Poor health and nutrition / vulnerable to disease and infection, including sexually transmitted infections</li> <li>◆ Substance abuse</li> <li>◆ Life full of uncertainties / insecurity</li> <li>◆ Physical, psychological and/or sexual violence and exploitation (from adults, each other, security guards and the police)</li> <li>◆ Exposure to sexual activity – ‘comfort’ / ‘survival’ / coercive / forced sex</li> <li>◆ Trauma</li> <li>◆ Exposure to illegal activities / coerced into committing crime</li> <li>◆ Poor working conditions / economic exploitation</li> <li>◆ Neglect, discrimination, fear and hatred</li> <li>◆ Lack of bonding / trust</li> <li>◆ Lack of positive role models</li> </ul>
<p><b>GENERAL CHARACTERISTICS OF STREET CHILDREN:</b></p> <ul style="list-style-type: none"> <li>◆ Contradiction between outward behaviour (possibly ‘street smart,’ aggressive and manipulative) and inner self (sensitive, sad, rejected, hurt, fearful, untrusting)</li> <li>◆ Freedom loving</li> <li>◆ Independent in nature</li> <li>◆ Resourceful and creative</li> <li>◆ Resilient</li> <li>◆ Adventurous</li> <li>◆ Short attention span</li> <li>◆ Low self esteem</li> <li>◆ Impulsive</li> <li>◆ Sharp mood swings</li> <li>◆ Non-trusting towards adults and their environment</li> <li>◆ Sense of non-acceptance by majority of society</li> <li>◆ Sexually active at an early age</li> <li>◆ Attracted to gang culture for friendship and protection: strong desire to be accepted by peers</li> <li>◆ Organised in their thinking</li> <li>◆ Many feel alone and long for family togetherness</li> <li>◆ They always remember injustice done to them</li> </ul>	<p><b>BEHAVIOURAL MANIFESTATIONS:</b></p> <ul style="list-style-type: none"> <li>◆ Rebellious in nature</li> <li>◆ Antisocial behaviour / distorted value system developed in order to survive – bullying, being aggressive and deceptive, lying and possibly stealing (but underneath the aggression often lies insecurity and fear)</li> <li>◆ Often confrontational with each other Relationship difficulties – fear of forming new relationships due to fear of separation and loss based on past experiences</li> <li>◆ Crave love, care and affection</li> <li>◆ Depression and self-harm</li> <li>◆ Very energetic</li> <li>◆ Unpredictable behaviour</li> <li>◆ High levels of sexual activity, both heterosexual and homosexual</li> <li>◆ Judgment may be impaired through substance abuse</li> <li>◆ Possible involvement in petty or serious crime depending on choices available and personality of individual children</li> </ul>

## e. Street children and substance abuse<sup>5</sup>

**Definition<sup>6</sup>:** The word ‘substance’ describes any psychoactive material which, when consumed, affects the way people feel, think, see, taste, smell, hear or behave. A psychoactive substance can be a medicine or an industrial product, such as glue. Some substances are legal such as approved medicines, alcohol and cigarettes, and others are illegal, such as heroin and cannabis. Each country has its own laws about substances. The percentage of substance users among street children varies greatly depending on the region, gender and age.

### WHAT TYPE OF SUBSTANCES DO STREET CHILDREN ABUSE?

In many countries street children sniff glue due to its low cost and easy availability and this may be mixed with other substances such as petrol. Other substances used by street children include alcohol, tobacco, marijuana and, in some places, crack, amphetamines, cough syrups containing alcohol and/or codeine, solvents, black market prescription pain medications and opium. Cocaine and heroine are generally less common due to high prices.

The types of substances used by street children vary greatly, influenced by local circumstances, availability, cultural practices and geography (some countries / areas that lie in processing regions and/or along trafficking routes are particularly badly affected by high levels of drug abuse).

### WHY DO STREET CHILDREN ABUSE SUBSTANCES?

“I’ve been living on the streets for the past 5 years... I’ve tried just about everything: glue, marijuana, crack, hard liquor and cigarettes. Now I just sniff glue. I do it because I feel very sad. I feel like I’m really alone. I don’t want to live on the streets. I’ve already suffered a lot and I’m only 15 years old.”<sup>7</sup> (Nicaragua)

Street children use psychoactive substances (drugs) because they add something to their lives, or they temporarily ‘solve’ a problem. Different substances produce different effects and therefore street children abuse substances for a number of reasons, for example: to quell hunger; for escapism / to anaesthetise physical or emotional pain; for courage; as part of peer bonding activities linked to friendship and street gang culture; to keep street-living children awake for work and / or alert to possible violence; to facilitate sleep during the cold nights. However,

“often the substances do not produce the effect the street child wants and they leave the child with even less emotional, financial and health resources than before.”<sup>8</sup>

See Activity 30.

## IMPLICATIONS FOR THE POLICE

Substance abuse is likely to bring street children into contact with the criminal justice system for the following reasons:

- ◆ The practice of using drugs is, in itself, usually criminalised;
- ◆ Street children may sell or traffic drugs or act as couriers as part of gangs;
- ◆ Street children may commit crimes such as theft in order to satisfy addiction;
- ◆ Crimes involving violence may be committed under the influence of drugs.

**Discussion:** Full group discussion. Ask participants:

- ◆ Does anyone have any experience of dealing with children who are under the influence of substances? (e.g. a street children ‘high’ on glue or crack)
- ◆ What was it like? How did you react? How did the child react?
- ◆ In what ways was the child’s reaction different to ‘normal’?
- ◆ What are the implications for police when dealing with street children who are using substances?

“Some police use beatings in a ‘well-meaning’ manner – especially with street children high on glue – to try and teach them the harm of such behaviour.”<sup>9</sup> (Nicaragua)



**Key learning points:** Not all street children use substances; don’t judge the ones that do; remember the reasons why they do this and show them that you understand; if a child is ‘high,’ express your concern in a way that shows you care; don’t beat them or pour glue on them to ‘teach them a lesson’ as this will not help; don’t scold them unless you can offer concrete help; find out about social workers or NGOs in your area that have experience of dealing with substance abuse and make sure children are aware of these programmes; remember that if they are ‘high’ they are not reacting ‘normally’; be patient and deal with incidents on a case by case basis; if the child has committed a serious offence and needs to be taken into custody, allow him or her time for the effects of the substance to wear off before interviewing as he or she is unlikely to be able to give accurate information or understand what is happening to him/her; children undergoing withdrawal from substances are likely to be very distressed and possibly physically ill (for example in detention or during interviews); ensure proper medical attention is given.



See also: [www.streetchildren.org.uk/policetraining](http://www.streetchildren.org.uk/policetraining) for additional training activities for the police on substance abuse.

### ACTIVITY 30 STREET CHILDREN AND SUBSTANCE ABUSE: LEARNING MORE...'

**Aim:** To find out how much police know about substance abuse; to inform police about substance abuse.

**Time:** 45 minutes

**Materials:** Copy of the table for each participant; completed handout for each participant

**Task:**

1. Hand out the following table to each participant. Divide the participants into groups of about 4 people. In groups, see how much of the table they can complete in 15-20 minutes. Explain that this is not a test, but an exercise to see how much knowledge there is in the room.

2. Get one person in each group to get up and move to the next group, circulating clockwise around the room. This 'messenger' should spend 5 minutes comparing the results from their first group with the new group to see if they can 'pool' more information together. You may repeat this 'circulating feedback' more than once, depending on time available.

3. To save time, you do not have to go through the list in detail as a group but you can give out a handout instead based on the table available at [www.streetchildren.org.uk/policetraining](http://www.streetchildren.org.uk/policetraining)

SUBSTANCE	SLANG NAMES	ROUTES OF INTAKE (e.g. inhale, smoke, inject, swallow / chew / dissolver slowly in the mouth, rub into the skin)	EFFECTS ON THE USER	LEGAL / ILLEGAL	SOURCES OF SUBSTANCES (for safety and confidentiality, do not use specific names)

## f. Street children in conflict with the law

### PROFILE OF CHILDREN IN CONFLICT WITH THE LAW

Obtain information from local studies / authorities / NGOs to build up a simple, *brief* profile of children in conflict with the law and the breakdown of crimes which are committed by children in your country, e.g.:

**Profile of Filipino children in conflict with the law<sup>10</sup>:** male, 14-17 years old; elementary school level education; from a family of 4-6 children; parents are low-earning workers or unemployed; committed theft or robbery; committed crimes with peers or relatives; used drugs or drank alcohol.

**Crimes committed by children<sup>11</sup>:** (Philippine National Police, Jan- Dec 2001- 5,905 cases in total): theft 54%; 'use of volatile substances' 21%; physical injuries 8%, rape 8%, robbery 6%, 'Dangerous Drugs Act' 3%.

International experience shows that by far the majority of crimes committed by children are poverty related, e.g. theft. Very few street children commit serious offences.

See Activity 31.



**Key learning points:** in addition to poverty, family dysfunction / lack of guidance from a caring adult are major factors that contribute to children committing crimes. When a child does not feel loved or cared for, his/her resistance to negative peer pressure is quite low. Combined with lack of education or low educational achievement, children are vulnerable to getting involved in crime.<sup>13</sup>



**See also:** Section 8 on how to handle children in conflict with the law.

## ACTIVITY 31

### CASE STUDY: WHY DO STREET CHILDREN COMMIT CRIMES?<sup>12</sup>

**Aim:** To understand why street children commit crimes.

**Time:** 30 minutes

**Materials:** Copy of the case study for each participant

**Task:** Distribute the following case study of a child in conflict with the law describing the social background and circumstances of the offence. Participants should read the material in groups and discuss: Why did Fernandez commit the crime? Use the following framework to help the discussion:

1. Family background and upbringing of the children
2. Educational background
3. Community and social environment
4. Peers, activities and role models
5. Age, character and personalities of the children
6. Significant life experiences, including stressful events, if any
7. Crime committed and reason for committing crime
8. The root cause of their offending
9. At what stages could someone have helped Fernandez in order to prevent him committing the crime?
10. Whether they think the child can be rehabilitated and how

#### Case study: Fernandez

Fernandez is a young boy of 13. He lives with his mother and two younger brothers in Becora, Dili, Timor-Leste. During the day, he usually goes to school for 2 hours in the morning from 8.00 to 10.00. When he goes home, he usually finds his mother busy washing the clothes and preparing food. She complains that he is in her way and if he has no intention of helping her in the house, he'd better go somewhere else and find something more useful to do, like getting some income for the family.

Fernandez's father died about 4 years ago during ethnic clashes. He does not like talking about it, but just mentions it as a fact when people ask him. His father was in the wrong place at the wrong time during the violence surrounding an election and got stabbed to death. Since then, it's been hard for the family. Fernandez can always see the look of worry in his mother's eyes and finds it very hard to deal with. She is not able to find a job as she can only read and write a little bit. She would like to do some

cleaning work or washing of clothes for others, but usually she is so tired from worrying about the family and running the household that she actually doesn't have any energy to try and find a job. She also does not want to be dependent on other people.

One day, at around 16.00 o'clock, Fernandez is tired of wandering the streets around the restaurant and trying maybe to clean some cars or be a 'security.' He doesn't want to go back home yet, because he does not want to see the sight of the worry in his mother's eyes. He did not have a very successful day today and hardly managed to get any extra money.

Then he sees a foreigner leave his car parked outside a restaurant in the centre of town, forgetting to lock the car door. From a short distance, Fernandez can see a bag on the back seat of the car. Shall he....? He could just have a look and maybe.... You never know, there might be some money in it. The rich man would not miss it anyway. They say that the foreigners earn so much they can buy a complete house with it in their countries. He could take it home to his mother. She would be so happy. Maybe that look in her eyes would disappear. Why shouldn't he try? It's not *that* wrong, is it? They have enough and he doesn't. Isn't that fair?

Fernandez walks over to the car and tries the door. He keeps his head down and crawls into the back seat, slips that bag out of the car and runs away. Some foreigners see him running away with the bag and shout very loud: "Stop that thief! He's stolen something! Stop him! Somebody grab that boy!"

Fernandez runs very fast, faster than he ever thought he could run. He is sweating, his heart is pounding and he is so scared. Some foreigners are still following him and are getting closer and closer. Fernandez's legs are hardly moving as he approaches the end of the street. Suddenly, three police officers who were attracted by the noise, grab him from 3 sides. All kinds of things are going through Fernandez's head. What will his mother say? What will become of his mother? What will his friends and classmates say when they find out that he stole money and was in contact with the police?

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## g. A child's 'social support system'

Several factors contribute to a child's transformation either into an accomplished member of society or one who finds him or herself in conflict with the law. The challenge to responsible adults is to create an environment conducive to the wholesome development of the child.<sup>14</sup>

**Definition:** A child's 'social support system' refers to all the significant people that a child meets at certain times of his/her life and who play an important role in the child's development. A child's social support system could include: mother, father, brothers and sisters, friends, extended family (aunts, uncles, cousins, grandparents), neighbours, doctor, nurse, dentist, priest / pastor / imam / other religious leader, teachers, shopkeeper of a local café, youth leader from an NGO centre, NGO outreach worker, or even a police officer.<sup>15</sup>

Police officers should know who makes up the child's social support system. A social support system refers to people who play a positive role in the life of a child and in situations of crisis could function as a network for the child to fall back on.

See Activity 32.



**Key learning points:** Find out as much as you can about the child's social support network as soon as possible as this will help you to identify the best range of options available to that child (including diversion options in the case of a child in conflict with the law). It is compulsory to contact someone who the child feels comfortable with as soon as possible after you come into contact with the child, whether he or she is a victim/survivor, in need of care and protection, or a suspected offender. Be a positive rather than a negative influence in a child's life.



See also: Section 2 ('police as a friend') and Section 5 on the police as a positive influence on child development.



### Remember the 5 Guiding Principles of policing and child protection!

- 1. Best interests of the child:** treat each child as you would your own – on an individual basis as their backgrounds and circumstances differ. As a police officer, it is not enough for you to know the roles and functions: you also have to develop the right attitude for the job. Be firm, friendly and fair in your response to street children in conflict with the law.
- 2. Be child-friendly and gender-sensitive:** remember children are different from adults and boys are different from girls. Difficult behaviour and making mistakes is a natural part of growing up. Street children are *children* first and foremost, even if they sometimes appear to act like adults. Remember that their emotional and moral development may be at a low level due to lack of positive influences in their lives. Adapt your behaviour to the specific needs of girls and boys on the streets.
- 3. Non-discrimination:** do not treat street children differently just because of the way they look and have to act in order to survive on the streets. Treat them the same as a middle class child.
- 4. Choices:** understand why some children have no choice but to leave home, and why some street children 'choose' to turn to substances. You should understand *why* a child 'chooses' to commit a crime.
- 5. Diversion and restorative justice:** learn about street children's social support systems in order to explore diversion options available to each particular child. Become a part of their support system yourself by diverting them away from the trauma of the formal criminal justice system.

## ACTIVITY 32 A ME MAP

**Aim:** To identify the participants' own childhood social support systems and to compare these with the systems available to street children; to assess whether participants can become part of the support systems of street children.

