
Module 6:

ROLES AND RESPONSIBILITIES OF UN POLICE: PREVENTION AND DIVERSION MEASURES

OVERVIEW

In Module 6 we will look at the roles and responsibilities of UN Police and at international standards in relation to crime prevention and diversion.

Please note that Police officers who are selected for this training of trainers, must have a pre-training on community policing (general UN Police Work) as a prerequisite for taking this module.

LEARNING OUTCOMES

- Be able to articulate the responsibility of UN Police with regard to prevention and diversion in child protection.
- Be able to plan and support prevention and diversion measures.

ACTIVITIES

- PowerPoint presentation.
- Group work on case studies.
- Debriefing.
- Quiz.

LEARNING HANDOUTS

- Exercise Sheet “Prevention Actions”.
- UN Guidelines for the Prevention of Juvenile Delinquency (“Riyadh Guidelines”).
- UN Standard Minimum Rules for the Administration of Juvenile Justice (“Beijing Rules”).
- Case Study 1.
- Case Study 2.
- Case Study 3.

FACILITATION TIME

2 hours

TRAINER'S NOTES



The competencies taught in this module are relevant notwithstanding the specific mandate attributed in the different missions, although they must be approached according to the established mandate:

- Operational support mandate: Patrols (in POC sites, IDP camps, joint operations with UN military, etc.), investigating cases, crime prevention, technical and tactical advice to host State police, joint operations, working on trafficking and border control, working on organized crime, etc.
- Institutions' building mandate: Assisting police reform and restructuring, advising and training host State police on community policing and other methods, monitoring, sensitization projects, etc.
- Executive mandate: (e.g. Kosovo, East Timor), safeguard law and order, facilitating the launch of a new domestic police service, etc.

Hence, despite the different mandates, child protection factor remains applicable in all contexts. It should be adapted to the specific mandate of the mission, but is relevant to all mentoring and capacity building roles played by the UN Police.

SLIDE 1: Learning Outcomes



In this module, we will look at international standards on the treatment of children in contact with the law. As UN Police, you will be required to build the capacity of the host State's police. As such, you must be aware of international standards on the treatment of children in contact with the law in order to be able to provide appropriate advice.



In Module 6, we will look at the roles and responsibilities of UN Police and at international standards in relation to crime prevention and diversion.



The case studies in this module will sometimes present situations related to armed conflict and sometimes situations that you will encounter in the course of performing normal policing duties. In conflict and post-conflict contexts, regular criminal activity does not stop and host State police still need to address criminality. Your role as UN Police will be to support the host State police based on the mandate of the mission you will be deployed to. As we have seen in module 2, most UN peacekeeping missions currently have child protection duties in their mandate.

SLIDE 2: Children in contact with the law



As we have seen in module 1, children can come in contact with the law in three types of situations:

1. When they are child victims of abuses or a criminal act.
2. When they are child witness of abuses or a criminal act.
3. When they are accused or convicted of a criminal act.

It is important to note that these categories are not mutually exclusive, and witnesses can also be victims, accused can also be witnesses, and so on.

 These three situations can arise in times of conflict and in times of peace. The international community has developed norms and guidelines to address all these situations. The norms and guidelines are based on the principles of the UN Convention on the Rights of the Child, as well as other international legal instruments that we have discussed in module 2.

SLIDE 3: Roles and Responsibilities of UN Police: Two Core Functions

 According to the “DPKO/DFS Policy on United Nations Police in Peacekeeping Operations and Special Political Missions” UN Police have two core functions:

- Operational support for and – when mandated – delivery of effective prevention, detection and investigation of crime, protection of life and property, and the maintenance of public order.
- Support for the reform, restructuring and rebuilding of host State police, including support for the development of host State police capacity to provide representative, responsive and accountable police service of the highest possible professional standard.

Both functions shall be pursued in accordance with international humanitarian law and human rights law, United Nations standards and norms in crime prevention and criminal justice. These shall be rooted in the principle that, in the first instance, host State police are primarily responsible for public safety and crime prevention, except in UN executive missions, where UN Police are directly responsible for law enforcement.

 In addition, police components may be called upon to support related mission mandates, including but not limited to provisions on protecting and promoting human rights, especially those of vulnerable groups; promoting the rule of law, fostering good governance, transparency and accountability; and protecting civilians (especially women and children).¹

 While host State police have to follow their national laws, as UN Police you will be responsible to present international standards and advocate for their implementation.

 Slides 4 to 10 present what is crime prevention and the international standards for the prevention of crimes involving children. Slides 11 to 15 introduce learners to the concept of diversion, international standards relating to juvenile justice and challenges related to the implementation of diversion measures in conflict and post-conflict contexts.

¹ “DPKO/DFS Policy on United Nations Police in Peacekeeping Operations and Special Political Missions”, www.un.org/en/peacekeeping/sites/police/documents/Policy.pdf

SLIDE 4: What is crime prevention?

