

# Module 2



## How to Support Child-friendly Prevention and Diversion

### Module at a Glance

#### Overview

A fundamental aspect of United Nations Police (UNPOL) officers' mentoring and advisory role vis-à-vis the host-State police relates to the way child protection is mainstreamed and integrated as a core activity in relation to early warning, prevention and diversion measures. This module will help to guide UNPOL personnel in articulating their responsibility with regard to prevention and diversion measures for children and in planning and supporting those measures.

It is strongly recommended that participants complete the pre-deployment specialized training for United Nations police officers in United Nations peace operations (including Lesson 5 on community-oriented policing)<sup>1</sup> before completing this module.

#### Learning Objectives

At the end of this module, learners will be able to:

- Demonstrate how to act when conducting early warning on matters related to child protection
- Demonstrate how to act when contributing to the prevention of violations and other practices affecting children
- Demonstrate how to promote effective and appropriate diversion measures

<sup>1</sup> See <https://peacekeepingresourcehub.un.org/en/training/stm/unpol>.

## Module Map

**Duration: 265 minutes (4 hours and 25 minutes)**

**Assessment: 15 minutes**

<b>The Module</b>	
Introduction	Slides 0-3
How to act when conducting early warning on matters related to child protection	Slides 4-14
How to act when contributing to the prevention of violations and other practices affecting children	Slides 15-20
How to promote effective diversion measures in child protection	Slides 21-35
<b>Learning Activities</b>	
Learning Activity 2.1	Page 5
Learning Activity 2.2	Page 13
Learning Activity 2.3	Page 19
Additional information	Page 30 + Separate file
<b>Learning Evaluation</b>	
Learning evaluation	Page 30
Assessment	Separate file

## The Module



Instructors must decide which activities to use and in what combination, which may influence the duration of the module from 3 to over 4 hours. When deciding on which activities to use, it is important to consider the sequence and the coherence of the module, making sure to cover case studies, skills, learning objectives and key messages from each segment.

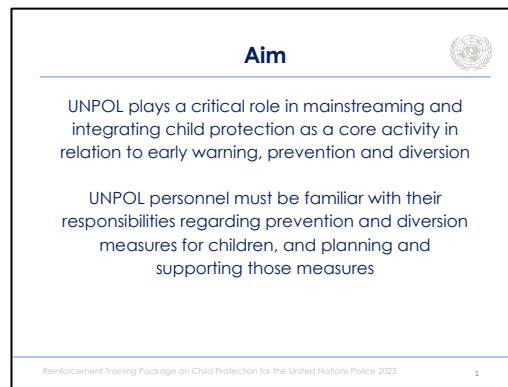
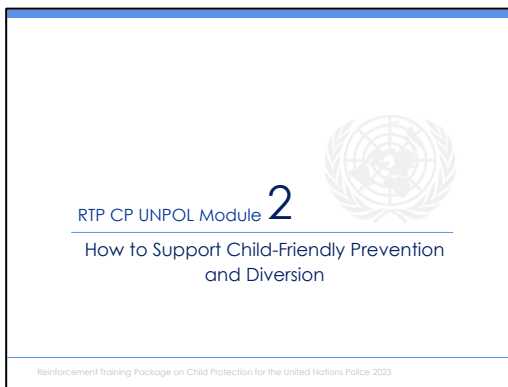
In this module, it is suggested that instructors select as many case studies as are relevant to reinforcing the skills and understanding required to fulfil the mandates and obligations in terms of supporting child-friendly prevention and diversion.