**Time:** 30 – 40 minutes

**Materials:** Pen and paper for each participant

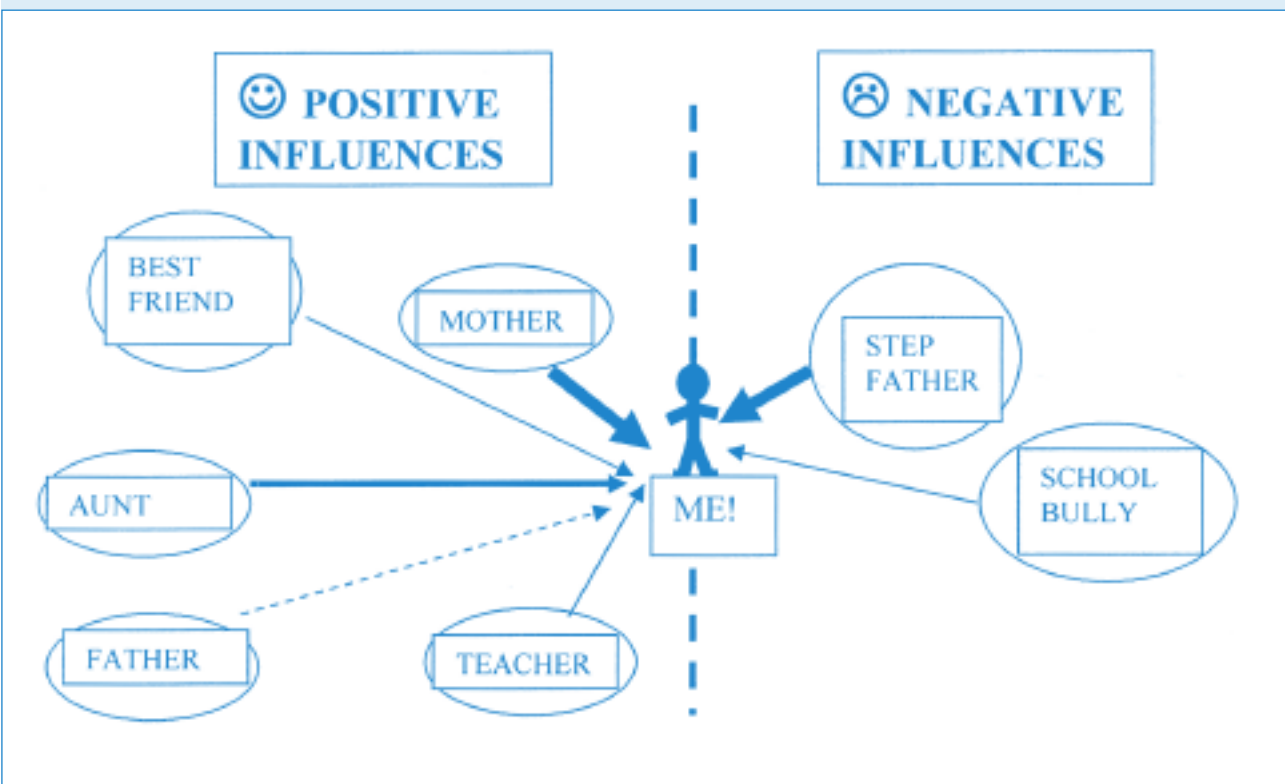
**Task:** Explain to participants that this exercise is a personal one. Nobody else will see the diagrams / pictures that they draw. Each participant should take a blank piece of paper and draw a small picture of themselves (or write their name) in the centre. Next, tell them to draw a vertical line down the middle of the paper, dividing it in 2. Ask participants to close their eyes for a few minutes and think about all of the people who played a significant role – both positive and negative – in their lives when they were a child / young person. They should then write / draw those people who were a positive influence on the left hand side of the paper and those who were a negative influence on the right hand side of the paper. If the influence of a particular person was very strong, then they can be placed close to the participant near the centre of the page, or they can be joined to them by a strong line. If the influence was weaker, then they can be placed further away or joined by a broken / dotted line. Encourage participants to use their imagination and creativity to build up this personal picture to represent positive and negative influences on their development.

Ask participants to think about the following (they do not have to answer out loud if they do not want to – this works equally well as a quiet, reflective exercise):

- ◆ Overall, was your childhood / youth experience positive or negative?
- ◆ Did you have a wide range of people to support you – both within and outside your family?
- ◆ Think of a time when you were in trouble as a child: who helped you? What would have happened if you didn't have anyone to help you?

Next, ask participants to think of a child they know on the streets or who they have arrested in the past.

- ◆ If that child filled out one of these diagrams, what would it look like?
- ◆ Would the influences be more positive or more negative?
- ◆ Would that child have a wide range of people to support them – both within and outside their family?
- ◆ Who would be able to help them when they are in trouble?
- ◆ What would happen if they don't have anyone to help them?
- ◆ If the child were to include you in their picture, on which side of the drawing would they place you – as a positive or negative influence?
- ◆ If you think you would be on the negative side, is there a way you could become a positive influence in this child's life? Can you, as a child-friendly police officer, be part of that child's social support network?



## SUMMARY

**Participants should now be familiar with the following:**

- **A definition of ‘street children’ and the circumstances in which they come into contact with the police;**
- **Street children’s perceptions of the police, their backgrounds, experiences on the street, their reasons for abusing substances and for coming into conflict with the law in some cases;**
- **Ways in which they can help street children and become a part of their ‘social support system.’**

## FOOTNOTES

- 1 Philippine National Police, Office of the High Commissioner for Human Rights, UNICEF, Juvenile Justice Training Manual for Law Enforcers: Child Rights Training, Volume One, Philippines, 2002.
- 2 Pictures drawn by street children in Addis Ababa, Ethiopia 2004 and Lagos, Nigeria 2003 as part of CSC projects on juvenile justice and police training.
- 3 Table adapted from CSC information, CINI Asha Draft Police Training Manual, India, Dec 2004 and UNICEF Timor-Leste Child Protection Section, Training Manual for Police Officers on Child Rights, Juvenile Justice, Child Abuse and Children At-Risk, Draft 2004, Module 7, pp.4-5.
- 4 Adapted from CSC information; Save the Children Sweden, Regional Office for Eastern and Central Africa and Forum on Street Children Ethiopia, Protection of Children, Youth and Women: Manual for Training Police Officers, Addis Ababa, Ethiopia, 1999; CINI Asha, Trainers Manual for Police Personnel (draft), Kolkata, India, Dec 2004; and Convenio Policía Nacional del Perú, Save the Children Suecia, Acción por los Niños, Curso de Capacitación, La Policía Nacional del Perú, Promotora de Derechos de Niñ@s, Adolescentes y Familia, Part 5.
- 5 Much of the material in this section is adapted from Wernham, M., An Outside Chance: Street Children and Juvenile Justice – an International Perspective, Consortium for Street Children, London, 2004, pp.53-56.
- 6 World Health Organisation, Mental Health Determinants and Populations Department of Mental Health and Substance Dependence, Working with Street Children: A Training Package on Substance Use, Sexual and Reproductive Health Including HIV/AIDS and STDs, MODULE 3: Understanding Substance Use Among Street Children, Geneva, Switzerland, Module 3, p.1.
- 7 Marilyn, ‘Voices of Nicaragua’, taken from Radio Netherlands website, [www.mw.nl/humanrights/html/stories3.html](http://www.mw.nl/humanrights/html/stories3.html)
- 8 WHO, Module 3, p17.
- 9 Casa Alianza Nicaragua and Consortium for Street Children, Street Children and Juvenile Justice in Nicaragua, February 2004.
- 10 Philippine manual, p.38.
- 11 Ibid., p.49.
- 12 Adapted from Timor-Leste manual Module 5, pp.5-6.
- 13 Adapted from Philippine manual, p.52.
- 14 Philippine manual, p.52.
- 15 Adapted from Timor Module 1, pp.3-4.

# 7. Coping under pressure

## OBJECTIVES

By the end of this section the participants should be able to:

- Understand power and understand and recognise the signs of anger, stress and distress;
- Develop strategies to use power responsibly and to cope with anger, stress and distress.

## Introduction

At the beginning of this course (Section 2) we looked at how the police are very important people. The police have many roles to fulfil and often have to operate under a lot of pressure. The work of the police in the community is very visible and therefore the general public, politicians and the media have very high expectations of the police. However, the police in many countries are often overworked and underpaid. In addition to this, because of the nature of the job, it is likely that police officers will regularly find themselves in very difficult and stressful situations, for example having to deal with people who are angry, frustrated, upset or even violent and verbally abusive. This section therefore looks at some of these types of situation with some tips on looking after your own mental health, as well as that of others.



**Please note:** Participants may be unwilling to discuss certain of these subjects in public. The trainer should be very sensitive throughout discussions in this section. Do not force participants to contribute ideas. Keep an eye out for signs of distress amongst participants. Encourage an open atmosphere to exchange ideas and feelings and agree that all things such as this which are said during the session remain confidential within the four walls of the training session. Depending on the group dynamics, participants can be asked to reflect on the questions silently, without speaking about their experiences aloud.

## IMPLICATIONS FOR THE POLICE

Police are easily identifiable representatives of authority and 'power' in the community. Power is not only about force. If you can control a situation without using physical force, this is the sign of *real* power. Real power is demonstrated by the ability to think and calmly control a situation. Use the power you have responsibly and professionally.<sup>2</sup>



Who is the most powerful? The man, the bear or the gun?



## a. Power<sup>1</sup>

### WHAT IS IT?

Power is the degree of control that a person or group has over objects, events or other people, including the degree to which you can compel someone to act against his or her will. Power is therefore viewed in terms of relationships. Power can be exerted in an obvious way (e.g. through physical strength or force) or in more subtle ways (e.g. through coercion by deceit and deception). Authority or power may be real or imagined. Power may involve exerting control by administering rewards and punishments.

Ask participants to discuss and give examples from their daily work:

- ◆ In what ways do police have power over other people?
- ◆ Imagine / remember a time when someone else had power over you or when you yourself felt powerless. How did you feel? Was there someone you could turn to for help? How did you react? Did you get angry? Frustrated? Or were you just scared?

## USEFUL ADVICE

The next time you are in a situation of power – for example if you are arresting someone, remember that the person you are dealing with is feeling powerless. This may cause them to react in certain ways. For example, they might be aggressive or frustrated; they might be angry or violent; they might be very quiet and intimidated. The best way to deal with this situation is to:

- ◆ Remain calm;
- ◆ Explain what you are doing at all times and what will happen next;

Be **friendly** and **firm** (if necessary) but above all, be **fair**.

This will help to diffuse potentially difficult situations and prevent them from getting out of hand and more stressful than they need to be. This will benefit both the police officer and the other person involved.

## b. Stress<sup>3</sup>

### WHAT IS IT?

Physical and psychological process taking place when you react to, and have to cope with, events or situations that place extraordinary pressure on you. Stress is often a normal reaction to an abnormal situation. It serves the function of self-preservation (protection) in a threatening situation, enabling us to concentrate full attention on a particular threat; mobilise maximum physical energy, and prepare for action in order to respond to the threat. However, too much stress is a bad thing.

### IMPLICATIONS FOR THE POLICE

Ask participants to discuss and give examples from their daily work:

- ◆ Can you describe a stressful situation that you have had to deal with?
- ◆ How can you tell when you are getting stressed? What are the warning signs for you personally?
- ◆ How do you normally react to stress? Do you withdraw from other people? Become short-tempered?
- ◆ What is the impact of your behaviour while you are stressed on other people? (for example your family, colleagues, members of the public).

## USEFUL ADVICE

Recognise the signs of stress, find the source(s) and cope with the effects of traumatic situations before they have escalated to an uncontrollable level. Most stress *can* be managed.

◆ **Managing your own stress:** Identify sources of stress; know personal limitations; manage time well; be assertive, but not aggressive; accept creative challenges; get enough sleep; rest or conserve strength; eat regularly; control intake of alcohol, tobacco, etc.; make time for relaxation and physical exercise; develop satisfying friendships and relationships; have a positive attitude; have a sense of humor; laugh often; if in doubt, seek help.

◆ **Managing someone else's stress:** be sensitive to the moods of your colleagues, especially those you know get easily stressed; offer friendship and support; help tackle the problem that is causing them stress; remember 'a problem shared is a problem halved'; do not underestimate the importance of talking over problems with someone you trust; if in doubt, seek help.

## c. Anger

### WHAT IS IT?

Anger is a fairly strong emotional reaction to a situation where we are provoked in some way. It is accompanied by a collection of physical reactions including particular facial grimaces and body positions. Anger is closely linked to frustration: we are likely to get angry if we are 'frustrated' in some way – i.e. if we are prevented, interrupted or blocked from doing something that we are trying to achieve.

### IMPLICATIONS FOR THE POLICE

Ask participants to discuss and give examples from their daily work:

- ◆ Have you ever acted in anger or frustration and then regretted it later? E.g. shouting at your child when they wanted to play with you, but you were tired or trying to concentrate on something else; losing your temper with a colleague when it wasn't really their fault.
- ◆ Have you ever thought after a difficult encounter 'I wish I'd handled it differently' or 'I wish I'd said that instead' or 'I wish I'd kept my cool'?
- ◆ What usually makes you calm down when you are angry? How do you calm other people down when they are angry?

We each have different characters and temperaments. Some people are more easily provoked than others; some have shorter tempers than others; some are very calm in most situations and it will take a lot to cause them to lose their temper. We each have our own boundaries and 'weak spots.' If we can learn about what causes us to react in certain ways, then we can work out ways to prevent difficult and challenging situations from escalating into something that we later regret.

## USEFUL ADVICE

Once you recognise the warning signs, it is possible to prevent the situation worsening by using a variety of strategies.

- ◆ **Things to do:** take a deep breath; count to 10 before speaking or taking action; deliberately clench your fists for 5 seconds and then deliberately unclench them for another 5 seconds; think of a person you love smiling at you; briefly turn away from the person and say to yourself 'when I turn back to this person I will start again'; stretch your neck from side to side or roll your head to relieve tension;. [Get participants to practice the 'physical' examples – i.e. clenching and unclenching fists, deep breaths, stretching / rolling neck.]
- ◆ **Things to say & ways to communicate:** initially listen to what the other person has to say; demonstrate that you understand what the other person is feeling; ask them to explain everything that you do not understand; demonstrate that you understand the reason why the other person feels bad; if it is appropriate, express your thoughts and feelings on the situation; give the person you are with a verbal 'warning' to create a break in the tension – for example: 'calm down!', 'take it easy,' 'look out!' (if there is physical danger).

## d. Distress

### What is it?

Distress is unpleasant stress that accompanies negative events, psychological pain or suffering. Distress is a very normal reaction to upsetting circumstances.

### IMPLICATIONS FOR THE POLICE

The police not only have to deal with difficult situations in terms of people who are angry, aggressive or violent, but also situations that can be very distressing. For example, a police officer may have to tell a parent that their child has been killed in an accident; or he/she might have to conduct a very difficult interview with a boy or girl who has been raped or sexually abused.

- ◆ Ask participants to discuss and give examples from their daily work.

Distress is what makes us human. It means that we feel empathy towards the people we work with and that we want to help. However, in some police cultures, it may be 'frowned upon' to show signs of distress in front of colleagues or the public. This can lead to a 'bottling up of emotion' which can be harmful in the medium and long term.

## USEFUL ADVICE

It is very important not to ignore, 'downplay' or dismiss your distress. Many of you will automatically deal with distress in

ways that come naturally to you, without thinking, but here are a few strategies for dealing with distress: accept how you feel; talk to someone you trust (a friend, family member or colleague); make time to do something for yourself (listen to music, go dancing, spend time with friends, treat yourself to your favourite food etc.); if you are spiritual / religious, take time to go to your place of worship, spend time in quiet reflection / prayer, and possibly speak to a religious leader; remind yourself of something positive that you have achieved, or a situation where you helped someone in the past (this is especially important if the situation currently causing you distress makes you feel powerless to help); surround yourself with visible reminders of situations where you have helped someone or of people you care for – for example keep a photograph of a successful family reunification of a street child that you assisted on your desk, or a family photograph or drawing from your child in your wallet etc.; know your own limits: if you find yourself getting 'abnormally' distressed *by your own standards*, or if your distress lasts for a lot longer than it 'normally' does *for you*, then speak to someone you trust about this.



### Key learning points:

**1. Power:** As a police officer, you have power over others. With power comes responsibility. The more power someone has, the more responsibility they have to use that power appropriately and for the benefit of others. Remember what it feels like to feel powerless and: remain calm; explain what you are doing; be friendly, firm and fair.

**2. Stress:** Learn to recognise what makes you stressed, your personal warning signs, and ways to manage and reduce stress. Listen, comfort and support others, especially colleagues who are showing signs of stress. If you are having problems, don't leave it too late to seek help!

**3. Anger:** Learn to recognise what makes you angry, your personal warning signs, and things you can do to calm the situation down. Stop and take a deep breath! You can stop a difficult situation from becoming a dangerous situation.

**4. Distress:** Accept that distress, in moderation, is perfectly normal. Remind yourself of happy occasions or times when you have helped others. It always helps to share your thoughts with others. Watch out for distress which is 'abnormal.' Watch out for signs of distress amongst colleague and offer support.



See also: Section 8 on how to handle children and Section 5 on basic child development and the potential of the police to intervene in order to turn 'crisis' situations into 'chance' situations.

## SUMMARY

Participants should now be familiar with the following:

- The nature of power and powerlessness;
- The signs of anger, stress and distress;
- Strategies to use power responsibly and to cope with anger, stress and distress.

## FOOTNOTES

- 1 See [www.streetchildren.org.uk/policetraining](http://www.streetchildren.org.uk/policetraining) for ideas for activities to explore power relationships in more detail.
- 2 'Man, Bear, Gun' illustration taken from Karnataka State Police & UNICEF (Gender Sensitisation Project: Violence against Women and Children), Training and Resource Manual for Police Personnel, India, 2003, p.41; 'The child is small and the policeman bigger' illustration by Safari, aged 10, Mkombozi Centre from Street Children, Tanzania, 2005.
- 3 Much of this section is taken from 'Stress for police': The 4th Standard Generic Training Module deals with the stress that peacekeepers may be subject to in UN peacekeeping missions. [www.un.org/Depts/dpko/training/training\\_material/training\\_material\\_home.htm](http://www.un.org/Depts/dpko/training/training_material/training_material_home.htm)

# 8. Step-by-step process: how to handle children

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**OBJECTIVES**

By the end of this section the participants should be able to:

- Understand the need to use child-friendly language and body language and to remember the 5 Guiding Principles at all times when dealing with children;
- Understand how to determine a child’s age, and to make the distinction between different categories of children (in conflict with the law, in need of care and protection and as victims/survivors);
- Understand and practice the correct step by step handling of children in each of these categories.