 The definition of crime prevention is:

“Strategies and measures that seek to reduce the risk of crimes occurring, and their potential harmful effects on individuals and society, including fear of crime, by intervening to influence their multiple causes.”²

In relation to child protection, crime prevention activities apply to all children, especially to:

- Child victims of abuses or a criminal act.
- Child witness of abuses or a criminal act.
- Child accused or convicted of a criminal act.

SLIDE 5: Levels of Crime Prevention

 There are three levels of prevention:

- Primary prevention measures address children who have never been in contact with the judicial system. It involves a focus on child protection addressing education in form of conveying social norms, values and practices surrounding children either being victims or getting into conflict with the law.

Examples of prevention activities at this level would include national awareness raising campaigns on violence against children, visits to schools to raise awareness on drug issues, reforms to laws affecting children, training of host State police on child protection, etc. The prevention measures under this level are normally addressed to the general public.

- Secondary prevention measures are aimed at children that are at risk of committing a crime, or being victims or witnesses of violence and crimes. Prevention activities under this level will be undertaken in communities or areas that are considered at risk, or with groups of children that are considered at risk.

Examples of secondary prevention involve (like in primary prevention as well) the increase of education and awareness on the nature, causes and consequences of violations. These efforts should also largely relate to the various contributing factors as well as the root causes of child abuses through education and awareness. Communities have the opportunity to be informed, develop empathy and concern for the problem and work collaboratively to address it. Without awareness, the community may not understand the depth and impact of violating the child or the related causal and contributing factors that can be addressed to prevent or reduce incidences of child abuse.

² UNODC Guidelines for the Prevention of Crime, paragraph 3, www.erich-marks.de/Biografie/Media/HandbookCrimePrevention.pdf

- Tertiary prevention measures aim at reducing the risk of reoccurrence of crimes. They concern children who have already been in conflict with the law as perpetrators of crimes or children who have already been victims of violence or crimes, or witnesses of crimes.

Tertiary prevention or response, is the most common form of prevention in society as it is the most visible and immediate. However, it is only response in combination with risk reduction, education and awareness and primary prevention efforts that can reduce or eliminate child violations in a given context. Response efforts alone cannot address the root causes or contributing factors of child violations.

Examples for tertiary measure include

- Police—response, investigation and information and referral;
- Medical--short and long-term;
- Emotional--crisis intervention, counseling, support groups;
- Criminal Justice—prosecution, conviction/adjudication, sentencing and reparations.

The table in the PowerPoint presentation summarizes the three levels:

Levels of Crime Prevention	Children in conflict with the law	Child victims or witnesses of crimes
PRIMARY PREVENTION	Measures aimed at children that have never had contact with the judicial system.	Measures aimed at children that have never been victims or witnesses of criminal acts.
SECONDARY PREVENTION	Measures aimed at preventing children at risk from committing a criminal act.	Measures aimed at preventing children at risk from becoming victims of violence or criminal acts.
TERTIARY PREVENTION	Measures aimed at preventing detained children and other children already in conflict with the law from committing new offenses.	Measures aimed at preventing children that have already been victims of violence or criminal acts from being submitted to more violations in the future.

Short plenary discussion and exercise on prevention³

Time required: 25 minutes

10 minutes	For discussion
15 minutes	For exercise

 Ask learners the following question in plenary:

 What groups of children can be considered “at risk”?

 Take answers orally, then complete the discussion with the following possible answers.

POSSIBLE ANSWERS:

- ❖ Children associated with armed forces or groups.
- ❖ Children at risk of being recruited by armed forces or groups (for example children living in areas under the control of an armed group).
- ❖ Children living on the street.
- ❖ Refugee and IDP children / children living in camps.
- ❖ Children living in conflict zones.
- ❖ Children orphaned by conflict or separated from their families.
- ❖ Child victims of sexual exploitation / forced prostitution / sexual abuse.
- ❖ Children from certain ethnic groups in situations of ethnic conflicts.
- ❖ Working children.
- ❖ Children addicted to drugs.
- ❖ Children in early or forced marriage.
- ❖ Children without birth certificates.
- ❖ Child victims of physical abuse and corporal punishment.
- ❖ Child victims of domestic violence.
- ❖ Trafficked children.
- ❖ Children in street gangs.
- ❖ Children with limited access to humanitarian aid (food/water).
- ❖ Children who have been in conflict with the law.
- ❖ Etc.

³ Exercise adapted from IBCR’s draft training modules for the Afghan National Police.



Ask learners to work two by two.



Distribute the exercise sheet “Prevention Actions” to learners.