### Starting the Module

Introduce the following (show slides 0-3):

- Title page and lesson topic
- Aim
- Learning Objectives
- Lesson Overview

### Slide 0-3: Introduction slides



## Module 2 – How to Support Child-friendly Prevention and Diversion

### Learning Objectives

**At the end of the module, learners will be able to demonstrate how to:**

- Act when conducting early warning on child protection
- Act when contributing to the prevention of violations and other practices affecting children
- Promote effective and appropriate diversion measures in child protection

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### Module Overview

<b>How to act when conducting early warning on matters related to child protection</b> Learning Activity 2.1 – Flipchart exercise
<b>How to act when contributing to the prevention of violations and other practices affecting children</b> Learning Activity 2.2 – Case studies
<b>How to promote effective diversion measures in child protection</b> Learning Activity 2.3 – Case study and role-play exercise

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## Learning Activity 2.1

How to act when conducting early warning on matters related to child protection



*In this segment of the module, instructors will help United Nations Police (UNPOL) personnel understand and apply early warning indicators in their work within UNPOL on matters related to child protection.*

**TIME:** 85 minutes

- Introduction of activity and instructions: 5 minutes
- Group work: 35 minutes
- Plenary: 40 minutes
- Questions and key messages: 5 minutes



*Show slide 4 and 5 and read the text out loud.*

### Slides 4 & 5: Definitions of planning<sup>2</sup> and early warning<sup>3</sup>

**Definition of Planning**

"A structured process, through which a UN Field Mission develops a plan to achieve its mandate(s), and in a way that is responsive to the environment. Planning includes elements, such as agreeing on objectives, priorities, strategies and activities, and guides the acquisition and allocation of resources to achieve the objectives."

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**Definition of Early Warning**

"A process that:

- (a) alerts decision makers to the potential outbreak, escalation and resurgence of violent conflict; and
- (b) promotes an understanding among decision makers of the nature and impacts of violent conflict.


Early warning systems involve regular and organized collection and analysis of information on violent conflict situations." Early warning systems are designed to gather, share and respond to information on any "serious and credible threat from non-state armed groups... and/or state authorities" that may "put at risk the physical integrity of civilians", including children.

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<sup>2</sup> See DPKO, Planning Toolkit, [https://peacekeeping.un.org/sites/default/files/planning\\_toolkit\\_web\\_version\\_0.pdf](https://peacekeeping.un.org/sites/default/files/planning_toolkit_web_version_0.pdf).

<sup>3</sup> For more information see Schmid, Alex, Thesaurus and Glossary of Early Warning and Conflict Prevention Terms (Abridged Version), FEWER/PIOOM, 1998. (<https://reliefweb.int/report/world/thesaurus-and-glossary-early-warning-and-conflict-prevention-terms>) and OECD, Preventing Violence, War and State Collapse: The Future Of Conflict Early Warning And Response, 2009 (<https://www.oecd.org/dac/conflict-fragility-resilience/docs/preventing%20violence%20war%20and%20state%20collapse.pdf>) and DPO, The Protection of Civilians in United Nations Peacekeeping: Handbook, 2020, p. 202 <https://peacekeeping.un.org/en/dpo-poc-handbook>.

## Slide 6: Learning Activity 2.1 – Instructions



**Learning Activity 2.1**

**Instructions**

- Question: “What possible actions can UNPOL officers undertake at the early warning phase (group 1) or planning phase (group 2) to address child protection issues in a UN peace operation?”
- Individual preparation (5 minutes)
- Share ideas in the group and write them down on a flipchart (15 minutes)
- Exchange the lists and try to connect ideas from the early warning and planning phases (15 minutes)

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### INSTRUCTIONS:

- Divide participants in two groups. The first group will focus on early warning and the second one on planning. If you have a large number of participants, divide them in more groups (as many as you need to have a maximum of five to six participants per group) and assign the same two exercises to the groups (several groups will work in parallel on early warning and on planning).
- Ask participants to first consider individually possible actions that UNPOL officers could undertake at the early warning phase (group 1) or planning phase (group 2) to address child protection issues in a United Nations peace operation. Give them 5 minutes to think individually in silence.
- Then, ask participants to share their ideas in their respective groups and identify those that seem to be most relevant. Ask them to write their ideas legibly on a large sheet of paper. Give them 15 minutes to complete this task.
- Next, ask the groups to exchange their lists and see if they can connect the ideas from the early warning phase to the planning phase and vice versa. Give them 15 minutes to complete this task.
- In the plenary, ask participants to identify what was connected and what was not, and discuss their findings. Emphasize that there is no need to present all the ideas at this stage.
- Commend participants on their answers and complement them with the examples in the slides.<sup>4</sup> Use only some of the ideas and examples in the slides to highlight key messages.