**ACTIVITY 33**  
**PRACTICAL PROBLEMS IN DEALING WITH CHILDREN’**

**Aim:** To get participants to identify what part of handling children they have the most difficulty with.

**Time:** 10 minutes

**Materials needed:** Board and pen

**Task:** Find out how many participants have handled children over the past month. Of these people, tell those who think the situation went well to stand up. Ask one or two of them to explain why they think the situation went well. Repeat the exercise but this time with those who think the situation *didn’t* go well. As a group, brainstorm what the participants feel are the most difficult practical elements of handling children. Make simple notes on the board. Explain that this section will help to work through these difficulties step by step.

 **International human rights instruments:** As an additional exercise, participants can use the comparative table of international human rights instruments in Appendix 4 to identify which legal standards apply at which stage throughout this section.

## Remember the 5 guiding principles

Draw the shape of a large hand on the board and number the fingers 1-5. Ask participants what the 5 Guiding Principles are and write them by the appropriate finger. Keep this drawing on the board at all times during this section to refer to at each stage as indicated throughout.

## Child-friendly communication

### ALWAYS USE SIMPLE LANGUAGE

- ◆ Always use simple language, taking into consideration the age, apparent maturity, and intellectual development of the child in front of you.
- ◆ Check if the child really understands every word you use.

AVOID	USE
1. Long sentences	1. Short sentences
2. Complicated sentences	2. Simple sentences
3. The passive voice ('Was he hit by the man?')	3. The active voice ('Did the man hit him?')
4. Negative sentences ('Didn't you tell her?')	4. Positive sentences ('Did you tell her?')
5. Questions with more than one meaning	5. Questions with only one meaning
6. Double negatives ('Didn't your mother tell you not to go out?')	6. Single negatives ('Did your mother tell you not to go out?')
7. Hypothetical situations ('If you are tired, tell me')	7. Direct approach ('Are you tired?')

**Language practice:** Imagine the person sitting next to you is an 8-year-old child who has been brought to the police station. In pairs, practice what you would say. Remember to use simple language. If the 'child' doesn't understand you, he/she should interrupt and ask you to speak more simply. Swap roles with your partner.



## BODY LANGUAGE

- ◆ Make sure to avoid frowning which shows negative judgement.
- ◆ Adopt interested and good eye-contact and bring yourself down to the eye-level of the child.
- ◆ Avoid tense body postures.
- ◆ Remember that the posture you adopt will automatically evoke a certain response from the child.

## BEHAVIOUR

- ◆ Don't use force unless absolutely necessary.
- ◆ Never treat the child in a degrading, humiliating, rough or uncaring way.
- ◆ (See sample general behaviour guidelines in Appendix 3).

**Body language practice:** In pairs, practice using different types of body language to express different emotions *without speaking*. Your partner must guess which emotion you are trying to portray (e.g. anger, concern, interest, sadness, fear, joy etc.) Act out how you would behave with the 8-year-old boy in the previous example.

Now you are ready to practice the step by step approach!

## Step by step approach

### a. INITIAL CONTACT

#### Age determination

How old is the child? Is he/she really a 'child'? Are they over the age of criminal responsibility? How do you know?

- ◆ Ask him or her how old he/she is.
- ◆ If he/she doesn't know, or if you don't believe him/her ask questions that give you an idea of approximate age e.g. 'Do you remember the big fire at the train station?', 'Were you born in the year of the tiger or the rat?', 'Were you at school before the war started?'
- ◆ Use your judgement based on other children you know.
- ◆ If in doubt, *always* treat him/her as a child.
- ◆ It is unlikely that a child would carry proof of identity (birth certificate, medical record, school record etc.) even if he or she has any (many countries have no birth registration). But as soon as you contact the child's parent / guardian / appropriate adult you can ask the adult to bring identification if possible.

- ◆ If no identification is possible, treat as a child and if really necessary, then further research can be done (estimation by medical practitioner, testimonies family, teacher, community etc) at a later stage.

**Age determination:** In pairs, imagine that you are not sure how old the 'child' sitting next to you is. Try and find out. Remember simple language and non-threatening body language.

#### Is the child 'in conflict with the law,' 'in need of care and protection' or a victim/survivor of crime and/or abuse?

- ◆ Find out who the child is and what he/she is/was doing
- ◆ The child is only **in conflict with the law** if he/she committed an act which is a crime or offence according to national law.
- ◆ If the child is begging, 'loitering', or is the victim of commercial sexual exploitation (prostitution) he/she should *not* be considered as being in conflict with the law. If the national law in your country states that these are criminal acts, then the national law is contrary to international human rights standards. These children are **in need of care and protection**.
- ◆ In many cases a **child may be both in conflict with the law and in need of care and protection at the same time**. This is especially true of street children. In these cases, you need to: use your judgement; remember the 5 Guiding Principles; and decide on a balance. If the offence is not serious but the need for care and protection is serious, then treat the child as being in need of care and protection. This outweighs the minor offence.

**Deciding categories:** In pairs or groups of 4, divide up the case studies you will be given by the facilitator into 3 piles<sup>1</sup>: those cases which are children in conflict with the law; those which are children in need of care and protection (begging, 'loitering', 'vagrancy', lost, homeless etc.) and those which are victims/survivors of crime or abuse. Keep the case studies in the different piles for the following activities.

### b. HOW TO HANDLE CHILDREN IN CONFLICT WITH THE LAW

You have now decided that the child in front of you is in conflict with the law. Remember: *all children's rights apply to all children at all times*, including children in conflict with the law. Just because a child is suspected of committing a crime, does not give you license to act with impunity.



**Remember the 5 Guiding Principles at every stage of dealing with children in conflict with the law. Guiding Principle number 5 applies at the very first stage of the process. Remind yourselves of the aims and benefits of diversion from Sections 3 & 4. Remember to 'STOP!' (Stop, Think, Options, Proceed).**

## 1. DIVERSION

### Step 1: Know the scope of possibilities for diversion available in your country

If you are not familiar with them, consult senior police or police training colleges before proceeding any further. Respect the limits of 'discretion' (to what extent the police are allowed to decide for themselves the best options to respond to particular situations).

**National legal provisions for diversion:** Brainstorming – What is the scope for diversion in your current legal system? Is it included in legal provisions? What is the scope for 'discretion' available to police officers in your country? [Facilitator needs to collect information from legal experts in advance].

### Step 2: Determine the category of the offence

In order to determine whether children are suitable to be diverted, police need to categorise crimes / offences committed:<sup>2</sup>

- ◆ temporary anti-social behaviour
- ◆ child manifesting disturbing behaviour / psychosocial problems / mental illness
- ◆ first-time / non-serious offender
- ◆ persistent / non-serious offender
- ◆ one-off serious offender
- ◆ persistent serious offender

Murder, rape or violence in which serious injury is inflicted on the victim are classified as 'serious offences.' All other offences are classified as less serious offences.<sup>3</sup>

**Categories of offences:** In pairs or groups of 4, take the pile of case studies on children in conflict with the law which you divided up during section (a). Divide them into 2 piles: serious offences and less serious offences. (Please note – based on the information given in the case studies alone, you would not necessarily know whether the cases are 'first-time offender', temporary or persistent. This is something you would have to determine through speaking with the child and reviewing records if necessary). [Serious cases: 9, 11, 17 (ambiguous case – learning difficulties), 21].



**Please note:** In the case of less serious offences, can you resolve the issue on-the-spot without proceeding any further? Do you have options for 'informal diversion' like getting the child to return stolen goods and apologise, calling the child's parents to come and collect and take responsibility for the child, or immediate referral to an NGO or social services?

### Step 3: Know or find out about the availability of pre-trial diversion programmes and the criteria for participating in them. Determine if this child qualifies

In every country there should be a range of pre-trial diversion programmes available and a set of criteria to determine participation in them.

**Types of available diversion programmes:** Discuss in small groups or brainstorm – which diversion options are possible / available in your country? In your opinion, which are the most practical and useful for children in conflict with the law in your country? Do these options balance the best interests of the community, victim and offender?

Unfortunately, not all children in conflict with the law qualify for such a programme.

In Namibia, for example, the criteria are as follows:

- ◆ The child freely admits his/her guilt (*without physical or psychological coercion*);
- ◆ The child's willingly complies with the conditions of diversion;
- ◆ The child is a first-time offender;
- ◆ The offence comes within the category of 'less serious';
- ◆ All the stakeholders are satisfied with the recommendations of the screener.<sup>4</sup>

There can be additional criteria for particular options like 'suitability for community service.' In South Africa, for example, children cannot be considered if they are: dependent on alcohol or drugs, violent or exhibiting mental / behavioural challenges.<sup>5</sup>

**Determining suitability for diversion:** In pairs or groups of 4, take the pile of case studies of less serious offences and divide them into which cases would be suitable for diversion and which wouldn't based on the sample criteria given above (or actual criteria in your country). [Facilitator note: *all* of the less serious cases provided are suitable for diversion (5, 20, 23, 25)].

### Step 4: Drawing up a diversion plan

If a case is suitable for diversion, then the investigating officer in consultation with those involved and the assisting social worker can draw up a 'diversion plan.' The plan may include one or a combination of options (see Section 4 for detailed examples), for example restorative justice conferencing.<sup>6</sup> A diversion plan *cannot* include: conditions which are contrary to law, morals or good customs; any form of imprisonment, any form of humiliation or degradation; or any form of physical punishment or hard labour.

Some guidelines for choosing a diversion option or formulating a diversion plan:<sup>7</sup>

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- ◆ The plan must be appropriate to the age and maturity of the child;
- ◆ The plan must ensure that the child understands the impact of his/her behaviour on others, including the victims of the offence;
- ◆ The plan must redress the wrong caused by the offence (may include restitution or compensation);
- ◆ The plan must not interfere with the child's schooling or income-generating activities on which the child and/or his/her family depend;
- ◆ The victims' feelings and views about the suitability of the measures to be imposed;
- ◆ The parents' / guardians' ability to supervise the child;
- ◆ The need to develop the child's competence to become an asset to his/her community;
- ◆ The availability of community-based programmes for the child's rehabilitation and reintegration;
- ◆ The diversion plan and its timeframe must be proportionate to the circumstances of both the child and the offence;
- ◆ Referral can only happen with the consent of the child or his/her guardian.

**Drawing up a diversion plan:** In pairs or groups of 4, choose one of the cases which you deemed to be suitable for diversion and decide amongst you on a diversion plan. Imagine that you are consulting all the stakeholders involved, or you can actually role-play this discussion.

### Step 5: Documenting the diversion<sup>8</sup>

If the parties agree to the proposed plan, the police shall draft a written agreement or contract describing the following:

- ◆ The offence which led to the diversion option or plan;
- ◆ The actions agreed upon (the diversion option or plan);
- ◆ The person who will supervise the child (this could be the child's parent, guardian, relative, community police officer, social worker, human rights officer, member of a child-focused organization, local community leader etc.);
- ◆ The dates the actions (if any) are to be completed;
- ◆ When the child and/or supervisor should report to the police (e.g. once a month, once a week);
- ◆ What happens if the diversion plan is completed;
- ◆ What happens if the diversion plan is not completed.

The agreement shall be signed by the investigating officer, the complainant, the child, the child's parents or guardian, and an appropriate adult if any.

The police must coordinate with the department for social services social workers or other relevant groups or persons to assist in monitoring implementation of the plan, for example by conducting home visits and reporting findings.

## SAMPLE DIVERSION PLAN<sup>9</sup>

### Personal details of the offender:

<b>NAME</b>	Boavida Amaral	<b>ADDRESS:</b>	17 Caicoli Street Caicoli Dili
<b>DATE OF BIRTH</b>	25/2/1991		

### Details of the plan (Who developed it? When? Where?)

<b>DATE PLAN WAS DEVELOPED</b>	25/3/2005		
<b>PLACE PLAN WAS DEVELOPED</b>	Dili Police Station		
<b>PEOPLE INVOLVED IN DEVELOPING THE PLAN:</b>			
<b>NAME</b>	<b>POSITION / RELATIONSHIP TO THE CHILD</b>	<b>SIGNATURE</b>	
Sgt. John Da Cruz	Police Sargeant		
Boavida Amaral	The child concerned		
Mary Amaral	Mother of Boavida		
Dencio da Silva	NGO social worker		

### What led to the plan being written (details of the incident)?

Boavida admitted to stealing 2 CDs from Leader Store.

### What was agreed?

	<b>ACTION</b>	<b>DATE / TIME</b>	<b>WHO WILL BE RESPONSIBLE FOR CHECKING THIS IS DONE?</b>
<b>1</b>	Boavida will return the CDs to the shop owner and apologise for his actions, accompanied by Dencio da Silva.	By 30/3/2005	Dencio da Silva
<b>2</b>	Boavida will help his older brother to rebuild the outer room of the family home.	4 hours each Saturday in April	Mary Amaral
<b>3</b>	Boavida agrees that he will tell his mother where he is going after he finishes work each day.	Every day	Mary Amaral
<b>4</b>	The family will sit down to discuss any problems that they are having.	2 <sup>nd</sup> week and the last week of April	Mary Amaral

### Who will supervise the child?

Mary Amaral (Boavida's mother) will supervise the implementation of the plan and inform Sgt Da Cruz on 14 April 2005 and on 30 April 2005 of the progress of the plan.

### Date to complete the whole plan?

30 April 2005.

### What happens if the plan is completed?

Sgt Da Cruz agrees that he will not proceed with the prosecution of Boavida. Boavida's family will congratulate him on successfully completing the plan.

### What happens if the plan is not completed?

Another meeting will be held to discuss why the plan was not completed and what action will be taken.

**Documenting a diversion plan:** In pairs or groups of 4, write up the diversion plan you agreed for the case you chose in the last exercise based on the format given here.



**Please note:** The format of this plan can be used in all situations where police come into contact with children – i.e. as children in need of care and protection and/or as victims/survivors. It is important to properly plan what will happen to the child and who will be responsible for them even if they are not in conflict with the law.

### Step 6: Closure or extension:<sup>10</sup>

Once the child has satisfied the conditions set out in the diversion plan, a report shall be made to the police and the case will be considered 'closed.' If the child fails to satisfy the conditions of the diversion option or plan, the police may consider extending the period of diversion or drafting a revised diversion plan to give the child another chance to comply. However, if the police find that diversion is no longer appropriate, the case must be forwarded to the prosecutor with a report stating the facts. If diversion fails, the child's consent to diversion and admission of the offence during any stage of the proceedings cannot be used as evidence against the child in any subsequent proceeding for the same offence.

**Closure or extension:** In pairs or groups of 4, imagine that the child in the diversion plan you agreed above has a) complied with the conditions; b) failed to comply with the conditions. What would you do in each case?

## 2. ARREST

- ◆ The arrest of a child over the age of minimum criminal responsibility should be a measure of last resort. Always consider diversion first. Avoid taking a child to the police station if at all possible.
- ◆ Remember that arbitrary arrest is prohibited: this means *do not* arrest street children in 'round-up' operations; *do not* arrest street children 'on suspicion' simply because they are near the scene of an offence or because you automatically blame them for committing any crimes in the area. You can *only* arrest a child: if you have a warrant; if you catch them in the act of a crime; if there are reasonable grounds to believe that the child has committed a crime *and* that failure to arrest immediately will result in destruction of evidence or endangering public safety; if you are in immediate pursuit after a crime *and* evidence of the child's participation in the crime is found in his/her possession. [Adapt according to exact national law in your country].
- ◆ Immediately inform the child of the reason for such arrest and the charges against him or her.
- ◆ Immediately inform (and explain) the child of his/her rights to:
  - ▶ Remain silent
  - ▶ Contact a relative or close friend
  - ▶ Have a legal representative appointed
  - ▶ Be brought before the investigating judge within 24 hours upon arrest
  - ▶ To be questioned in the presence of a legal representative
  - ▶ Right to contact a diplomatic or consular official of his/her country if the child is a foreigner.
- ◆ If the child does not understand or speak the language used by the arresting officer, immediately provide him or her with an interpreter, free of charge, in a language or dialect understood by the child.
- ◆ Do not use violence or unnecessary force.
- ◆ Do not use firearms or instruments of restraint unless you are given no other choice.
- ◆ Remember that you must ensure full protection of the health of the child in your custody: if the child needs treatment, immediately take him/her to the nearest medical centre.
- ◆ In case of injury or death: report promptly to your superior.
- ◆ Make sure you gather relevant information from the scene (if appropriate).