EXERCISE SHEET:

Prevention Actions:

1. Identify areas with high or rising levels of criminal activity, social or ethnic tensions, etc. and intensify police interventions in those areas, for example patrols, community policing activities, etc.
2. Investigate a trafficking network.
3. Educate communities on the abuses suffered by children trafficked to other countries and the circumstances under which trafficking may take place.
4. Arrest a child who is selling drugs.
5. Conduct sensitization activities on children’s rights with the general population or with specific groups, for example teachers, religious authorities, etc.
6. Organize discussions with communities on children’s rights.
7. Interview a child who is a possible victim of incest to obtain information required by the prosecutor.
8. Work with community actors in the context of community policing.
9. Collaborate with the media in the fight against child marriage.
10. Work with the prosecutor to obtain a conviction in a rape case.
11. Empower children to identify factors of risk.
12. Promote an emergency phone number to report violations of children’s rights.
13. Use the internet and social media to:
 - a. Sensitize the public on children’s rights.
 - b. Encourage the public to report crimes, dangerous situations and suspicious behavior.
14. Organize information sessions with communities to help reintegrate children in conflict with the law.



Ask participants to identify the statements that refer to crime prevention actions and those that do not. Give learners 5 minutes to identify the statements.



Ask a few groups to share and explain their answers in plenary. Then, complete the exercise with the following correct answers.

CORRECT ANSWERS:

Prevention Actions:

1. Identify areas with high or rising levels of criminal activity, social or ethnic tensions, etc. and intensify police interventions in those areas, for example patrols, community policing activities, etc.
2. Educate communities on the abuses suffered by children trafficked to other countries and the circumstances under which trafficking may take place.
3. Conduct sensitization activities on children's rights with the general population or with specific groups, for example teachers, religious authorities, etc.
4. Organize discussions with communities on children's rights.
5. Work with community actors in the context of community policing.
6. Collaborate with the media in the fight against child marriage.
7. Empower children to identify factors of risk.
8. Promote an emergency phone number to report violations of children's rights.
9. Use the internet and social media to:
 - a. Sensitize the public on children's rights.
 - b. Encourage the public to report crimes, dangerous situations and suspicious behavior.
10. Organize information sessions with communities to help reintegrate children in conflict with the law.

 The actions listed in the exercise will not all be part of the UNPOL mandate in all missions. You will have to refer to the mandate of your specific mission to see which of these actions are possible to implement.

Facilitators should remember that some law enforcement officials may consider arrest, prosecution and detention as preventive actions, because they send a message to the population to refrain from committing crimes. While this debate is beyond this exercise, encourage students to focus on direct preventative actions targeting at-risk children and push and pull factors, rather than indirect prevention of the overall justice system.

SLIDE 6: Moving Upstream: A metaphor for Prevention

 Show the river picture's slide and tell participants you are going to read to them a metaphorical story illustrating the essence of prevention.

 ***Moving Upstream: A Story Metaphor about Prevention***

 Once upon a time, a group of friends were fishing from a river bank when they saw someone being swept downstream, struggling to keep her head above water. The friends jumped into the water, grabbed the person, and helped her to shore. The survivor thanked the friends and left. The heroes

dried themselves off and continued fishing. A little while later the friends heard another cry for help and saw someone else being swept downstream. They immediately jumped into the river again and saved that person as well. This scenario went on all afternoon. As soon as the friends returned to fishing they would hear another cry and then jump into the water to haul out another wet and drowning person. Finally one of the friends said, “We can’t go on like this. We’d better go upstream and find out what is happening.” After walking upstream they saw a bridge with one group of people throwing another group of people into the water. They also saw another group of people, bystanders, watching in horror as people were thrown over the bridge. The friends approached the on-lookers and suggested that if they worked in partnership, they could stop the ‘throwers’ from continuing to throw people off the bridge and into the water. The on-lookers agreed to help and so by collaborating they were able to stop the ‘throwers’ and prevent further incidents of people being thrown into the river and drowning.

 This story illustrates the difference between primary prevention and tertiary prevention. Tertiary prevention is the response, or in this case, the rescue drowning people from the river as they floated by. Primary prevention, on the other hand, involved walking up stream in order to identify the root causes of the problem – or why people kept ending up in the river. Primary prevention also involved working with partners, or other people who are aware of, witness the problem or would care about addressing the problem, to develop a solution to stop the ‘throwers’ from continuing. Through first an effort to identify the root causes of the problem, and then an effort to build partnerships with community members who also identified the problem, the ‘throwers’ were stopped.

 While secondary prevention, or risk reduction and awareness raising, is not specifically illustrated in this story, it could include posting danger signs on the bridge, telling the public to avoid the bridge if possible and/or fencing off the bridge to prevent people from going on it. However, what is important to note about risk reduction and awareness raising is how it differs from primary prevention. That is, posting danger signs may deter some people from going on the bridge but not all. Hence, it will reduce risk by raising awareness of the danger but it will not prevent further incidents from occurring because it is only through stopping the individuals who are throwing people off the bridge that further incidents can be prevented. For example, the ‘throwers’ could simply throw people into the river from the bank of the river if the bridge were no longer accessible and therefore that strategy is best understood as risk reduction rather than primary prevention.

 The prevention activities suggested in the context of this course are meant as activities to prevent the occurrence of crimes through mainly awareness raising and capacity building rather than in-direct activities in relation with the deterrence of perpetrator or the general population through incapacitation methods such as arrest or imprisonment. You can acknowledge the latter during discussions but refocus the learners on direct prevention activities.