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<sup>4</sup> See Canada, Implementation Guidance for the Vancouver Principles, 2019, chaps. 2: Planning and 3: Early Warning, [www.canada.ca/en/department-national-defence/corporate/reports-publications/vancouver-principles.html](http://www.canada.ca/en/department-national-defence/corporate/reports-publications/vancouver-principles.html); and The Alliance for Child Protection in Humanitarian Action, Minimum Standards for Child Protection in Humanitarian Action (CPMS), 2019, chap. 20 on Justice for Children [https://alliancecpha.org/en/CPMS\\_home](https://alliancecpha.org/en/CPMS_home).



*Use slides 7 to 12 for the debriefing. Instructors are encouraged to take the necessary time to explain and illustrate the possible actions, as these are critical to ensuring that participants expand their perspectives on actions that they can take to support child protection in the planning and early warning stages. Instructors are encouraged to include a gender perspective in their responses, illustrating the points with gender-sensitive examples.*

### **Slide 7: Examples of possible planning and early warning actions at the policy level**


**Examples of possible planning and early warning actions at the policy level** 

- Integrate child protection in national policies, doctrine and strategic guidelines
- Prioritize the prevention of child protection issues in national planning
- Integrate gender perspectives into national planning efforts
- Develop a child-centred evacuation plan for children deprived of liberty

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- Institutionalize the role of the host-State police in preventing child protection concerns through relevant national policies, doctrine, and strategic guidelines.
- Prioritize the prevention of child protection issues in national planning, in accordance with the mandates of United Nations missions.
- Integrate gender perspectives into national planning efforts, with specific actions for boys and girls according to their realities and challenges.
- Develop a child-centred evacuation plan for children deprived of liberty, in the event that a disaster or armed attack occurs.
- Support the integration of early warning indicators in the operational and tactical planning through the Police Concept of Operation and joint briefings.

**Slide 8: Examples of possible planning and early warning actions at the information and analysis level**

**Examples of possible planning and early warning actions at the information and analysis level** 


- Collect and report information
- Map services from the justice and social welfare systems
- List risk factors related to child protection in the justice system
- Collect information associated with early warning indicators
- Ensure safe and meaningful participation of children
- Strengthen coordination with other mission components

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- Collect information and conduct analysis relevant to the prevention of child protection concerns to inform mission-wide planning processes (see Module 6: How to monitor and report violations of children's rights).
- Encourage stronger collaboration between the justice and social welfare systems by mapping services and establishing joint referral systems (see Module 4: How to adapt justice for children to a United Nations peace operation).
- Develop a list of risk factors relating to child protection in the justice system, in consultation with child protection experts.
- Systematically collect information associated with early warning indicators, disaggregated by age and gender, whenever possible.
- Report early warning indicators to the appropriate mission authorities in a timely manner.
- Ensure safe and meaningful participation of children so that their points of view are taken into account in reports.
- Strengthen coordination with other mission components.



**Slide 9: Examples of possible planning and early warning actions in the advisory role<sup>5</sup>**

**Examples of possible planning and early warning actions in the advisory role** 

- Support the development of UN Police Commissioners' directives on child protection
- Work with host-State services to create practical alternatives to the deprivation of liberty of children
- Promote a gender-balanced workforce
- Support reporting mechanisms for children
- Support child-sensitive, non-discriminatory systems for child victims and child witnesses of crimes

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- Promote and support the development of mission-level United Nations Police Commissioners' directives on child protection for UN peace operations, consistent with the mandates of United Nations missions. Directives can include early warning indicators of the six grave violations against children in situations of armed conflict.<sup>6</sup>
- Support juvenile justice approaches that allow children to be accountable to society without being formally processed as criminals.
- Work with host-State services to create practical alternatives to the deprivation of liberty of children.
- Advocate for and support a gender-balanced workforce throughout the justice system.
- Help to establish, strengthen and raise awareness about reporting mechanisms for children in contact with the law and their caregivers.
- Help to establish child-sensitive and non-discriminatory systems for child victims and child witnesses of crime that prevent re-victimization.