- ◆ Every action taken should be recorded in a notebook as soon as possible, i.e. the time the child was arrested, put in the car etc. Read notes back to the child to confirm that they are correct.

**Arrest:** In pairs or groups of 4, go back to the pile of case studies of *serious* offences (9, 11, 17, 21). Choose one (or more) and role-play the moment of arrest. Feed back to the full group, exchange experience and discuss any difficulties you faced.



### Remember the 5 Guiding Principles!

## 3. TRANSFER

- ◆ Once again, do not use force or restraint unless strictly necessary.
- ◆ Transfers must be made in adequate conditions: adequate ventilation and light, no hardship or indignity, avoid transport with adults.
- ◆ This applies to *all* incidences of transfer of children between locations (from police station to court, court to remand home etc.)

**Transfer:** Have a group discussion on methods normally used in your work to transfer children. Discuss how improvements can be made in conditions and any difficulties faced.

## 4. POLICE STATION<sup>11</sup>

- ◆ The child should never be subjected to any form of cruel, inhuman or degrading treatment or punishment, including threats or verbal abuse.
- ◆ Immediately advise your supervisor that you have a child with you.
- ◆ Immediately notify the child's parents, guardians or an appropriate adult (either a social worker or other person as identified by the child) if you have not yet done so. (Beijing Rules, Art. 10.1).
- ◆ Log the child's details: age, time of arrest, allegation, next of kin etc. (i.e. go through the standard charge sheet). Make sure the child's age is recorded. Police stations should also have a separate register documenting children who pass through the police station.
- ◆ A child accused of committing a non-serious offence shall not be finger-printed or photographed.
- ◆ A child should not be searched unless there are reasonable grounds to believe there is an object concealed in the child's clothing or possessions which is related to a criminal act, or possession of which is a criminal offence.

- ◆ If the child is a girl, make sure she is dealt with by a female officer (interview, search etc.).
- ◆ The child has the right to have a parent or guardian or any adult who the child wants present for interview to give advice and support (preferably a social worker, human rights officer, or a member of a child-focused organisation if parent/guardian is not available). Police officers should *never* interview a child suspected of committing a crime without a family member or other responsible adult present.
- ◆ Do not ask leading questions in an interview.
- ◆ The child must be made aware of the purpose of the interview.
- ◆ Inform the child and the child's parent, guardian or appropriate adult of the child's rights during investigation in a language they understand and using simple language. Make sure the child has genuinely understood by asking him/her to repeat back to you what you have said. If they are able to read, provide a written statement of these rights.
- ◆ The case must be handled without any unnecessary delay.
- ◆ The child has a right to prompt and regular access to free legal and other assistance (within sight but not hearing of police) and the right to appeal / challenge the legality of his/her detention.
- ◆ Physical restraint may only be used in exceptional cases and only when necessary for the security of the minor or another person. Physical restraint measures should not cause humiliation or degradation and shall be used only for the shortest possible period of time.
- ◆ Detention should only be used as a last resort. Release the child on bail or 'surety', with or without conditions, to the care of his/her parent / guardian / appropriate adult in as many cases as possible.
- ◆ If detention is really unavoidable (e.g. for very serious cases where there is fear for public safety or fear that the child will abscond), and if the child is over the minimum age for deprivation of liberty (not to be confused with minimum age of criminal responsibility), detention must be limited to the shortest possible period of time. (Usually a maximum of 24 hours before appearing before a judge).
- ◆ The child must not be kept in a cell with adults or convicted juveniles. This includes girls not being kept in a cell with adult women (unless it is in the child's best interests to do so).
- ◆ Make sure the child is kept in adequate facilities and that all the necessary services are provided: physical, sleeping, sanitary, food, clean water etc.
- ◆ The child has the right to wear his/her own or appropriate clothing.

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- ◆ The child must have access to preventive and remedial medical care.
- ◆ Close confinement or reduction of diet can not be used as a form of punishment.
- ◆ The child has the right to make requests and complaints.

**Police station:** In pairs or groups of 4, continue the previous role play involving a serious case where you have already arrested the suspected offender. Role play what happens at the police station and how you would interview the child based on the guidelines above.



### Remember the 5 Guiding Principles!

## 5. REMAND / RELEASE

- ◆ Once arrested, a child should be released at the first opportunity and should only be kept in detention if there is evidence to support one or more of the following: they are likely to abscond; commit further offences; interfere with witnesses and/or victims; destroy evidence; unable to properly take care of themselves (intoxicated minors).
- ◆ Conditional release should be considered as often and early as possible, under supervision of the relevant authority and with the support of the community. Try hard to make the best use of a street child's social support network in order to make these options available also to them. Do not discriminate against street children in terms of release options if they do not have a 'traditional' family or guardian. Collaborate closely with NGOs.
- ◆ Once the decision has been made to release the child they should be delivered into the custody of: parent/s, suitable family member, other adult willing to take responsibility for them, NGO etc.
- ◆ If it is not possible to release the child, proper procedures must be followed to secure a remand warrant from a juvenile judge as soon as possible, and definitely within the time frame specified by national legislation (e.g. 24 hours). The child should not be in police custody (i.e. in a police cell) for more than 24 hours. This includes over the weekend. A duty judge *must* be found within 24 hours to issue a remand warrant or a release from custody.

**Remand/release:** In pairs or groups of 4, continue the previous role play involving a serious case where the suspected offender has been arrested and interviewed already. What will happen next? Is it possible to release the child under supervision etc.? Why? Why not?



### Remember the 5 Guiding Principles!

## 6. INVESTIGATION AND COURT

- ◆ The child should appear before a judge within 24 hours (police should present the option they want taken forward: do they support bail or not etc.).
- ◆ The police officer should prepare a case for prosecution – gather evidence in a timely manner (the burden of responsibility lies with the police to prove the case, otherwise the child should automatically go free within a certain time period).
- ◆ Although the role of the police after a case is turned over to the prosecutor and brought to trial is greatly reduced, police officers should still have a basic knowledge of the rights of children during prosecution, court trial and sentencing. This is because it is part of the police's role to explain to the child and his/her parents about the procedures that will happen after police investigation and their concomitant rights.
- ◆ The child has a right to witnesses to speak in his/her defence. No press or public can be allowed at trial and, as a police officer, you are not allowed to give out the name of the child to the media. All records must be kept strictly confidential.
- ◆ A social enquiry report must be made by a social worker or probation officer before final disposition.
- ◆ The child has a right to expect a prompt decision.
- ◆ Can you influence / recommend a sentence to the judge which doesn't involve detention? i.e. restorative justice which balances the best interests of the child, the victim and society.

**Investigation:** In pairs or groups of 4, continue the previous role play imagining that the child in your case study will have to go to court. Explain to them and their parent / guardian / appropriate adult what will happen next and answer any questions he/she may have. Remember to use simple language. Get the child to repeat the information back to you to check he/she has properly understood.



### Remember the 5 Guiding Principles!

## C. HOW TO HANDLE CHILDREN IN NEED OF CARE AND PROTECTION



**Remember the 5 Guiding Principles at every stage of dealing with children in need of care and protection.** [Guiding Principle number 5 does not apply in the case of children in need of care and protection, but only to children in conflict with the law]. **Remember: children in need of care and protection should not be processed through the criminal justice system. If, for some reason, it is not possible – or in their best interests – for children to be in the care of their parents, refer them to social services and NGOs.**

- ◆ **Begging:** where begging is illegal in local law – even though it shouldn't be according to international human rights standards – try to resolve the issue on the spot. Refer the child to an NGO for help. Find out from the child if they work for someone else and if so, are they *forced* to beg (e.g. forced begging syndicates) and are they treated well. If not, then make efforts to find out who is behind their mistreatment. Make friends with the children and get to know them – is there any way you can help them? Even with just a kind word? Turn yourself into someone they could go to if they were being beaten up or abused. Remember: they are just children who are poor. They have not done anything wrong.
- ◆ **Loitering / 'vagrancy' / lost:** try to establish: whether children are lost; where they live (are they staying with relatives?); where their families live; why they are on the streets – have they run away from their family because of violence?; when was the last time they were at home?; how do they feel about being on the streets? If the child is in distress, refer them to an NGO which has experience in family reunification and dealing with street children. If the child is *not* in distress, and it is clear that it would not be in their best interests to reunify them with their family, then make sure the child is aware of services available – e.g. NGOs and helplines, but do not force them to go. In some cases it may not be in the best interests of the child to be taken to a government centre for 'lost and found' children as conditions in some of these places may be far below international standards and may actually cause the children more harm than leaving them on the streets amongst their friends and social support network. Under no circumstances take them to police cells for 'safekeeping': police cells are no place to keep children safe! [Refer back to Activity 14 – contact sheet for services available].
- ◆ **Victims / survivors of commercial sexual exploitation:** if a child is involved in commercial sexual exploitation (e.g. prostitution, pornography and trafficking) *they should not be criminalised for it.* It is the 'clients', pimps, traffickers and exploiters who are guilty and who must be prosecuted, *not* the children themselves. Treat the child as being in need of care and protection or if there is evidence enough to pursue a criminal case against the

abuser then treat them as a victim in terms of interviewing and procedure (see below). In any case, treat them psychologically as a victim/survivor: be sensitive, understanding and compassionate at all times. Remember how you would feel if it were your own child.

**Children in need of care and protection:** In pairs or groups of 4, choose one or more case studies on children in need of care and protection from the pile you sorted out earlier. (Numbers 1], 2, 7, 8, 12, 13, 14, 16, 18 and 24).



**Remember the 5 Guiding Principles!**



**Please note: When dealing with children in need of care and protection, it may be necessary to document the action that is being taken. You can use the same form for this as the diversion plan featured in section c above.**

## D. HOW TO HANDLE VICTIMS/SURVIVORS<sup>12</sup>

### Victims/survivors of crime in general

Thinking of street children in terms of victims/survivors it would be easy to talk only about the worst forms of abuse and exploitation. However, we should not forget that street children are also victims of other crimes such as theft and extortion on a daily basis. Unlike others, their complaints are not taken seriously, even though theft of their only money and possessions leaves them destitute. This is made even more bitter when the perpetrator of theft is himself a policeman.

“I earned 45 taka, spent 10 taka on food. Police took over 35 taka in spite of my protests that if they took my money I wouldn't have anything left. Where will I sleep. But the police said if you don't give us this money we will beat you”  
(Street boy, Dhaka, Bangladesh)

- ◆ Being underpaid is no excuse for stealing the money of a child who has nothing. If anything, this more likely to push that child into crime by depriving him/her of any other choices, making the role of the police even harder.
- ◆ Take complaints by street children of theft seriously. Get to know them so that they trust you in order to report such crime.

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## Victims/survivors of violence, abuse and exploitation



Please note: Very important note on sensitivity for the facilitator<sup>13</sup>

- ◆ There may be participants on your course who are survivors of physical, psychological and/or sexual abuse in childhood and/or adulthood. Some may be currently suffering abuse. If you notice someone is finding the content difficult, discretely ask them if they are alright during the break. If someone is really struggling suggest they take a break.<sup>14</sup>
- ◆ You should be very careful using any kind of exercise, which involves role-playing; never pressure anyone into taking the part of victim or perpetrator.
- ◆ On occasion, there will undoubtedly be perpetrators in your training group. It is unlikely that anyone will openly admit this. However, you should prepare how to respond if someone discloses, either in the group or to you privately, that they have been abusive.

Physical, psychological and sexual violence against children is widespread and has enormous destructive impact, not only on children themselves, but also on society in general. Protecting children from violence and abuse is a key duty of the police. So is the child-friendly and victim-sensitive handling of children who are unfortunate enough to be in this position. The guidelines described below apply to all types of violence, but there is often a specific mention of sexual violence and abuse due to the particularly complex and sensitive nature of the topic. Three particular types of violence are highlighted below as they may require additional clarification for police.

**Violence/abuse in the home:** Violence in the home occurs all over the world. However, in many countries the subject is still considered a taboo. Believed to be a private 'family matter,' cases are often not reported. This is because people do not understand the criminal nature of child abuse nor the concept of child rights. Children themselves have very little power or knowledge of how to report an act, especially if it has been committed by someone they know. As part of their duty to protect vulnerable groups from harm, the police should encourage the reporting of child abuse, and deal with individual cases in a very sensitive and informed manner. Police must also take very seriously violence against women in the home, not only in its own right, but also due to its serious consequences it has for children who witness it.

**Child prostitution as child abuse:** In many jurisdictions children involved in prostitution have been treated as criminals. Police, along with other agencies, are increasingly recognising that prostitution is a form of sexual abuse, and both customers and facilitators (if there are any) are sex offenders. Some have extended this to pro-active multi-agency working which seeks to detect children and provide

them with effective exit routes. Children in this situation must be treated as being in need of care and protection or as victims/survivors.

**Child trafficking:**<sup>15</sup> **“Alert and knowledgeable law enforcement officers can effectively counter child trafficking for exploitation purposes.”** (MAPODE, NGO, Zambia) ‘Trafficking in children is a global problem affecting large numbers of children. Some estimates have as many as 1.2 million children being trafficked every year. There is a demand for trafficked children as cheap labour or for sexual exploitation. Children and their families are often unaware of the dangers of trafficking, believing that better employment and lives lie in other countries. Child trafficking is lucrative and linked with criminal activity and corruption. It is often hidden and hard to address. In addition, children who have been trafficked face a range of dangers, including violence and sexual abuse. Trafficked children are even arrested and detained as illegal aliens’.<sup>16</sup> With nobody around to notice their disappearance, street children are easy prey for traffickers.



Remember the 5 Guiding Principles at every stage of dealing with child victims/survivors. [Guiding Principle number 5 does not apply in the case of child victims/survivors, but only to children in conflict with the law].


**Step 1: Ensure immediate physical safety:**  
Seek immediate medical attention if needed!

**Step 2: Ensure immediate emotional safety: Give the child an opportunity to feel safe and calm down:**  
Reassure the child that his/her safety will not be endangered. It may be recommendable to remove the child from the scene of the problem. Make sure to leave her/him in the presence of a (familiar) person the child feels comfortable with.

**Step 3: Gender-sensitivity and informing those who need to know:** If the child is female, there must be a female officer present (if not possible on the street, then at least at the police station). Remember that girls and boys may react differently to the abuse, but that each child's reaction is uniquely theirs. *Unless the parents, guardians or appropriate adult are implicated in the abuse*, promptly inform them, without revealing the details of the report.

**Step 4: Interviewing**<sup>17</sup>

- ◆ The interviewing and investigation of child abuse cases should be carried out by specially trained police or police units. It should be carried out in liaison with the child's family and social worker. Be prepared: gather all the available information on the child, his/her situation, family etc.
- ◆ A female victim/survivor must be interviewed by a female officer.
- ◆ Seek the consent of the child and the child's parent or guardian to conduct the interview.