 Conclude on the topic with the following additional explanations:

 Prevention actions are those that aim at preventing crimes and violations from being committed or re-committed. Other police interventions that are reactive in nature – investigating crimes already committed, arresting suspects, etc. – are not part of a prevention strategy as such, although arresting a suspect will obviously prevent him or her from committing a new crime during detention. In addition, in most UN peacekeeping missions, UN Police will not have a direct law enforcement mandate and will

therefore not arrest suspects. Rather, UN Police will support and accompany the host State police in these duties. The exception to this will be the direct law enforcement mandate of UN Police in executive missions.

 Elaborating and implementing prevention strategies before crimes are committed helps to limit or even prevent those crimes. In the longer term, prevention serves to eliminate or reduce certain types of crimes and criminal behaviors. Regarding child protection matters, prevention actions help foresee and avoid violations and violence against children, as well as situations involving children in conflict with the law.

SLIDE 7: International Standards for Crime Prevention

 In 1990, the international community led by the UN designed international guidelines on the prevention of juvenile crime. The resulting text is called the “UN Guidelines for the Prevention of Juvenile Delinquency” or Riyadh Guidelines after the city where they were developed. The Guidelines were adopted by the UN General Assembly on 14 December 1990.

 The Guidelines are based on the main principles of the UN Convention on the Rights of the Child and other international legal instruments.

 Read the summary of the Guidelines’ main principles to learners:

Main Principles of the Riyadh Guidelines on the Prevention of Juvenile Delinquency

1. The prevention of juvenile delinquency is an essential part of crime prevention in society. By engaging in lawful, socially useful activities and adopting a humanistic orientation towards society and outlook on life, young persons can develop non-criminal attitudes.

2. The successful prevention of juvenile delinquency requires efforts on the part of the entire society to ensure the harmonious development of adolescents, with respect for and promotion of their personality from early childhood.

3. A child-centered orientation should be pursued. Young persons should have an active role and partnership within society and should not be considered as mere objects of socialization or control.

4. The well-being of young persons from their early childhood should be the focus of any preventive programs.

5. Progressive delinquency prevention policies and the elaboration of measures should avoid criminalizing and penalizing a child for behavior that does not cause serious damage to the development of the child or harm to others.

(f) Awareness that, in the predominant opinion of experts, labeling a young person as “deviant”, “delinquent” or “pre-delinquent” often contributes to the development of a consistent pattern of

undesirable behavior by young persons.

6. Community-based services and programs should be developed for the prevention of juvenile delinquency.

Source: United Nations Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines), UN General Assembly, A/RES/45/112, 14 December 1990, <http://www.un.org/documents/ga/res/45/a45r112.htm>

 Mention to learners that the Guidelines are based on the principle that when children are encouraged to become active members of their community and society, the risk of them committing a crime is reduced. It is important to avoid stigmatizing young people by labeling them as criminals.

 It is important to collect data to verify the effectiveness of prevention programs. Data is also essential to the development of sound indicators for effective prevention measures, discouraging the identification of target groups on the mere basis of pre-conceptions and stereotypes.

 Distribute the handout “UN Guidelines for the Prevention of Juvenile Delinquency” to learners and encourage them to read the full text in their own time.

SLIDE 8: Elements of a Prevention Strategy

 As UN Police, you may be asked to advise host State police on prevention actions in relation to child protection. In order for prevention actions to have an impact, they must be inscribed in a strategy. It is important to remember that a prevention strategy must be realistic, considering the resources and time available.

 You can use one of the cases studies detailed at the end of this module to go through the elements of a prevention strategy more concretely with a real life scenario. In plenary, read the case study and use a question-answer approach for each element described to engage the participants in the learning process of this exercise.

The main elements of a prevention strategy are:

- **Problem analysis:** What is the problem to be addressed? What is the goal the strategy is trying to achieve?
 - For instance, in a case of child trafficking, you may consider gender disparities that encourage girls to be sent as domestic servants to larger cities, a general trend towards urbanization, lack of official documents for children that facilitate their movement without control or notice, or a lack of information about the consequences of trafficking in vulnerable communities.

