

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



Levels of Crime Prevention	Children in conflict with the police	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 police 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.

Moving upstream

A metaphor for Prevention



International Standards for Crime Prevention

UN Guidelines for the Prevention of Juvenile Delinquency (“Riyadh Guidelines”), UN General Assembly, 14 December 1990

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



Problem analysis:

What is the problem to be addressed?
What is the goal the strategy is trying to achieve?

Target groups:

What groups will the prevention strategy target?

Activities:

What main activities will be implemented?

Resources:

What are the available resources?

Timeframe:

How long will the strategy take to be implemented?

Actors involved:

Who are the actors that need to be involved?
How will they be coordinated?

Risks:

Which risks are there and how can you address them?

Evaluation:

How will the strategy be monitored and evaluated?

Elements of a Prevention Strategy



The 4 levels of Risk Assessment:

1.The child

**2. Other
children
(peers)**

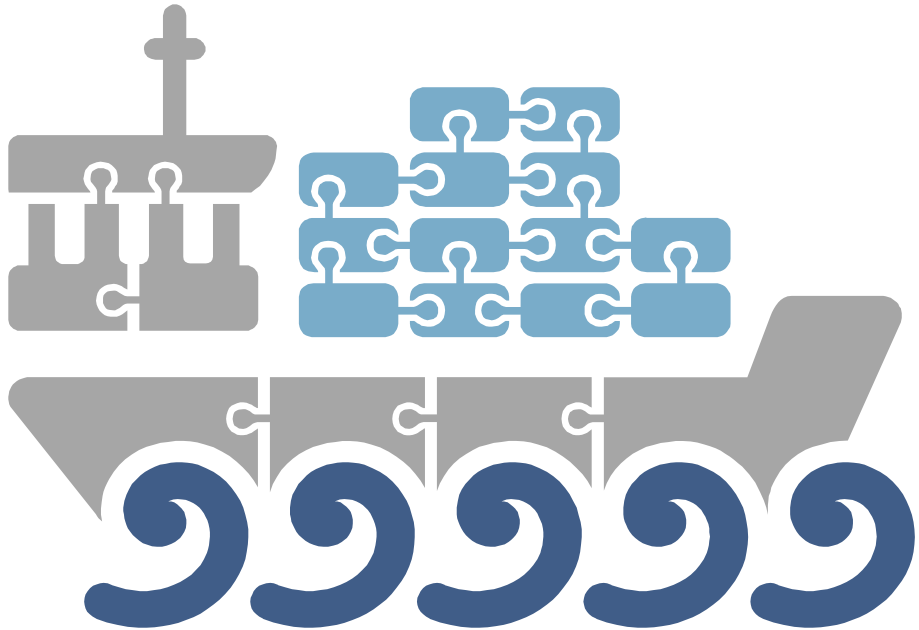
**3.The family
and the
community**

**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



Verbal or written warning

Cautioning the child

Apology

Having the child apologize to the victim

Restitution

Obtaining payment for the damage
caused

Community work

The child does community work to repair
the damage

Other methods

Mediation, counseling, probation

International Standards for Diversion



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.