- ◆ In order to keep the child's testimony untainted, the parents should not have the opportunity to question the child before the interview.
  - ◆ Create a relationship of trust, be a friend and make the child understand he/she is not alone. The child needs to be believed and reminded that it was not his/her fault. Be non-judgmental. Remember the child may be traumatised. Explain the purpose of the interview.
  - ◆ Create a safe and non-threatening environment: there must a separate, private room in which there should be no weapons; it should be quiet and free from noise and interference; nobody should be allowed to 'walk in' during the interview; the interviewer should sit beside the child (not behind a desk) but not too close.
  - ◆ The interviewer should not be interrupted either by phone-calls or any other urgent matters.
  - ◆ The content of the interview should be strictly confidential and no other person, other than the interviewer(s) and/or social worker should be present or hear what is being said *unless the child explicitly agrees or demands this*. The parent/guardian should not be allowed to view the interview as they may influence the child's testimony or they may get so upset by what they hear that they are not emotionally ready to be supportive for the child after the interview. A supportive accompanying adult may be allowed to accompany a small or distressed child if the child requests this, but the adult should not take part in the interview. A social worker should be present to make sure the child is not subjected to repeated interviews which are very distressing and which can give the child the impression that he/she was not believed first time round.
  - ◆ One person should take the lead in questioning and the other(s) should take notes and this should be explained to the child. What the child has to say must be accurately recorded.
  - ◆ Remember the purpose of interviewing is to gather facts and evidence, not to counsel the child, but the atmosphere of the interview must be nevertheless be child-friendly and comforting.
  - ◆ Be patient, allow the child to take all the time he/she needs to tell you what you want to know. Don't show any signs of frustration as they could make the child even more reluctant. Break up the interview to avoid putting any pressure on the child. The child may be traumatised or not be able to remember his/her experiences. It may take time for children to work up the confidence to speak about the worst things that have happened. Do not assume that you have heard everything in the early stages.
  - ◆ Remember to try and understand the situation from the child's point of view.
  - ◆ Remember you are listening to a child: information may be concealed, they may give you clues on which questions they are ready to be asked. Remember your basic notions of child-developmental psychology. They may not give you the coherent narrative you would like to hear. Their concept of time may be different to yours.
  - ◆ Give children the opportunity to express themselves in a way they feel comfortable such as play, stories, drawing and writing.
  - ◆ Only interrupt the child to clarify what he/she is trying to say.
  - ◆ Do not repeat the same question as this will make the child feel that they have 'given the wrong answer' or that they are not believed and they may change their answer to try and please you. If you need to clarify something that the child has said, ask it in a different way.
  - ◆ Don't make any promises you cannot keep.
  - ◆ Help the child to restore his/her sense of dignity as far as possible and to regain a sense of control over his/her body and life, drawing on his/her natural resiliency. Remember that the child is not just a victim, but also a survivor.<sup>18</sup>
- Interviewing:** In pairs or groups of 4, and taking into account the guidelines on sensitivity when role-playing situations of abuse, practice interviewing a child who is a (suspected) victim/survivor of abuse from the pile of case studies you sorted out at the beginning of this section. (Physical abuse 4, 10, Sexual abuse 3, 19, 21, 22 etc.)
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**Remember the 5 Guiding Principles!**
- 
- Step5: Post-interview**
- ◆ The interview will have identified further inquiries that will have to be made to gain evidence of abuse to the child.
  - ◆ A decision needs to be made on how to proceed.
  - ◆ An assessment must be made amongst the professionals if it is safe for the child to return home or to another place of residence (including NGO shelters). Criteria for this include: no immediate family or staff member can be involved in the abuse; the child can be protected from any further abuse; if a family or staff member is involved they will not be able to have contact with the victim. Protecting the child from any further abuse or violence must be the number one priority.

- ◆ A medical examination of the victim should occur to see if there is any supporting evidence of what the child is alleging. Doctors *who are sensitive to the needs of children* must carry out these examinations. The doctor should complete a full report and if appropriate the injuries should be photographed. In the case of a female child, the doctor must be female.
- ◆ Ensure that investigation and follow up procedures are child-friendly. Furthermore, such procedures must avoid exposing children to more abuse. Procedures for investigating experiences of children who are victims of crimes must ensure that they do not lead to more victimisation.
- ◆ If there is evidence to support a charge of child abuse or neglect the case must be referred to the prosecutor. Only the prosecutor has the authority to decide whether or not to charge the suspect.

**Post-interview:** In pairs or groups of 4, discuss what action you would take next in relation to the case you have just role-played.



**Please note:** When dealing with children in need of care and protection, it may be necessary to document the action that is being taken. You can use the same form for this as the diversion plan featured in section c above.

## E. CHILDREN AS WITNESSES

“A child can give evidence as witness if such child is capable of understanding the question and of answering the same.”<sup>19</sup>



**International human rights standards:** ‘Child witnesses need assistance in the judicial and administrative processes. States should review, evaluate and improve, as necessary, the situation for children as witnesses of crime in their evidential and procedural law to ensure that the rights of children are fully protected. In accordance with the different law traditions, practices and legal framework, direct contact should be avoided between the child victim and the offender during the process of investigation and prosecution as well as during trial hearings as much as possible. The identification of the child victim in the media should be prohibited where necessary to protect the privacy of the child. Where prohibition is contrary to the fundamental legal principles of member states, such identification should be discouraged.’ (Vienna Guidelines, para. 49).

## F. CASE STUDIES

1. You see a girl soliciting sex in the park. You go up to her. You guess that she is about 15 years of age. *What do you do?*
2. You come across a colleague who is beating a street child. When you ask him what is going on, he says that the boy was drinking alcohol and that he is just ‘teaching him a lesson’ so he won’t do it again. *What do you do?*
3. Two young girls, one slightly older than the other, come to the police station. They seem very nervous and frightened, but they obviously want to report something. You guess that they are about 12 and 10 years old. *What do you do?*
4. Two girls have arrived at the police station and reveal that they are being badly beaten by the owner of the house where they work as domestic workers. *What do you do?*
5. You are chasing an 11-year-old boy because you saw him picking someone’s pocket. During the chase he falls down and cuts his leg badly. You catch up with him and see that he has dropped a lot of money and two watches.<sup>20</sup> *What do you do?*
6. You are working late one night at the police station. A member of the public arrives with a young boy saying that she found him crying on the street. He is unable to give you any information and he continues to cry. You think he might be about 6 years old. *What do you do?*
7. At a busy road junction you see an older boy pulling a blind younger girl by the arm from car to car, begging. *What do you do?*
8. You see a group of children, both boys and girls, sharing some glue on a street corner. *What do you do?*
9. An informant has told you that a particular child is trafficking drugs for a local adult gang. You apprehend the child one evening and find a large quantity of crack / cocaine on him. He tells you that he is 15 years old, that his father ran away a long time ago, that his mother is sick in hospital and that he needs the money to pay her medical bills and to support his three younger siblings. *What do you do?*
10. A boy and a girl come running up to you to say that they were down the road with their friends when another, older boy came to pick a fight. They explain that the older boy was very aggressive, that he had a knife and that he stabbed their younger friend who is now bleeding very badly and is in a lot of pain. They ask you for help. *What do you do?*
11. You are looking for someone, approximately 17 years old, who is reported to have stabbed an 11-year-old boy earlier in the evening. You see someone matching his description. You stop him but just as you are about to search him, he pulls out a knife, threatens you and tries to run away. *What do you do?*

**12.** A teenage girl approaches you on the railway platform looking very upset. She explains that she has just arrived from the countryside and that she has had her bag stolen, including all of her money, food and the address of the place where she was told she could get work as a domestic worker. *What do you do?*

**13.** You are patrolling one night and you come across a group of boys and girls of mixed ages sleeping outside one of the government offices. You haven't seen them before. You can tell from the way they are dressed that they belong to a particular ethnic minority of your country. You do not speak this minority language. The city government has just passed a decree that this particular area of town should be kept clear at all times. *What do you do?*

**14.** You are in the centre of the city. You approach a group of children who are hanging around in the main square, joking and shouting insults at people passing by. *What do you do?*

**15.** You stop for a drink at a local tea stall. Whilst there, you witness the owner of the shop beating and shouting at the young boy who is helping to serve tea. *What do you do?*

**16.** You come across an argument in the market between a woman and a younger girl. The girl is very angry and is demanding to be paid for having carried a heavy sack of rice for the woman. The woman is refusing to pay her the full price she agreed. The girl is pulling at the woman's sleeve and the woman slaps the girl's hand away. *What do you do?*

**17.** There has been a gunfight between two gangs earlier in the evening during which the daughter of a local shopkeeper was killed. You are investigating the incident and you receive a tip-off which leads you to find the gun at the home of a local boy. You speak to the boy's mother who is very shocked. She explains that her son has learning difficulties and that he is often bullied and manipulated by older boys in the neighbourhood. *What do you do?*

**18.** You come across two girls on the street late at night in the red light area. You ask them why they're not at home and they say that their mother is working and has a man in the house. *What do you do?*

**19.** A distressed 13-year-old girl comes to the police station. She says that she has been repeatedly sexually abused by her step-father and that she has run away from home, but now she is afraid that he will do the same thing to her younger sister who is still at home. *What do you do?*

**20.** A fruit-seller reports that three children have stolen some fruit from his stall, and that they ran off in a particular direction. You come across two boys and a girl matching their description eating fruit at the back of the market. *What do you do?*

**21.** You are called to an NGO street children shelter by a member of staff who reports that there has been an incident of rape. The staff member explains that a 11-year-old boy was found very upset and with blood on his trousers in the dormitory yesterday evening. The boy was taken to the doctor and revealed to the NGO counsellor that he had been raped by an older boy. *What do you do?*

**22.** Two boys who are arrested for pick-pocketing later allege that they were sexually abused on the way to the police station by the police officer who arrested them. You recognise the colleague that they are describing. *What do you do?*

**23.** You arrest a 15-year-old girl for stealing clothing from the factory where she works. She admits to the crime, but is very frightened of the consequences. She says she has heard terrible things about prison. She is very upset and offers to have sex with you if you let her go. *What do you do?*

**24.** You have received a report from a woman saying that she is very concerned about the three children that live next door to her. She has not seen the 17-year-old oldest sister who looks after them for over a week. The woman went to check on the three younger children and found them very hungry, dirty and upset. The oldest child (a 10-year-old girl) says that her older sister went to the market one day and didn't come back and that her mother is away working in the capital city. The neighbour cannot afford to feed the children and is concerned for their welfare. *What do you do?*

**25.** A house-owner has caught an 8-year-old boy climbing into his window and has called you to arrest him for attempted theft. You ask the boy if he is working with anyone else, but he looks very frightened and claims to be working on his own. You don't believe him. *What do you do?*

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## SUMMARY

**Participants should now be familiar with the following:**

- **The need to use child-friendly language and body language and to remember the 5 Guiding Principles when dealing with children;**
- **How to determine a child's age and make the distinction between different categories of children (in conflict with the law, in need of care and protection and as victims/survivors);**
- **The correct step by step handling of children in each of these categories.**

## FOOTNOTES

- 1 Facilitator note: photocopy the list of role plays / cases studies on pp. 140 & 141. Have one copy per group of 2 or 4 people. Cut up the role plays individually and mix them up. Conflict with the law cases: 5, 9, 11, 20, 23, 25. In need of care and protection cases: 1,2,7, 8, 12, 13, 14, 16, 18, 24. Victims/survivors cases: 4, 10, 19. The following cases are ambiguous and can be a mixture of categories e.g.: Care and protection and victim: 3, 6, 15. Conflict with the law and care and protection: 17 (learning difficulties). Conflict with the law and victim: 21, 22.
- 2 Adapted from Giles, Prof. G.W., Turbulent Transitions: Delinquency and Justice in Romania, Bucharest, March 2002, p.286.
- 3 Adapted from UNICEF Timor-Leste Child Protection Section, Training Manual for Police Officers on Child Rights, Juvenile Justice, Child Abuse and Children At-Risk, Draft 2004.
- 4 Mukonda, R., Juvenile Justice Project in Namibia, 1999.
- 5 Ibid.
- 6 Restorative justice conferencing is a meeting led by a trained facilitator where the following people who have been impacted by a particular crime meet in a community room to discuss how that incident affected them: victims, children in conflict with the law, supporters of victims and of children in conflict with the law, community members affected. It is one of the most important diversion options available: it is a very effective way to balance the best interests of the child, victim and community when dealing with a particular case. Conferencing can be an effective way to decide on the most effective diversion plan. The police have a key role in promoting the option of conferencing and in facilitating the conference itself. (Adapted from Philippine Manual, pp.148-154.)
- 7 Adapted from Timor-Leste Module 5, pp.49-50.
- 8 Adapted from Timor-Leste Module 5, p.50.
- 9 Adapted from Timor-Leste Module 5, p.51.
- 10 Adapted from Timor-Leste Module 5, p.50
- 11 Ibid.
- 12 Much of the material in this section has been adapted and collated from the following sources: Timor-Leste manual, Philippine manual and VIP Guide: Vision, innovation and professionalism in policing violence against women and children, Produced for the Council of Europe Police and Human Rights 1997-2000 Programme By Professor Liz Kelly, Child and Woman Abuse Studies Unit, University of North London, London, United Kingdom.
- 13 Kelly, L., VIP Guide.
- 14 If possible, one of the trainers may offer to spend some time with this person. Alternatively, you could have phone number ready for local support services, just in case.
- 15 See [www.streetchildren.org.uk/policetraining](http://www.streetchildren.org.uk/policetraining) for a case study of trafficking and 'Signs to help recognize a child trafficking victim' – devised by MAPODE, Zambia for the training of police.
- 16 [www.unicef.org](http://www.unicef.org)
- 17 For even more detailed information on the interviewing of child victims/survivors, including information on video testimony, see [www.streetchildren.org.uk/policetraining](http://www.streetchildren.org.uk/policetraining).
- 18 Kelly, L., VIP Guide.
- 19 CINI Asha draft police training manual, December 2004.

# 9. Identifying and overcoming obstacles

## OBJECTIVES

By the end of this section the participants should be able to:

- Identify possible obstacles and challenges to implementing international standards in relation to child rights and child protection in their work;
- Identify strategies or steps to take to overcome these obstacles and challenges.

### ACTIVITY 33 IDENTIFYING AND OVERCOMING OBSTACLES

**Aim:** To identify obstacles that you may come across in implementing good child protection practice in your work and share experiences and ideas in order to come up with solutions.

**Time:** 45 minutes – 1 hour

**Materials:** Flip chart paper and pens for groups

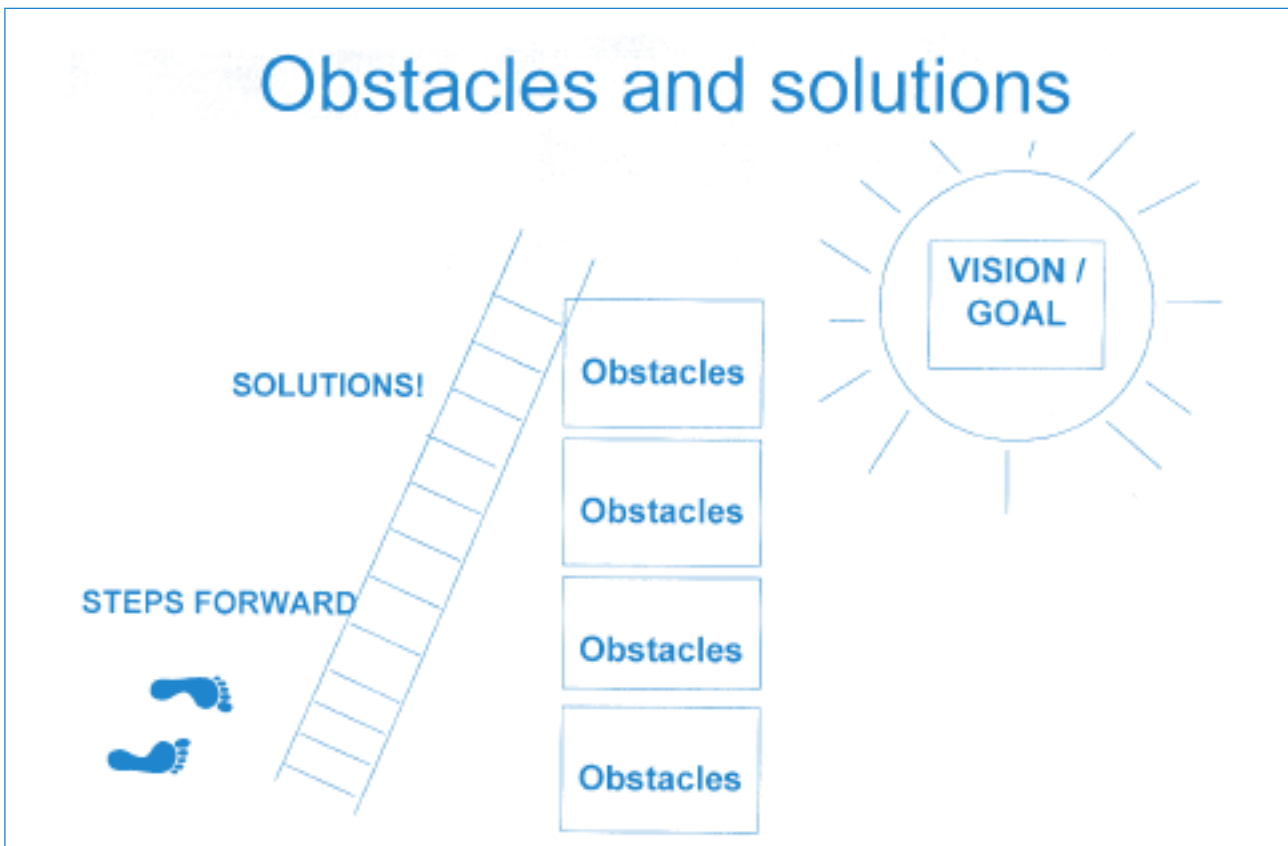
**Task:** Divide into groups and identify obstacles and solutions using the footsteps exercise (see diagram below):

**Step 1:** Identify your vision (represented by the sun) – e.g. ‘every child is treated as your own.’

**Step 2:** Identify what progress you are making towards your vision (these are your footsteps forwards).

**Step 3:** Identify obstacles that are blocking you from your vision (these are represented by bricks forming a wall).

**Step 4:** See if any of the obstacles can be taken away / if any of the bricks can be moved (possible solutions). For those obstacles/bricks which cannot be removed, identify other ways in which you can get round or over them (ladder).