- **Target groups:** What groups will the prevention strategy target? Examples: general public (primary level), refugee children (secondary level), children in juvenile detention centers (tertiary level).
 - For instance, in a case of child trafficking, you may consider girls aged between 10 and 18 from disadvantaged families, or boys aged between 14 and 18 from communities practicing traditional agriculture.
- **Actors involved:** Who are the actors that need to be involved? How will they be coordinated? Examples include parents, teachers, commanders of armed forces and groups, etc.
 - For instance, in a case of child trafficking, you may consider the parents and religious and traditional leaders as playing a critical role to either facilitate or prevent trafficking. Peer pressure and perception among young people is also probably critical.
- **Activities:** What will be the main activities to be implemented?
 - For instance, in a case of child trafficking, you may consider training community, traditional leaders with adequate information about the risks and strategies to address them. You may want to look at border control, or monitoring and training those working in the transport industry to better recognize and report suspect cases.
- **Resources:** What are the available resources (money, personnel)?
 - For instance, in a case of child trafficking, you may consider that financial resources are limited, but that human resources may be the best solution, bringing together the most influential actors together with the experts to discuss solutions.
- **Timeframe:** How long will the strategy take to be implemented?
 - For instance, in a case of child trafficking, you may consider that you only have six months before the end of your assignment, and therefore prioritize coordination with the child protection networks. You also prioritize with other coordination bodies through the Child Protection Advisors, and offer to facilitate the support of the host state police and the contribution to any awareness-raising and training activities from the law enforcement officials point of view.
- **Evaluation:** How will the strategy be monitored and evaluated?
 - For instance, in a case of child trafficking, you may consider that the child protection network though the child protection advisor will be best suited to follow-up on these actions.
- **Risks:** Which risks are there and how can you address them?

SLIDE 9: Elements of a Prevention Strategy – The 4 levels of risk assessment

 While supporting the planning of a prevention strategy it is important to evaluate the level of risks that could be triggered by the activity, and plan accordingly. The risk assessment should identify the predisposition of vulnerability and the possible negative impacts on the different levels of beneficiaries.

1. **The child;** is the activity in the best interests of the child?

2. **The other children (peers);** will it be negative consequences on the other children in the surrounding? Will the activity be in their best interests?
3. **The family and the community;** what will be the impact on the family and the community?
4. **Police / Relevant State Bodies;** what will be the repercussion on the police service, the other national Institutions?

SLIDE 10: Elements of a Prevention Strategy – group work on case study

 A prevention strategy must involve coordination among several actors of the child protection system and cannot be undertaken alone. As UN police officers, you must understand this systemic approach for it to work and systematically connect with the appropriate actors (i.e. psychologists, social workers, teachers, youth associations, community actors, etc.). Police officers cannot be all of these specialized professionals and are not required to. However, it is compulsory to coordinate effectively and create strong relationships to make it work.

 **Group work on case studies**

Time required: 45 minutes

5 minutes	For introduction of activity and instructions
20 minutes	For group work
20 minutes	For group presentation and discussion

 Suggestion: In the event that would be more than one facilitator, we are proposing a different approach for this exercise as follow:

 Divide the class in groups of 4 to 6 learners.

 Distribute the exercise sheet “Elements of a prevention strategy” to all groups:

 Distribute the same case study to two groups. Identify one facilitator per case study. The facilitator is there as an observer during the exercise.

 Ask each group to develop a prevention strategy based on their specific case study.

 Give learners 15 minutes for group work. The facilitators can circulate between the two groups with the same case study to observe discussions and take notes.

 Then, ask the two groups with the same case study to join and discuss their answers. The facilitators are there to observe discussions and take notes.

 Give learners 15 minutes to compare their answers.

 After 15 minutes, ask the learners to come back to their respective place in class. Then, each facilitator will provide some feedback on the main points of discussion of their assigned case study and provide answers, in plenary, in line with the below questions.

Discussion questions:

Is the proposed strategy realistic?

What will likely be the challenges faced when implementing this strategy?

How will you determine if the objectives of the strategy have been reached?

 After each facilitator's presentation, encourage learners to ask questions and comments.

 You shall underline the importance of coordination with the UN Country Team, Non-governmental organizations and relevant state institutions in identifying and implementing prevention measures.

Elements of a Prevention Strategy

1. Problem analysis:
2. Target groups:
3. Actors involved:
4. Prevention activities:
5. Resources:
6. Timeframe:
7. Evaluation:

Case Study 1: Prevention measures

You and your colleague from the Liberian National Police attend a community policing meeting in a small village. After the meeting, the village elder requests a private talk with you and your colleague. He expresses concern after a well-known businessman has been in the village and offered young girls aged between 15 and 18 jobs in Monrovia as cleaning ladies and waitresses in restaurants he owns, promising good salaries. He tells you that the village is very poor and the offer was attractive. Five girls decided to go, hoping to make money to support themselves and help their families in the village.

The girls left three months ago and never returned to the village. Moreover, their families have not heard from them. Recently, the villagers have heard rumors that the girls have been sent to work abroad as prostitutes. The parents are reluctant to inform the police, as they are afraid of being accused of neglecting their daughters; they also don't want the girls to be labeled as prostitutes.

Questions:

1. What prevention strategy could you recommend? Respond on your exercise sheet

Case Study 2: Prevention measures

You and your UNPOL colleagues visit the El-Salama IDP camp in Darfur. During your visit, you are approached by women group leaders who tell you that two girls aged 14 and 17 were recently raped while collecting firewood outside the camp. The girls were attacked by two unknown armed men, who then fled with the victims' donkeys. The women explain to you that there is no firewood in the camp and families must collect wood outside the camp in order to cook.

