Module 6

ROLES AND RESPONSIBILITIES OF UN POLICE:
PREVENTION AND DIVERSION
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
Children in Contact with the law

Children come in contact with the law in three types of situations:

1. Child victim of abuses or a criminal act
2. Child witness of abuses or a criminal act
3. Child accused or convicted of a criminal act

The international community has developed norms and guidelines to address all these situations.
Roles and Responsibilities of UN Police: 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.
What is crime prevention?

Definition:
“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.”

Crime prevention in child protection applies to all children, especially to:

• Child victim of abuses or a criminal act
• Child witness of abuses or a criminal act
• Child accused or convicted of a criminal act
# Levels of Crime Prevention

<table>
<thead>
<tr>
<th>Levels of Crime Prevention</th>
<th>Children in conflict with the police</th>
<th>Child victims or witnesses of crimes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PRIMARY PREVENTION</strong></td>
<td>Measures aimed at children that have never had contact with the judicial system.</td>
<td>Measures aimed at children that have never been victims or witnesses of criminal acts.</td>
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<tr>
<td><strong>SECONDARY PREVENTION</strong></td>
<td>Measures aimed at preventing children at risk from committing a criminal act.</td>
<td>Measures aimed at preventing children at risk from becoming victims of violence or criminal acts.</td>
</tr>
<tr>
<td><strong>TERTIARY PREVENTION</strong></td>
<td>Measures aimed at preventing detained children and other children already in conflict with the police from committing new offenses.</td>
<td>Measures aimed at preventing children that have already been victims of violence or criminal acts from being submitted to more violations in the future.</td>
</tr>
</tbody>
</table>
Moving upstream
A metaphor for Prevention
International Standards for Crime Prevention


Based on four main principles of the CRC:

1. Best Interest
2. Non-discrimination
3. Do no harm
4. Confidentiality
## Elements of a Prevention Strategy

<table>
<thead>
<tr>
<th>Problem analysis:</th>
<th>Target groups:</th>
<th>Activities:</th>
<th>Resources:</th>
</tr>
</thead>
<tbody>
<tr>
<td>What is the problem to be addressed?</td>
<td>What groups will the prevention strategy target?</td>
<td>What main activities will be implemented?</td>
<td>What are the available resources?</td>
</tr>
<tr>
<td>Timeframe:</td>
<td>Actors involved:</td>
<td>Risks:</td>
<td>Evaluation:</td>
</tr>
<tr>
<td>How long will the strategy take to be implemented?</td>
<td>Who are the actors that need to be involved? How will they be coordinated?</td>
<td>Which risks are there and how can you address them?</td>
<td>How will the strategy be monitored and evaluated?</td>
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Elements of a Prevention Strategy

The 4 levels of Risk Assessment:

1. The child
2. Other children (peers)
3. The family and the community
4. Police/Relevant State Bodies
Elements of a Prevention Strategy

Group Work on case study
What is diversion?
Diversion – what is it?

Definition:

Diversion is the process by which children in conflict with the police 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.

* Preferably, diversion should be applied as early as possible in the process. However, diversion can be initiated from the moment a child is apprehended up to when he or she is sentenced.
Examples of diversion

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<tr>
<th>Verbal or written warning</th>
<th>Cautioning the child</th>
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<tbody>
<tr>
<td>Apology</td>
<td>Having the child apologize to the victim</td>
</tr>
<tr>
<td>Restitution</td>
<td>Obtaining payment for the damage caused</td>
</tr>
<tr>
<td>Community work</td>
<td>The child does community work to repair the damage</td>
</tr>
<tr>
<td>Other methods</td>
<td>Mediation, counseling, probation</td>
</tr>
</tbody>
</table>
UN Standard Minimum Rules for the Administration of Juvenile Justice

- **Beijing Rules** - UN General Assembly, 29 November 1985

The Rules aim to:

- Develop **conditions that will ensure a meaningful life for the child** in the community, when she or he is most susceptible to deviant behavior.
- Foster a process of **personal development and education** that is as free from crime and delinquency as possible.
- Mobilize all **possible resources**, including the family, volunteers, schools and other community institutions, to promote the well-being of the child.
- Reduce the need for **legal intervention and deal fairly and humanely** with the child in conflict with the law.
Challenges to Diversion in Conflict and Post-Conflict Contexts

- Absence of formal diversion mechanisms in the judicial system
- Family and community structures weakened by conflict
- Limited resources, including human resources such as teachers, social workers, police officers, etc.
Questions?
What are the key messages of this module?
Key Messages

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 police),
   - tertiary (prevention of recidivism for children in conflict with the police).

2. A prevention strategy includes problem analysis, target groups, activities, resources, timeframe, actors involved, risks and evaluation.
Key Messages

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.