### Facilitator's notes for Activity 33:

- ◆ Set the scene by telling participants that they are going to go on an imaginary journey towards the sun / towards a brighter future for child protection in their work. Describe the task in terms of a journey.
- ◆ Be sure to allow enough time for this exercise as it is likely to raise many concerns which might not previously have been expressed.
- ◆ Be prepared to openly acknowledge obstacles and concerns that people have. Be honest in admitting that sometimes, it will not be easy to overcome some obstacles. Encourage discussion within the wider group to stimulate ideas to overcome obstacles and try to provide as much guidance as possible. At the end of the exercise, be sure to emphasise that the positive aspects of child protection / respect for child rights and international standards (the 'vision') outweigh the possible obstacles that might be encountered along the way.
- ◆ Depending on local cultural circumstances, participants can actually draw around their own feet in order to show steps forward and backwards!
- ◆ This exercise is a more interesting and more visual version of the common 'Strengths, Weaknesses, Opportunities and Threats / Constraints' exercise (SWOT / SWOC). However, a simple SWOT / SWOC brainstorm can be used instead.
- ◆ Participants should be encouraged to display their pictures on the wall afterwards and to feed back to the plenary group.

## SUMMARY

**Participants should now be familiar with the following:**

- **Possible obstacles and challenges to implementing international standards in relation to child rights and child protection in their work;**
- **Strategies or steps to take to overcome these obstacles and challenges.**

# 10. Wrap-up

## OBJECTIVES

By the end of this section the participants should be able to:

- Revise what they have learned during the training course;
- See any changes in their knowledge and attitudes which have occurred as a result of the training;
- Assess to what extent the training met their original expectations and give detailed evaluation feedback;
- Document 5 things they will do within the next month to put their learning into practice.

### a. Team quiz – revision

#### ACTIVITY 36 REVISION QUIZ – TEAM GAME

**Aim:** To see how much participants have learned and how much they can remember from the training course in a fun, light-hearted way.

**Time:** Part 1 – 45 minutes–1 hour;  
Part 2 – 45 minutes-1 hour

**Materials:** Part 1 – Pen and paper for each team; board and pen; sweets / prize for winning team;  
Part 2 – flip chart paper, coloured pens and other available materials to assist police with designing a poster (old magazines, coloured paper, newspaper headlines etc.)

#### Task:

##### Part 1: Team quiz

Tell participants: Now that we are coming to the end of the training, it is time to see how much you have learned and how much you can remember! Divide into teams of approximately 5-6 people. Give your team a name. [Facilitator should write the team names on the board so that final scores can be written up]. Choose one person in your team to write down the answers to the quiz questions. You can confer with each other, but you are *not* allowed to look answers up in any written materials. Points will be deducted from teams that cheat! [Read out the questions (adapt them to fit the contents of your course), give them time a limited time to discuss and write down the answers, collect in the answer sheets at the end and mark them according to the suggested score given. The winning team receives a prize such as a jar of sweets!]

1. According to international law, up to what age is a person a child: a) 14; b) 16; c) 18? (1 point)
2. Which of these is *not* the role of the police a) to advise people of their rights; b) to decide whether or not someone is guilty; c) to ensure the rights of victims, witnesses and suspects/offenders are upheld? (1 point)
3. Juvenile justice is the term used to describe a criminal justice system for children. True or False? (1 point)
4. Name the 4 areas where reform would help break the 'cycle of the revolving door' (8 points)
5. Should boys and girls be arrested and detained just because they are poor? Yes or No? (1 point)
6. Name 3 possible people who could make up a child's social support system apart from family members (1 point)
7. How many pillars are there of the criminal justice system? a) 3; b) 7; c) 12? (1 point)
8. Is the UN Convention on the Rights of the Child legally binding? Yes or No? (1 point)
9. Is the UN Code of Conduct for Law Enforcement Officials legally binding? Yes or No (1 point)
10. How many 'umbrella rights' are there in the CRC a) 5; b) 10; c) 13? (1 point)
11. What are the 5 Guiding Principles when dealing with children? (10 points)
12. What does 'STOP' stand for? (4 points)



13. There are generally more girls than boys living on the streets. True or False? (1 point)
14. Name the 3 stages of the '3 Stage Choice Process' (3 points)
15. What are the names of the two boys in Guatemala in the case study on treating children individually? (2 points)
16. What type of justice is more like good parenting a) restorative justice; b) retributive justice? (1 point)
17. Complete the 4 areas of child development: physical; cognitive; \_\_\_\_\_; \_\_\_\_\_ (2 points)
18. Do all street children sleep on the streets? Yes or No? (1 point)
19. To control a situation without using force is the sign of 'real power'. True or False? (1 point)
20. Which Article of the CRC relates to the right to life a) 1; b) 6; c) 12? (1 point)
21. Which of the following is *not* a diversion option a) arrest; b) formal warning; c) referral to a community programme? (1 point)
22. A police officer can decide not to arrest the child if he commits a minor offence. True or False? (2 points)

23. You are allowed to mix girls with adult women in police cells. True or False? (1 point)
24. According to international juvenile justice standards, children begging are in conflict with the law. True or False? (1 point)
25. You should interview a child who is a victim/survivor of sexual abuse as many times as possible in order to get the most accurate information about their story. True or False? (2 points)

### Part 2: Design a poster for your police station

In teams, design a poster to put in police stations to illustrate something you have learned on this course about police work in relation to child rights and child protection. 15 points are available in total: a maximum of 5 points will be awarded for overall design and attractiveness; maximum of 10 points for the poster which has the most impact / is most likely to change police practice in relation to children. Take photographs of the finished posters and encourage participants to take them back to their police stations and get permission from the station commander to display them in a visible place. Encourage participants to talk to their colleagues about their posters and what they represent.

## b. Post-training assessment to measure changes in police knowledge & attitudes

### ACTIVITY 37 POST TRAINING ASSESSMENT

**Aim:** To see – and to demonstrate to participants – any changes in knowledge and attitude that have occurred as a result of the training

**Time:** 20-25 minutes

**Materials:** The same sheets used by participants in activities 3 & 4 in Section 1; a different coloured pen for each participant to show changes in answers

#### Task:

- ◆ Ask participants to fill out the same questionnaires *again* as used in Activities 3 & 4 in Section 1 (using a different coloured pen) to see if the training has succeeded in changing participants' knowledge and attitudes to child rights and child protection. The questionnaires should be

completed individually / anonymously. Encourage participants to be very honest. Explain once again that this is not a test, that it is for their own personal benefit to see how much they have learned over the course of the training and that they do not have to show their answers to anyone else.

- ◆ As long as the answers are kept anonymous, the facilitator can collect in the worksheets at the end of the training for evaluation purposes, i.e. to show any changes in knowledge and attitude which occurred as a result of the training. If you do this, make sure that participants know that their answers are anonymous and that this is only to help you improve training in the future. It will not reflect badly on them as individuals.

Suggested answers to the T/F questionnaire:

1)F; 2)F; 3)F; 4)T; 5)F/?; 6)T; 7)F; 8)T; 9)F; 10)F; 11)T; 12)F; 13)F; 14)F; 15)F; 16)F; 17)T; 18)T; 19)F; 20)F; 21)FO 22)F; 23)T; 24)??; 25)T; 26)F; 27)F.

## ACTIVITY 38 LETTER TO YOURSELF: MY COMMITMENT<sup>3</sup>

**Aim:** To document the personal commitment that participants will make towards implementing in practice what they have learned from the training; to remind participants of their commitment in one month's time.

**Time:** 10-15 minutes

**Materials:** 1 piece of paper, 1 envelope, and one postage stamp per participant

**Task:** Participants write a short note to themselves stating 5 actions they will take within the next month to implement

in practice what they have learned throughout this course. For example: 'Dear Marie, in one month's time I will have: 1. Made friends with at least 3 street children in my area; 2. Put up 2 posters in my police station about child rights; 3. Learned about all possible diversion options available in my area. 4. Shared with at least 10 colleagues the contact list of resource persons / NGOs in my area; 5. Told 10 colleagues about the 5 Guiding Principles of policing and child protection.' They should seal the note in an envelope, address it to themselves, then attach a postage stamp and return it to the facilitator. The facilitator *must* remember to post all the letter in exactly one month's time. The letter will arrive as a reminder to the participants about what they promised to themselves they would do.

1

2

3

## c. Making a commitment

### RETURNING TO 'THE CONTRIBUTION & EXPECTATION TREE'<sup>1</sup>

At the beginning of the training, participants identified their contributions and expectations. This was done in the form of 'the Contribution & Expectation Tree' (Activity 2, Section 1). Draw participants' attention to the original tree and the comments they made. This is the time to assess how well the training incorporated people's contributions and met their expectations and to generally exchange experiences and thoughts about the training. Remind participants of the types of activities and topics covered so far in the training and summarise how these have, or have not, met with participants' expectations. Promote a general discussion about how the participants feel about the course. For evaluation purposes, and in addition to the formal evaluation questionnaire included below, make a note of any particular comments which come out of this discussion which might be useful for adapting future training sessions.

### CONCLUDING MESSAGE<sup>2</sup>

There is still a lot of work to be done to implement in practice the international human rights standards that apply to children who come into contact with the police. The obstacles are great and some of them may be too complex for us to deal with on our own. However, working together with each and in collaboration with other actors in the juvenile justice system, change is possible. We hope that this training has managed

*“to reach out to your mind to help you understand the policies, standards and practices; to your hands and feet to guide you in your actions; and to your hearts to make you gender and child-sensitive. Knowing the rules is one thing, applying them is another. Applying them because we want to obey our superiors is one thing, applying them because we owe it to these children to give them a new chance in life is another. You and I both know that if we start the change from within ourselves, the policies are in place waiting for us, pillars of the juvenile justice system to implement efficiently, effectively and humanely.”*

### WRITE A LETTER TO YOURSELF: 'MY COMMITMENT'

See Activity 38.

4

## SUMMARY

**Participants should now be familiar with the following:**

- **How much and what sort of things they have learned during the training course;**
- **The changes in their knowledge and attitudes which have occurred as a result of the training;**
- **The extent to which the training met their original expectations;**
- **5 things have promised to do within the next month to put their learning into practice.**

5

6

7

8

## FOOTNOTES

- 1 Reminder: Participants can return to Activity 10, Section 4 ('A helping hand with the 5 Guiding Principles') and create another 'hand' picture / outline / print to send to street children in a local NGO with messages of how they will treat them in future, based on what they have learned during the training session.
- 2 Adapted, and with a direct quotation from, Philippine National Police, Office of the High Commissioner for Human Rights, UNICEF, Juvenile Justice Training Manual for Law Enforcers: Child Rights Training, Volume One, Philippines, 2002, p.310.
- 3 Activity idea adapted from Children's Developmental Centre, Lagos Nigeria.

9

10

## d. Evaluation questionnaire

This evaluation form is to get your opinions at the end of the course and to help us in planning this course in the future. We would like you to spend a few minutes filling it in.

Name of Course: **Training for the police on child rights and child protection**

Please rate on a score of 1-5 (1 being poor, 5 being excellent)

### Mark out of 5

1. Value of this topic in relation to my job \_\_\_\_\_
2. The usefulness of the subject matter \_\_\_\_\_
3. The presentation methods used \_\_\_\_\_
4. Trainers' ability to transfer knowledge \_\_\_\_\_
5. Atmosphere conducive to participation \_\_\_\_\_
6. My opinions were listened to \_\_\_\_\_
7. Value of the handouts \_\_\_\_\_

### **Please answer the following questions in your own words**

8. Are there any extra topics that you think could be included in the course?

9. Is there anything you think should have been dropped from the course?

10. What did you enjoy most about the course?

11. What did you dislike most about the course?

12. What aspect of the course did you find most useful?

13. What aspect of the course did you find least useful?

14. Was the length of the course                      Too long / Too short / Correct

15. Do you have any comments to make about the administrative arrangements for the course? (e.g. room, food).

16. Do you have any other comments to make?

*Thank you for completing this evaluation form. Please return it to the trainer before you leave.*

# Appendices

## Appendix 1 – Adapting the materials to fit your needs

When selecting activities and material from this manual to suit the length of your training course, focus very carefully on:

- ◆ **The aims of your training:** Be realistic about what you want to achieve within the time given. If you only have a 2 hour training session, is it more important to you that the police go away with a strong sense that children should be treated as they would treat their own child, or is it more important that they know that there are international standards? There is a limited amount of information that a person can take in, understand and actively remember within a short space of time.
- ◆ **The existing knowledge and attitudes of participants who will attend the training:** How much do they already know? Where is the greatest need for improvement in knowledge and skills? What is the best selection of activities to get this information across in the time available? Attitude is very important: are you training a group of people who are 'hostile' to the idea of human rights and child rights / street children? If so, then it is important to choose activities and plan sessions which are aimed at promoting understanding and empathy and breaking down barriers. This is more important overall, and will do more to improve police practice in relation to children than only explaining international legal standards etc.
- ◆ **How you can adapt the material in this manual:** Use your common sense. If you like an activity but think it will take too long, how can you adapt it? For example, an activity that has participants writing their thoughts on cards can be speeded up by turning it into a 'brainstorm' instead. Use the 'key learning points' for each section in order to summarise material.
- ◆ **The ways people learn best:** If you have limited time available, avoid falling into the trap of thinking that it is better to cram in lots of information or 'presentations' at the expense of dropping or cutting short activities. People, especially adults, learn – *and remember* – through 'doing.' It is better to get across one point which participants will remember forever and which they will implement every time they deal with children, than to talk about lots of points which will be forgotten within a few days or weeks. If an activity at first glance seems 'frivolous' or a 'waste of time', check again what it is aiming to do. Each activity in this manual (apart from some energisers) is designed to get across, or reinforce, learning. Remember: the more fun or interesting it is, the more it will be taken on board and remembered in the long term.