The families reported the crimes to the camp management authorities but no action was taken. The girls have received medical attention but are understandably distressed.

Questions:

1. What prevention strategy could you recommend? Respond on your exercise sheet.

Case Study 3: Diversion measures

You are on duty in Cap-Haitian. Your colleague from the Haitian National Police tells you about a case he encountered yesterday on which he wants your advice.

Pierre is 14 years old and lives with his family. Yesterday afternoon, on his way back from school, Pierre was going through the market and decided to steal some fruits from a stall. The merchant saw him, chased him and stopped him. Then he called your colleague who was patrolling near the market.

The merchant explained that this was not the first time that children from the villages nearby stole from him. The last few times, children had only taken an apple or an orange, so the merchant let them go, but this time Pierre took five oranges and some bananas. The merchant knows Pierre's family and he told your colleague that they are very poor, so he thinks Pierre and the other children are stealing because they are hungry. The merchant does not want Pierre to be prosecuted, but he wants the children to stop stealing.

Questions:

1. What prevention strategy could you recommend? Respond on your exercise sheet.

POSSIBLE ANSWERS:

Case Study 1:

Elements of a Prevention Strategy

1. Problem analysis:

Your actions will aim at reducing the risk of trafficking and sexual exploitation of girls in the future. You can target this village but also other villages in the area. Understanding the push and pull factors are important, as well as what the national laws say about such types of crimes.

2. Target groups:

Girls in this village and other villages in the surrounding.

3. Actors involved:

Parents, community leaders, religious leaders, teachers, children groups, women's groups, NGOs present in the area, CPA, etc. The analysis would require expertise from social actors, to embed whatever preventative action in a good analysis of the root causes.

4. Prevention activities:

Possible prevention actions include community meetings to discuss the issue, visits to schools to inform students about this and other similar issues, and meetings with chiefs and other community leaders to sensitize them about the issue and ensure they will be vigilant in the future. Key collaboration with civil society organizations and social workforces will be key to sustain the effort and making sure the police can play its specialized role.

5. Resources:

It would be mostly human resources to keep the cost at a minimum. It could involve, CPAs, UNPOL child protection focal point, Staff counselor, local members of the child protection system, local chief, civil society organizations, etc.

6. Timeframe:

Weekly meetings with different community groups could be arranged and sensitization session for students can be prepared and visit to schools in the area planned accordingly. The capacity-building of the different actors of the community involve should be part of the programs, for the community to own the activities and pursue them throughout the year on regular basis until the eradication of the phenomenon is confirmed.

7. Evaluation:

Evaluation can be done through the monitoring of numbers of girls enrolling with the businessman. If a decrease in numbers continued throughout the implementation period of the campaign then it would mean that the sensitization worked.

Case Study 2:

Elements of a Prevention Strategy

1. Problem analysis:

Your actions aim at preventing other children in this area from becoming victims to the similar crimes, so children considered at risk. This is the secondary level.

2. Target groups:

Women and Girls in the El-Salama IDP camp

3. Actors involved:

Parents, children groups, women's groups, Camp Management, host State police, Civil Society in the area, UN agencies, etc.

4. Prevention activities:

You could recommend that patrols by host State police or UN Police/Military be organized around the camp on a more frequent basis in order to secure the area.

You could advise camp management authorities to find a way to provide firewood or other types of fuel to camp residents for cooking so they don't have to collect it outside the camp.

You could recommend that awareness raising activities be implemented in the camp to help camp residents understand the risks better. Parents should probably be stopped from sending their girls to collect firewood on their own and should be accompanied by adult male relatives to discourage attacks. Camp residents can organize themselves.

It should be stressed that the Minimum Standards for Child Protection in Humanitarian Action requires all clusters of humanitarian assistance to play their full role in child protection. The Child Protection Advisor is best place to connect with relevant stakeholders to advocate for child protection in camp management. Reporting the information to the CPAs can trigger this type of follow-up.

5. Resources:

It would be mostly human resources to keep the cost at a minimum and involve, CPAs, UNPOL child protection focal point, Staff counselor, local members of the child protection system

with the IDPs, host State police, Security guards of the IDP camp, etc. However, it could involve providing firewood or other types of fuel to camp residents in partnership with the Camp Management authority and civil society.

6. Timeframe:

Daily meetings with different community groups should be arranged and awareness raising activities be implemented in the camp to help camp residents understand the risks better. Coordinating meeting among the residents of the camp to set groups collect outside de camp. Coordination meeting with host State police and camp security guard for patrols in the area for a set period of time.

7. Evaluation:

Evaluation can be done through the monitoring of numbers of rape in the area. If a decrease in numbers continued throughout the implementation period of the awareness campaign and once alternative measures are in place then it would mean that the sensitization worked.