	HIGH PRIORITY	MEDIUM PRIORITY	LOWER PRIORITY
<b>Section 1</b>	<ul style="list-style-type: none"> <li>◆ Activity 1: 'Energiser'/welcome</li> <li>◆ Set out aims of training</li> </ul>	<ul style="list-style-type: none"> <li>◆ Activities 3&amp;4: 'Pre-training assessment: knowledge &amp; attitudes in relation to child protection'</li> </ul>	<ul style="list-style-type: none"> <li>◆ Activity 2: 'The Contribution &amp; Expectation Tree'</li> </ul>
<b>Section 2</b>	<ul style="list-style-type: none"> <li>◆ The police and children are very important people! (can be summarised)</li> <li>◆ Activity 5: 'Who is a child?'</li> <li>◆ Clarify the 4 ways in which police come into contact with children (c.)</li> </ul>	<ul style="list-style-type: none"> <li>◆ Section c. What is the role of the police?</li> <li>◆ Activity 6: 'Good and bad police'</li> <li>◆ Activity 7: 'A police officer is a friend'</li> </ul>	<ul style="list-style-type: none"> <li>◆ Activity 8: 'The meaning and significance of human rights'</li> </ul>

	HIGH PRIORITY	MEDIUM PRIORITY	LOWER PRIORITY
<b>Section 3</b>	<ul style="list-style-type: none"> <li>◆ Activity 9: ‘What is the purpose of the criminal justice system?’</li> <li>◆ Message: Your role is not just about short term actions, but what effect they have in the longer term.</li> <li>◆ Priorities for police intervention (esp. police role in prevention, separation and a strong emphasis on diversion)</li> <li>◆ Message: pillars of the justice system need to work together</li> <li>◆ Provide participants with completed handout of local organisations and services for referral</li> <li>◆ Brief overview of key international instruments &amp; handout of comparative legal instruments table</li> <li>◆ Activity 17: ‘CRC – Clustering rights cards’ Part 3 – CRC articles in relation to policing and juvenile justice</li> </ul>	<ul style="list-style-type: none"> <li>◆ Activity 10: ‘What is the role of the police within the criminal justice system?’</li> <li>◆ The pillars of the criminal justice system</li> <li>◆ Activity 14: ‘Stakeholder mapping &amp; personal contact sheet’</li> <li>◆ Activity 15: Comparative table of international law, standards and guidelines on juvenile justice – mapping framework for national laws</li> <li>◆ The difference between wants, needs and rights</li> <li>◆ CRC table image to remember 5 umbrella rights</li> </ul>	<ul style="list-style-type: none"> <li>◆ Activity 11: ‘The revolving door of the criminal justice system’</li> <li>◆ Activity 12: ‘The pillars of the criminal justice system’</li> <li>◆ Activity 13: ‘Relationship mapping – the string exercise’</li> <li>◆ Activity 16: ‘What does a child need?’</li> <li>◆ Activity 17: ‘CRC – Clustering rights cards’ Part 1 – Grouping CRC articles, Part 2 – Interdependence of CRC articles, Part 4 – Linking rights and needs</li> </ul>
<b>Section 4</b>	<ul style="list-style-type: none"> <li>◆ Remember the 5 Guiding Principles</li> <li>◆ Very important to present all of these – even if briefly. But recommended to support presentations with as many accompanying activities as possible, especially: Activity 20: ‘Imagine it’s your child’, Activity 22: ‘Children are different to adults – role play’, presentation of implications of gender-sensitivity for the police, presentation on objectives and benefits of diversion</li> </ul>	<ul style="list-style-type: none"> <li>◆ ‘STOP’ acronym</li> <li>◆ Activity 21: ‘Jorge and Juan – case study’</li> <li>◆ presentation of Gender-sensitivity in relation to juvenile justice,</li> <li>◆ Activity 24: ‘What makes us treat people differently?’</li> <li>◆ Activity 25: ‘Choices – Jorge and Juan revisited’</li> <li>◆ Activity 26: ‘Restorative justice role plays’</li> </ul>	<ul style="list-style-type: none"> <li>◆ Activity 18: ‘A helping hand with the 5 Guiding Principles’</li> <li>◆ Activity 23: ‘Born Equal?’</li> </ul>
<b>Section 5</b>	<ul style="list-style-type: none"> <li>◆ Section b. Age of criminal responsibility in relation to child development</li> <li>◆ Section c. Implications for the police</li> <li>◆ Section d. Message: Police as a positive influence on child development</li> </ul>	<ul style="list-style-type: none"> <li>◆ Stages and areas of child development</li> <li>◆ Remember the 5 Guiding Principles</li> <li>◆ Activity 28: ‘What you put in will come out’</li> <li>◆ Crisis or chance?</li> <li>◆ Is a child’s meeting with a police officer a crisis or a chance?</li> </ul>	<ul style="list-style-type: none"> <li>◆ Activity 29: ‘Crisis or chance? – Discussion’</li> </ul>

	HIGH PRIORITY	MEDIUM PRIORITY	LOWER PRIORITY
<b>Section 6</b>	<ul style="list-style-type: none"> <li>◆ Definition:</li> <li>◆ Section b. Street children – contact with the police</li> <li>◆ Section d. Understanding street children – Discussion &amp; Positive things police can do to help protect street children</li> <li>◆ Why do street children abuse substances? &amp; Implications for the police</li> <li>◆ Activity 31: Case study: why do street children commit crimes?’</li> <li>◆ Remember the 5 Guiding Principles of policing and child protection!</li> </ul>	<ul style="list-style-type: none"> <li>◆ Activity 29: ‘How police and street children see each other’</li> <li>◆ Section e. Street children and substance abuse – what substances do street children use</li> <li>◆ Profile of children in conflict with the law</li> <li>◆ Section g. A child’s ‘social support system’</li> <li>◆ Activity 32: ‘A Me Map’</li> </ul>	<ul style="list-style-type: none"> <li>◆ Activity 30: ‘Street children and substance abuse: Learning more...’</li> </ul>
<b>Section 7</b>		<ul style="list-style-type: none"> <li>◆ Power &amp; stress Implications for the police &amp; Useful advice</li> </ul>	<ul style="list-style-type: none"> <li>◆ Anger and distress – Implications for the police and Useful advice</li> </ul>
<b>Section 8</b>	<ul style="list-style-type: none"> <li>◆ Adapt according to the specific audience. Make sure to include practice as well as presentation for the sections you choose.</li> </ul>		
<b>Section 9</b>	<ul style="list-style-type: none"> <li>◆ Activity 33: ‘Identifying and overcoming obstacles’</li> </ul>		
<b>Section 10</b>	<ul style="list-style-type: none"> <li>◆ Concluding message</li> <li>◆ Activity 38: ‘Letter to yourself: my commitment’</li> <li>◆ Section d. Evaluation questionnaire</li> </ul>	<ul style="list-style-type: none"> <li>◆ Activity 37: ‘Post training assessment’ (depends if you did Activities 3&amp;4 in Section 1)</li> </ul>	<ul style="list-style-type: none"> <li>◆ Activity 36: ‘Revision quiz – team game’</li> <li>◆ Returning to ‘the Contribution &amp; Expectation Tree’ (depends if you did Activity 2 in Section 1)</li> </ul>

# Suggested contents of training sessions

## ½ DAY TRAINING SESSION

**Section 1:** Activity 1: ‘Energiser’/welcome; Set out aims of training.

**Section 2:** Activity 5: ‘Who is a child?’; Clarify the 4 ways in which police come into contact with children (c).

**Section 3:** Provide participants with completed handout of local organisations and services for referral.

**Section 4:** Remember the 5 Guiding Principles; Very important to present all of these – even if briefly. But recommended to support presentations with as many accompanying activities as possible, especially: Activity 20: ‘Imagine it’s your child’, Activity 22: ‘Children are different to adults – role play’, presentation of implications of gender-sensitivity for the police, presentation on objectives and benefits of diversion.

**Section 6:** Definition; Section d. Understanding street children – Discussion & Positive things police can do to help protect street children; Activity 31: Case study: why do street children commit crimes?; Remember the 5 Guiding Principles of policing and child protection!

**Section 10:** Concluding message; Section d. Evaluation questionnaire.

## 1 DAY TRAINING SESSION

**Same contents as for ½ day training, plus:**

**Section 2:** The police and children are very important people! (can be summarised).

**Section 3:** Activity 9: ‘What is the purpose of the criminal justice system?’; Message: Your role is not just about short term actions, but what effect they have in the longer term; Priorities for police intervention (esp. strong emphasis on role of police in diversion); Message: pillars of the justice system need to work together; Brief overview of key international instruments & handout of comparative legal instruments table.

**Section 4:** ‘STOP’ acronym.

**Section 6:** Section g. A child’s ‘social support system’; Activity 32: ‘A Me Map.’

**Section 10:** Concluding message; Section d. Evaluation questionnaire.

## 3 DAY TRAINING SESSION

All material / as much as possible from the two columns of ‘high priority’ and ‘medium priority’ *excluding*: the whole of Section 7.

## 5 DAY TRAINING SESSION

All material / as much as possible. If cuts need to be made, take out activities listed as ‘lower priority’ in the table above.

## Appendix 2 – Pre-training needs analysis for participants

Name:

Rank:

Station:

Male / female:

*Please help us to make sure that the training we give you is adapted to your experience and needs. Please fill out this questionnaire.*

### 1. Have you ever had training in how to handle children before?

- a) Yes      b) No

If yes, please state:

- ◆ Where did you have the training (Police Training College/police station/other)?
- ◆ Who conducted the training?
- ◆ When?
- ◆ How long was the training course?
- ◆ What did you learn about in this training?

### 2. How many children do you have contact with on a weekly basis?

- a) none    b) 1 – 5    c) 5 – 10    d) more than 10

- ◆ Why are you in contact with these children?

### 3. Are there police officers specially trained to deal with children at your station?

- a) Yes      b) No

If yes, how many?

- ◆ What gender are they?

### 4. Is there a Children's Desk at your station?

- a) Yes      b) No

If yes, how many police officers work on it?

- ◆ What gender are they?



## Appendix 3 – Sample behaviour guidelines (from the Consortium for Street Children Child Protection Policy<sup>1</sup>)

- ◆ There will be a Code of Conduct appropriate to the circumstances of the organisation to protect any child from abuse. The Code of Conduct shall include guidance on appropriate / expected standards of behaviour of adults towards children, and also of children towards other children.
- ◆ The Code shall be prominently displayed / easily accessible for all organisation representatives.
- ◆ The Code of Conduct should be interpreted in a spirit of transparency and common sense, with the best interests of the child as the primary consideration.
- ◆ Representatives of the organisation shall disseminate and promote copies of the Code of Conduct in all situations where the organisation is responsible for bringing children in contact with adults.

### ◆ Minimising risk situations:

- ▶ **Try to:** avoid placing yourself in a compromising or vulnerable position; be accompanied by a second adult whenever possible; meet with a child in a central, public location whenever possible; immediately note, in a designated organisational Child Protection Log Book or incident report sheet, the circumstances of any situation which occurs which may be subject to misinterpretation; keep in mind that actions, no matter how well intended, are always subject to misinterpretation by a third party.
- ▶ **Try not to** be alone with a single child, including in the following situations: in a car (no matter how short the journey); overnight (no matter where the accommodation); in your home or the home of a child. Do not show favouritism or spend excessive amounts of time with one child.

### ◆ Sexual behaviour:

- ▶ **Do not:** engage in or allow sexually provocative games with children to take place; kiss, hug, fondle, rub, or touch a child in an inappropriate or culturally insensitive way; sleep in the same bed as a child; do things of a personal nature that a child could do for him/herself, including dressing, bathing, and grooming; encourage any crushes by a child.

### ◆ Physical behaviour:

- ▶ **Do:** wait for appropriate physical contact, such as holding hands, to be initiated by the child.

### ◆ Psychosocial behaviour:

- ▶ **Do:** Be aware of the power balance between an adult and child, and avoid taking any advantage this may provide.
- ▶ **Do not:** use language that will mentally or emotionally harm any child; suggest inappropriate behaviour or relations or any kind; act in any way that intends to embarrass, shame, humiliate, or degrade a child; encourage any inappropriate attention-seeking behaviour, such as tantrums, by a child; show discrimination of race, culture, age, gender, disability, religion, sexuality, or political persuasion.

### ◆ Peer abuse:

- ▶ **Do:** be aware of the potential for peer abuse; develop special measures / supervision to protect younger and especially vulnerable children; avoid placing children in high-risk peer situations (e.g. unsupervised mixing of older and younger children).
- ▶ **Do not:** allow children to engage in sexually provocative games with each other.

### ◆ Physical environment:

- ▶ **Do:** develop clear rules to address specific physical safety issues relative to the local physical environment of a project (e.g. for projects based near water, heavy road traffic, railway lines).

## Appendix 4 – Comparative table of international law, standards and guidelines on juvenile justice

	CRC	AFRICAN CHARTER	RIYADH GUIDELINES	BEIJING RULES	JDLS	VIENNA GUIDELINES	STANDARD MINIMUM RULES	TOKYO RULES	CC LAW ENFORCEMENT OFFICIALS	BP USE OF FORCE AND FIREARMS	NATIONAL LEGISLATION
<b>GENERAL</b>											
Child under 18 years old	1	2									
Right of the child to be treated with humanity, respect and dignity, taking into account his/her age Using child-friendly procedures	37 40	17.1	VI 58	10.3		45 50		3.9	2		
Best interests of the child	3.1										
Right of the child to participation- be heard in any judicial or administrative procedures	12.1 12.2										
No discrimination	2				4		6.1 6.2	2.2			
No corporal punishment	19			17.3	67	18	31				
Right to be protected from abuse and exploitation (domestic, economic, sexual...)	19 32 33 34 36										
Prohibition of torture, cruel, inhuman degrading treatment or punishment	37	17.2.1			67		31		5		
Use of force (and firearms) only in exceptional circumstances Arbitrary & abusive use = criminal offence	6 19								3	4 5 7 8 9	
Duty police to protect all persons against illegal acts	3.2 11.1 16.2 35								1		
Aims of JJ: Reformation, re-integration & social rehabilitation (inc. assistance); promote well-being of juvenile; principle of proportionality	40.1	17.3		24.1 5.1 17.1.a 17.1.d	1						
Minimum age to infringe penal law	40.3a	17.4		4.1		14.c					
Decriminalisation of status offences (not penalised for adults-not for children)			VI 56								
Registration in all places of detention: Identity, fact & reason for commitment, day & hour, details notification parents, details known physical and mental health problems. Non-custodial measures: case record for each offender. Records & other information kept strictly confidential. Not to be used in adult proceedings				21.1 21.2	20 21 18.a 19		7.1	13.6 3.12	4		
Right to a free interpreter if needed	40.2. b. vi	17.2.3			6	16 48	51				
Right to privacy at all stages/No details given to the media	16 40.2. b. vii			8.1 8.2	18.a 87.e			3.11			

	CRC	AFRICAN CHARTER	RIYADH GUIDELINES	BEIJING RULES	JDLS	VIENNA GUIDELINES	STANDARD MINIMUM RULES	TOKYO RULES	CC LAW ENFORCEMENT OFFICIALS	BP USE OF FORCE AND FIREARMS	NATIONAL LEGISLATION
Professionalism and training JJ personnel	3.3		9.i	22.1		44	46 47	13.2 15 16		18 19 20 21	
Specially trained police and units for juveniles				12.1		44					
Gender and ethnic balance JJ personnel				22.2				15.1			
No corruption									7		
Law enforcement officials: prevent and report violations of law and Code of Conduct									8		
Communication & collaboration between different actors JJ system & other relevant organisations			9.g 60-63			41 42		16.1			
Community participation – Public understanding and cooperation	5		6 9.f 32-39	25.1	8			17 18			
Research as a basis for planning, policy formulation and evaluation				30 (1-4)				20 21			
<b>PREVENTION</b>											
Safeguarding well-being, development, rights and interests of all young persons	All		5.d								
Comprehension of “youthful behaviour”			5.e								
Negative labelling leading to consistent pattern			5.f								
Official intervention pursued primarily in overall interest of the young person and guided by fairness and equity	3.1		5.c								
Well-defined responsibilities			9.b								
Co-ordination mechanisms for prevention			9.c								
Enact and enforce legislation to protect children from drug abuse and drug traffickers	33		59								
<b>DIVERSION</b>											
Making use of opportunities for diversion from judicial system; Discretion of judicial authorities; Police, prosecution services & other empowered to discharge offender according to established criteria	40.3. b		VI 58	11.1 11.2 13.2		15 42		2.5 3.3 5.1			
Range of non-custodial/ alternatives Prescribed by law Selected according to prescribed criteria Supervised Duration Conditions Treatment processBreach of conditions	40.3. b 40.4				17			2.3 3.1 3.2 10 11 12 13 14			
Referral only with consent of juvenile or guardian	5 12			11.3				3.4			

	CRC	AFRICAN CHARTER	RIYADH GUIDELINES	BEIJING RULES	JDLS	VIENNA GUIDELINES	STANDARD MINIMUM RULES	TOKYO RULES	CC LAW ENFORCEMENT OFFICIALS	BP USE OF FORCE AND FIREARMS	NATIONAL LEGISLATION
<b>ARREST</b>											
Arrest and detention as last resort	37 40.3. b			13.1	1 2	18		6.1			
Prohibition arbitrary or illegal arrest, detention or imprisonment	37 40.2. a										
Right to be notified of charges	40.2. b.ii			7.1							
Right to remain silent	40.2. b. iv			7.1							
Parents, guardian or appropriate adult immediately notified; Right to presence of parent, guardian or appropriate adult	9.4 40.2. b. ii			10.1 7.1	22		92				
Police ensuring full protection of health of person in their custody	24.1								6	5.c	
Injury or death to be reported promptly to superior										6	
<b>TRANSPORT / MOVEMENT</b>											
Right to adequate (light & ventilation) transport & no arbitrary transfers					26		45				
Combat trafficking/ Illegally displaced or wrongfully detained across borders to be returned to their country of origin (humane treatment and assistance)	35					52					
<b>PRE-TRIAL DETENTION</b>											
Minimum age for deprivation of liberty					11.a						
Arrest and detention as last resort	37 40.3. b			13.1	1 2	18		6.1			
Detention for the shortest appropriate period of time Case handled without any unnecessary delay	37			13.1 17.1.b 10.2 20.1	2 17	18		6.2			
Right to be presumed innocent until proven guilty by law	40.2. b.i 40.2. b. iv	17.2.3		7.1	17						
Right to be separated from adults; Right to be separated from convicted juveniles	37	17.2.2		13.4 26.3	29 17		8 85.2 8 85.1				
Instruments of restraint only used in exceptional circumstances (no chains and irons) Decided by prison administration	37.a 40.1				63		33 34				
No close confinement or reduction of diet	37.a						32.1				
Right to maintain family contact	9.3 9.4 37.c			26.5	59 60 61	20	37 92				

	CRC	AFRICAN CHARTER	RIYADH GUIDELINES	BEIJING RULES	JDLS	VIENNA GUIDELINES	STANDARD MINIMUM RULES	TOKYO RULES	CC LAW ENFORCEMENT OFFICIALS	BP USE OF FORCE AND FIREARMS	NATIONAL LEGISLATION
Right to have prompt (& regular) access to (free) legal and other assistance (communicate with legal advisors within sight but not hearing of police)	12.2 37.d 40.2. b.ii 40.2. b.iii	17.2.3		7.1 13.5 15.1	18.a	16	93				
Right to appeal / challenge legality of their detention	37.d	17. 2.3		7.1				3.5 3.6 6.3 14.6			
Right to adequate facilities and services: Design & physical environment Sleeping accommodation Sanitary installations Food Clean water	3.3 24.2. c 37.c				31 32 33 34 37		10 11 14 9 19 12 13 20				
Right to possession personal effects & adequate storage facilities Wear their (or appropriate) clothing					35 36		43.1 17 88.1				
Opportunities for work, education, leisure & recreation (materials)	28 31				18.b 18.c						
Right to Education (right to access library) Vocational training Ensure no educational disadvantage through institutionalisation	28.1			26.6	38 39 41 42		77.1 40 71.5				
Right to choose type of work they do; National & International child labour standards apply; Equitably remunerated labour	2 32				43 44 45 46		71.6 76.1				
Right to Daily recreation Religious/ spiritual life Preventive & remedial medical care	14.1 14.3 31.1 24.1				47 48 49		21 78 41 42				
Right to make requests and complaints							36.1				
Foreign nationals: right to contact with diplomatic and consular representatives							38.1				
<b>COURT</b>											
Right to witnesses	40.2. b. iv			7.1							
Right not to be compelled to give testimony or to confess guilt.	40.2. b.iv										
Prohibition press and public from trial	16	17.2.4									
Social inquiry report before final disposition				16.1				7.1			
Consideration non-custodial measures	40.4							8.1			
Right to expect prompt decision in relation to any resulting action	37 40.2. b.iii	17.2.3									

	CRC	AFRICAN CHARTER	RIYADH GUIDELINES	BEIJING RULES	JDLS	VIENNA GUIDELINES	STANDARD MINIMUM RULES	TOKYO RULES	CC LAW ENFORCEMENT OFFICIALS	BP USE OF FORCE AND FIREARMS	NATIONAL LEGISLATION
<b>VICTIMS</b>											
Access to justice (including legal representation), fair treatment, restitution, compensation for child victims of violations of human rights, through procedures that are prompt, fair and accessible	12.2					43 45 46 47 48 50 (video)					
Promotion physical and psychological recovery child victims/ access to social assistance- special assistance for the disabled and ill/ Avoid institutionalisation- emphasis on role family and community	23.2 39					43 46					
Code of practice for proper management of cases involving child victims						44					

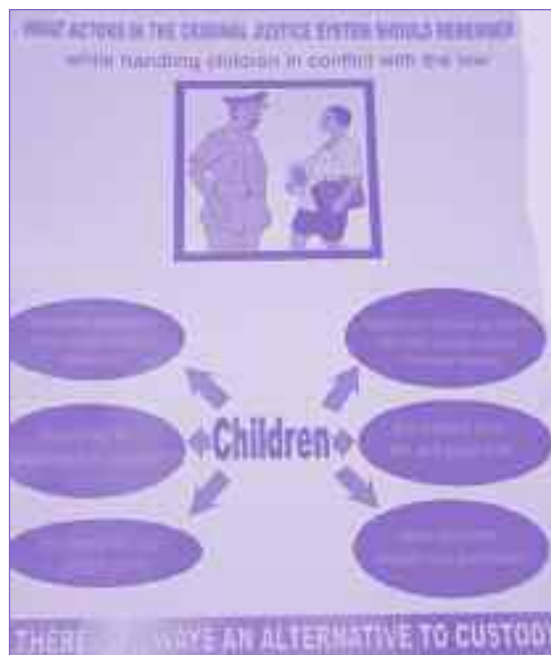
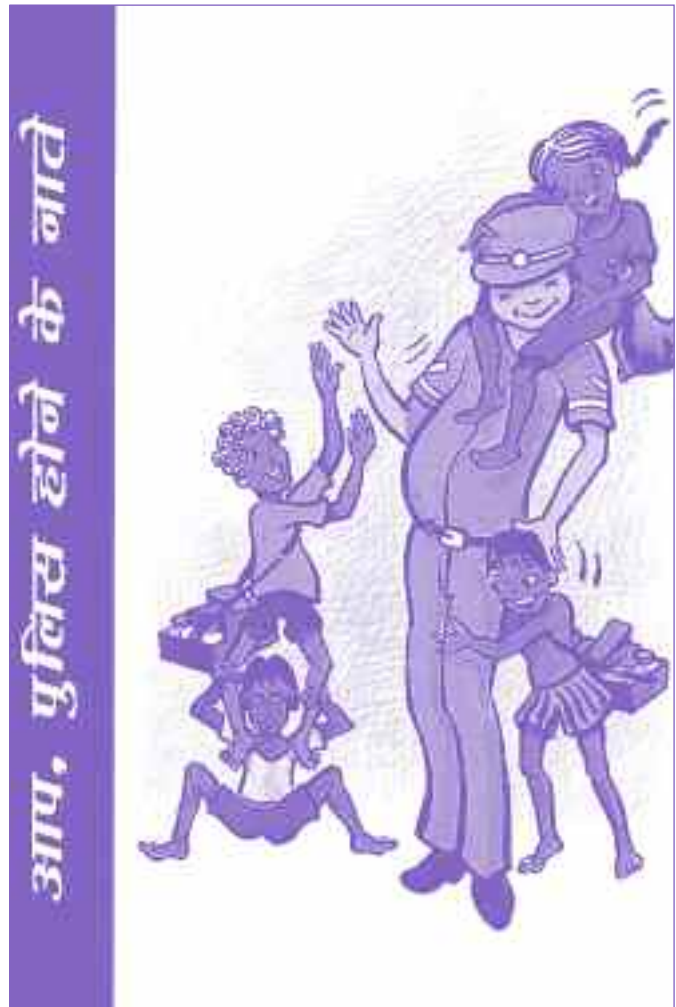
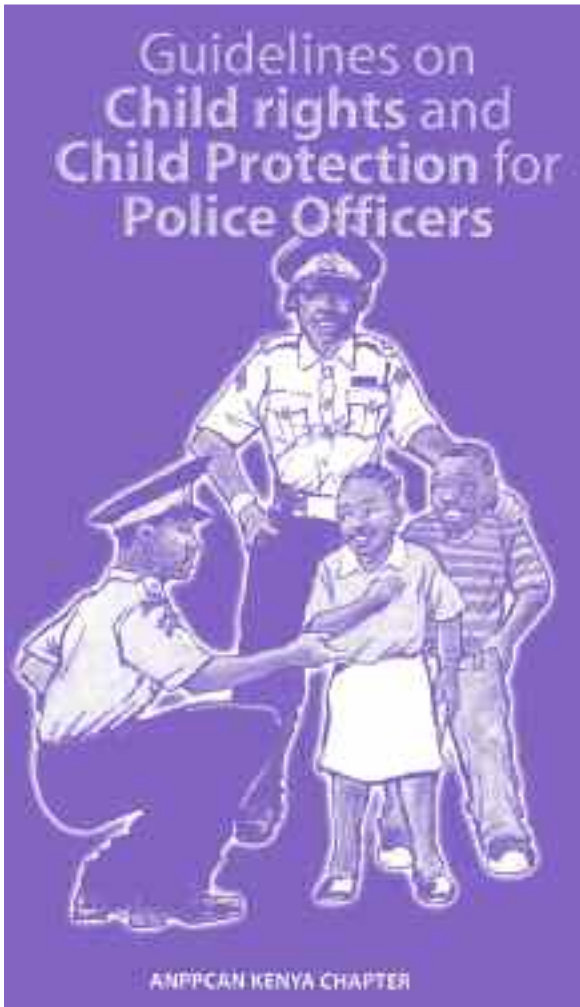
## Appendix 5 – UN Convention on the Rights of the Child ‘cards’

<p><b>ARTICLE 1</b> A child is every human being below the age of 18 years</p>	<p><b>ARTICLE 2</b> Non-discrimination</p>	<p><b>ARTICLE 3</b> Best interests of the child</p>	<p><b>ARTICLE 4</b> Governments must use all available resources to implement all of the rights in the CRC</p>
<p><b>ARTICLE 5</b> Parents &amp; families should direct and guide children as appropriate to their age</p>	<p><b>ARTICLE 6</b> Right to life, survival and development</p>	<p><b>ARTICLE 7</b> Right to birth registration, name and a nationality</p>	<p><b>ARTICLE 8</b> Right to keep your name and nationality</p>
<p><b>ARTICLE 9</b> Right to live with your parents unless it's bad for you</p>	<p><b>ARTICLE 10</b> Right to enter or leave any country to be reunited with family</p>	<p><b>ARTICLE 11</b> Right to be protected from being kidnapped and taken out of the country</p>	<p><b>ARTICLE 12</b> Right to say what you think and be listened to by adults when they make decisions that affect you</p>
<p><b>ARTICLE 13</b> Right to get information and express what you think, unless it is against other people's rights</p>	<p><b>ARTICLE 14</b> Right to think what you like and have what religion you want, with your parent's guidance</p>	<p><b>ARTICLE 15</b> Right to meet with others and join or set up clubs, unless it is against other people's rights</p>	<p><b>ARTICLE 16</b> Right to Privacy</p>
<p><b>ARTICLE 17</b> Right to get information. Information on media such as radio, newspaper, books, TV etc. should be useful to you and not harmful</p>	<p><b>ARTICLE 18</b> Right to be brought up by your parents if possible</p>	<p><b>ARTICLE 19</b> Right to protection from being hurt, violence, abuse and neglect</p>	<p><b>ARTICLE 20</b> Right to special care and protection if you can't live with your parents</p>

<p><b>ARTICLE 21</b> Right to have the best care for you if you are adopted</p>	<p><b>ARTICLE 22</b> Right to special protection and help if you are a refugee</p>	<p><b>ARTICLE 23</b> Right to special care and education to help you develop and lead a full life if you have a disability</p>	<p><b>ARTICLE 24</b> Right to the best health possible and to medical care</p>
<p><b>ARTICLE 25</b> Right to have your placement checked regularly if you have to be looked after away from home</p>	<p><b>ARTICLE 26</b> Right to help from the government if you are poor or in need</p>	<p><b>ARTICLE 27</b> Right to a good enough standard of living for you to develop properly</p>	<p><b>ARTICLE 28</b> Right to education</p>
<p><b>ARTICLE 29</b> Right to education which tries to develop your personality and abilities as much as possible and encourages you to respect other people's rights and values</p>	<p><b>ARTICLE 30</b> Right to use your own language and practice your own culture and religion</p>	<p><b>ARTICLE 31</b> Right to play and free time</p>	<p><b>ARTICLE 32</b> Right to protection from work that is bad for your health or education</p>
<p><b>ARTICLE 33</b> Right to be protected from taking, making and selling dangerous drugs</p>	<p><b>ARTICLE 34</b> Right to be protected from sexual abuse</p>	<p><b>ARTICLE 35</b> Right to not be abducted or sold</p>	<p><b>ARTICLE 36</b> Right to protection from any other kind of exploitation</p>
<p><b>ARTICLE 37</b> Right not to be punished in a cruel way or tortured. Not to be put in prison with adults</p>	<p><b>ARTICLE 38</b> Right to not be in an army or fight in a war before you are 15. If you are affected by war, you must be protected</p>	<p><b>ARTICLE 39</b> Right to help if you have been hurt, neglected or badly treated</p>	<p><b>ARTICLE 40</b> Right to help in defending yourself and to have your age taken into account, if you are accused or breaking the law</p>
<p><b>ARTICLE 41</b> Right to any rights in laws in your country or internationally which give you better rights than these</p>			

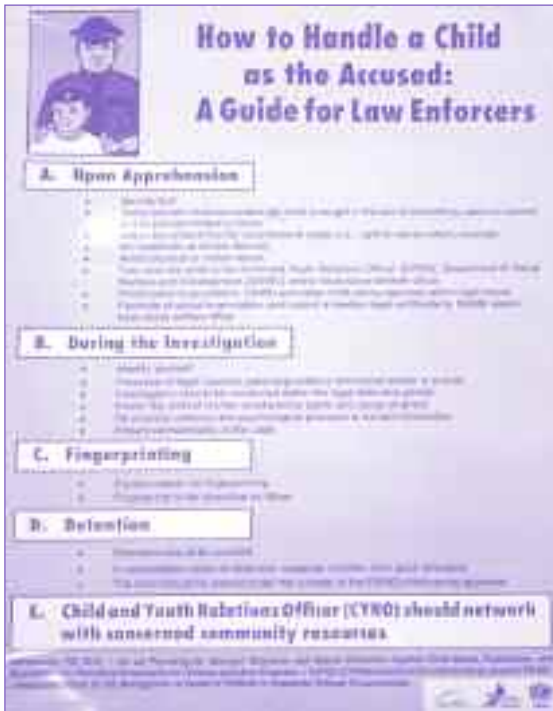


Appendix 6 – Samples of information, education and communication (IEC) materials



ABOVE: Samples of pocket handbooks for the police: Kenya (ANPPCAN Kenya Chapter & Save the Children Sweden) & India

LEFT: Samples of posters for police stations: Uganda – ‘What happens when a child is arrested’ & ‘There is always an alternative to custody’ (LDC Legal Aid Clinic & Save the Children UK);



**FOOTNOTES**

**ABOVE TOP: Philippines – ‘How to handle the child as the accused’ & ‘How to handle the child as victim / complainant’ (National Project on Street Children, AusAID & UNICEF)**

**ABOVE BOTTOM: Child rights posters on display in a police station in Dhaka, Bangladesh**

- 1 CSC’s full Child Protection Policy, along with ChildHope/CSC’s Child Protection Policies and Protection Toolkit, is available at [www.streetchildren.org.uk/childprotection](http://www.streetchildren.org.uk/childprotection).
- 2 \*\*\*Please note that all of the Riyadh Guidelines are dealing specifically with prevention. The selected articles were chosen because of particular relevance to police practice.



## CONSORTIUM FOR STREET CHILDREN

The Consortium for Street Children (CSC) is a network of NGOs working with street-involved children, and children at risk of taking to street life in Africa, Asia, Eastern and Central Europe, and Latin America.

### OUR MISSION STATEMENT

Working collaboratively with its members, the Consortium for Street Children co-ordinates a network for distributing information and sharing expertise around the world. Representing the voice of many, we speak as one for the rights of street children wherever they may be.

### OUR VISION STATEMENT

The Consortium for Street Children believes in collective action as a force for change: to protect children at risk, to promote their human rights and to prevent future generations from suffering the same lack of choices that presently force children onto the street. We believe that it is possible to achieve better lives for street children, and we believe that the way to do this is through the children themselves. By working together to implement crucial societal changes we can ensure that street children have a better option: the chance to shape their own lives in the manner of their choosing.

In many countries children who live and work on the streets make up a large proportion of those who come into contact with the police. Sadly their experiences are often characterised by arbitrary arrest, violence, humiliation, extortion and sexual abuse.

Police training in some areas has attempted to raise awareness of the rights of street children and to encourage child-friendly practices and conformity with international human rights law. However, this publication is the first attempt to gather together this international experience into a comprehensive overview of lessons learned and a step by step practical police training manual.

It is aimed at anyone with an interest in police training in relation to child rights and child protection and in particular: police trainers; managers of police training colleges; NGOs; government ministries and policy makers; inter-governmental organisations; academic institutions; donor governments and other funders. It may also be of interest to other stakeholders within the juvenile justice system such as magistrates, lawyers, social workers, probation officers, judges, juvenile justice institution staff.

It includes:

- ◆ Feedback from 47 countries to an international questionnaire about police training;
- ◆ Details on how to plan police training, including advice on overall strategies and the pros and cons of different approaches;
- ◆ Essential child protection information on how to safely and ethically involve children themselves in sensitisation projects with the police;
- ◆ An overview of obstacles and lessons learned;
- ◆ Policy recommendations to governments and senior police / station commanders;
- ◆ A list of resources and a table compiling information on relevant police training that has taken place in different regions of the world;
- ◆ A step by step practical manual for police training with suggested contents for ½-day, 1-day, 3-day and 5-day training sessions.

In the words of one street boy in Bangladesh: “*Police are not different people in society – they should be friends not enemies of the people.*” This publication hopes to encourage NGO and multi-sector collaboration in order to achieve just that.

## Consortium for Street Children

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