Case Study 3:

Elements of a Prevention Strategy

1. Problem analysis:

- Pierre has committed minor offenses and a diversion measure should be used, provided that there are legal grounds to do so. The merchant does not want prosecution, so the interests of the victim are also taken into consideration under diversion. It is also a matter of ensuring that Pierre learns from this mistake, that no recidivism is taking place and that Pierre is not forced into complex judicial, long and costly judicial proceedings for a minor offence.
- This is not the first time that the children stolen from this merchant, and they may have stolen from others too. However, it appears that they steal food when they are hungry. Their offenses need to be addressed so the children understand that stealing is a crime and stop.

2. Target groups:

Children living in the surrounding villages.

3. Actors involved:

Parents, children groups, Merchants, host State police, Social Workers, Civil Society in the area, UN Agencies, etc.

4. Prevention activities:

- Pierre and his parents must agree to a diversion measure (again, provided that there are legal grounds to do implement such a measure).
- Your colleague should meet Pierre with the social worker and his parent or guardian, and discuss with him to understand why he has stolen the fruit and what his family situation is. It is important for Pierre to understand that stealing is wrong, that he learns from this mistake.
- Your colleague should involve a social worker who will analyze families' situation in the surrounding villages.
- Your colleague and the social worker could then meet with the parents together and discuss the problem. During the meeting, a diversion measure should be agreed upon (provided that there are legal grounds to do so) for the children identified. This could be for example that the children apologize to the merchant and promise not to steal again.
- The social worker should take other appropriate actions in order to ensure that the children from the surrounding villages have enough food to eat.

5. Resources:

Social workers from the area, civil society and international organizations for sustainable program in the area in agriculture or other related subject. The host State police, Merchants community.

6. Timeframe:

Meetings with the Merchant and host State police, social worker and Pierre shall be arranged as soon as possible. As well as sensitization activities with the children in the area. Researches be undertaken for sustainable programs in agriculture to be implemented in the area. This would take longer but would be a permanent solution.

7. Evaluation:

Evaluation can be done through the monitoring of numbers of children stealing at the market. We could monitor if diversion measures applied on Pierre's case worked by monitoring him.

SLIDE 11.12: What is diversion?



Diversion is defined as:

The process by which children in conflict with the law are guided away from formal judicial proceedings and towards other resolution mechanisms that allow many cases to be handled by non-judiciary entities, ensuring that those children avoid the negative consequences of a formal judicial proceeding, including a criminal record.⁴

⁴ UNICEF, "Toolkit on Diversion and Alternatives to Detention", 2010, http://www.unicef.org/tdad/index_56040.html

Despite the trend to consider diversion only for minor offenses, the international legal framework poses no limit to its application based on the seriousness of the offense. A more indicative criterion to apply diversion is whether it is appropriate to address the individual needs of the child, in particular promoting his or her reintegration, and whether it responds to the needs of society at large.

Preferably, diversion should be applied as early as possible in the process, for example before the child is arrested or charged with an offense. However, diversion can be initiated, and should be available, at any point in the judicial process, from the moment a child is apprehended up to when he or she is sentenced.

According to international standards, diversion can only be applied where the circumstances of the case are clear and with the free consent of the child. Depending on the circumstances of the case, it will also sometimes be desirable or necessary to obtain the collaboration of the child's parents or guardian. However, as UN Police Officers supporting the host State police system you will be bound by the legal system and principles relating to diversion available in the host State country.

Advantages of diversion include the following:

- Children avoid getting a criminal record, which would follow them through adulthood and may stigmatize them as criminals.
- Diversion measures can help children take responsibility for wrongs they have committed by placing the emphasis on restorative actions rather than punishment, in particular when diversion is applied together with victim-offender mediation, if appropriate.
- Children avoid incarceration. Studies have demonstrated that placing children in detention facilities exposes them to criminal elements and increases the risk of them committing other crimes once released and joining criminal organizations.
- Diversion measures reduce the volume of cases going through the criminal justice system. Often, criminal justice systems experience delays due to the high number of cases; this is true especially in conflict and post-conflict contexts, as the justice system has often broken down.
- Diversion measures can strengthen community structures by making them take responsibility in supporting their children.

SLIDE 13: Examples of Diversion Measures

Diversion measures include:

1. **Verbal or written warning:** The police officer explains to the child that what he or she did is wrong, and in the presence of the child's parent or guardian, warns the child not to repeat the offence again.
2. **Apology:** The police officer leads the child to apologize to the person that he or she has wronged.
3. **Restitution:** The child or his or her parents are required to pay for the damage that the child has caused.
4. **Community work:** The child is made to undertake a specific number of hours of service to the community.

5. **Other Methods:** Mediation between the child and the victim; Counseling programs with a social worker for psychosocial support; Probation programs to monitor and support the child through reinsertion and change of behaviors.

 As UN Police Officers be aware of the law and measures in place within the national system on by whom and how diversion measures can be applied, especially whether the host State police or the prosecutor can do it.

 Stress the importance for UN Police to support national police to do it, to promote it, to consider it, to ensure that those who can do it have what they need based on domestic law.

SLIDES 14: International Standards for Diversion

 On 29 November 1985, the UN General Assembly adopted minimum rules for the administration of juvenile justice. The resulting text is called the “UN Standard Minimum Rules for the Administration of Juvenile Justice”, or Beijing Rules after the city where the Rules were drafted.

 The Rules are based on the main principles of the UN Convention on the Rights of the Child and other international legal instruments. The Rule 11 addresses diversion:

UN Standard Minimum Rules for the Administration of Juvenile Justice, Rule 11 Diversion

11.1 Consideration shall be given, wherever appropriate, to dealing with juvenile offenders without resorting to formal trial by the competent authority.

11.2 The police, the prosecution or other agencies dealing with juvenile cases shall be empowered to dispose of such cases, at their discretion, without recourse to formal hearings, in accordance with the criteria laid down for that purpose in the respective legal system and also in accordance with the principles contained in these Rules.

11.3 Any diversion involving referral to appropriate community or other services shall require the consent of the juvenile, or her or his parents or guardian, provided that such decision to refer a case shall be subject to review by a competent authority, upon application.

11.4 In order to facilitate the discretionary disposition of juvenile cases, efforts shall be made to provide for community programs, such as temporary supervision and guidance, restitution, and compensation of victims.

Source: United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), UN General Assembly, A/RES/45/33, 29 November 1985, <http://www.un.org/documents/ga/res/40/a40r033.htm>

 Distribute the handout “UN Standard Minimum Rules for the Administration of Juvenile Justice” to learners and encourage them to read the full text in their own time. We will use the Rules again when discussing detention of juvenile offenders.

 Distribute the handout “GENERAL COMMENT No. 10 (2007) Children’s rights in juvenile justice” and “UN Common Approach to Justice for Children (2008)”, to learners and encourage them to read them in their own time.

 These resources are other references that would provide additional information for a better understanding of the international standards related to diversion and alternatives to detention for children. You can instruct the participants accordingly.

 This is an additional resource for your own understanding of the module: UNICEF Toolkit on Diversion and Alternatives to Detention (2010) online resources for consultation:
<https://www.unicef.org/tdad/>

SLIDE 15: Challenges to Diversion in Conflict and Post-Conflict Contexts

 Implementing diversion measures is more challenging in conflict and post-conflict settings. This is because conflicts disrupt family and community life, which form the first support system for children. During and immediately after conflict, the following challenges can affect the implementation of diversion measures:

- Absence of formal diversion mechanisms in the judicial system:
In many countries where UN Police Officers are deployed, diversion mechanisms do not exist in the formal judicial system and the host State police and judiciary may not be familiar with the concept and international standards on diversion.
- Family and community structures weakened by conflict:
Immediate family – parents, siblings – and extended families – cousins, uncles, and grand-parents – are often affected by armed conflict, for example when family members are killed, displaced or separated from one another. Parental authority is also disrupted and parents are not always able to supervise their children as they would do in normal times.

In times of peace, communities usually have structures to deal with conflict and to provide support to children at risk and juvenile offenders. In times of armed conflict, these structures get weakened and often destroyed, for example through community tensions due to ethnic violence, forced displacement, killing of local authority figures such as teachers, chiefs and religious leaders, etc.

- Limited resources, including human resources:
In conflict and post-conflict contexts, actors that are normally responsible to follow up on diversion measures, such as teachers, social workers, police officers, etc., may not be present in sufficient numbers. This can be due to killings and forced displacement, destruction of schools

and police stations, or to reform of state institutions in post-conflict settings that temporarily disrupt the work of these actors.

SLIDE 16: Questions?



Ask learners if they have questions on the content of this module. It is important to allow sufficient time to answer all questions.

SLIDES 17: Key Messages



The key messages slides summarise the important take away that connect with the objectives of the module as described at the beginning of the session. Ask learners what the key messages are before showing the slide with the possible answers. It will help them synthesise and integrate the key concepts taught throughout the module and it will help you in assessing the learning and concentrate on gaps or inaccuracies.



Ask the following questions in plenary. Encourage learners to discuss. Then, complete the discussion with the suggested answers presented in the next slides.



What are the key messages of this module?

SLIDES 18 and 19: Key Messages

The key messages are:

1. Prevention includes three levels: primary (social norms, values and practices for all children), secondary (outreach to groups of children at-risk of entering in conflict with the law), and tertiary (preventing recidivism for children in conflict with the law).
2. A prevention strategy includes problem analysis, target groups, activities, resources, timeframe, actors involved, risks and evaluation.
3. Diversion is a key process that should be promoted in specific circumstances to avoid negative consequences of a formal judicial proceeding.
4. Diversion should be conducted by professionals/child protection practitioners with sound knowledge of the concept.
5. UN Police should seek support from specialists when advising or implementing diversion measures.



Distribute the end of module quiz to learners and gives them 10 minutes to answer the questions. Then distribute the answers for auto-correction. Ask learners to work in pairs and correct each other's answers.