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<sup>5</sup> See DPO, Specialized Training Materials for United Nations Police Officers in UN Peace Operations, 2021, Lesson 8: UN Police monitoring, mentoring and advising, <https://resourcehub01.blob.core.windows.net/training-files/Training%20Materials/024%20STM-UNPOL/024-016%20UNPOL%20STM%20Lesson%208%20UNPOL%20Monitoring.%20Mentoring%20and%20Advising.pdf>.

<sup>6</sup> See DPO-DPPA Handbook for Child Protection Staff in United Nations Peace Operations (2023), annex 9, available at [https://resourcehub01.blob.core.windows.net/\\$web/Policy%20and%20Guidance/corepeacekeepingguidance/Thematic%20Operational%20Activities/Child%20Protection/2023.03%20Handbook%20for%20Child%20Protection%20Staff%20in%20United%20Nations%20Peace%20Operations.pdf](https://resourcehub01.blob.core.windows.net/$web/Policy%20and%20Guidance/corepeacekeepingguidance/Thematic%20Operational%20Activities/Child%20Protection/2023.03%20Handbook%20for%20Child%20Protection%20Staff%20in%20United%20Nations%20Peace%20Operations.pdf).

**Slide 10: Examples of possible planning and early warning actions to support access to justice and legal reform**

**Examples of planning and early warning actions to support access to justice and legal reform** 

Support and advocate for:

- Implementation and awareness of existing child protection laws
- Linkages between customary and national legal systems and international law
- Development of new laws that protect children
- Child-friendly courts
- Mandatory reporting of violence against children

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- Strengthen the implementation and awareness of existing child protection laws.
- Support linkages between customary and national legal systems and international law.
- Advocate for and support the development of new laws that criminalize abuse, neglect, exploitation of children, and violence against children.
- Help to establish and/or strengthen child-friendly, gender-sensitive and disability-accessible courts and spaces in police stations.
- Support a legal requirement for mandatory reporting for professionals in close contact with children.

**Slide 11: Examples of possible planning and early warning actions in building the capacity of the host-State police<sup>7</sup>**

**Examples of planning and early warning actions in building the capacity of the host-State police** 

Provide training to the host-State police on:

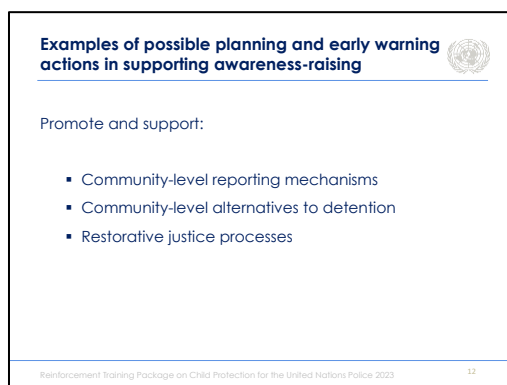
- The rights and best interests of the child
- Appropriate ways of communicating with children based on their age and level of development
- Appropriate handling of children's cases
- Child-friendly procedures and processes

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<sup>7</sup> See DPO, Specialized Training Materials for United Nations Police Officers in UN Peace Operations, 2021, Lesson 7: Police capacity-building and Development, <https://resourcehub01.blob.core.windows.net/training-files/Training%20Materials/024%20STM-UNPOL/024-014%20UNPOL%20STM%20Lesson%207%20Capacity-building%20and%20Development.pdf>.

- Provide training to the host-State police and other relevant service providers on the rights and best interests of children in contact with the law.
- Provide training to the host-State justice actors on appropriate ways of communicating with children based on their age and level of development.
- Provide training to both formal and non-formal justice actors in the host country on appropriate handling of cases involving children, including children formerly associated with armed forces and armed groups and survivors of sexual violence.
- Support capacity-building on child-friendly procedures and processes for all actors in formal and customary justice systems in the host country.

**Slide 12: Examples of possible planning and early warning actions in supporting awareness-raising**



**Examples of possible planning and early warning actions in supporting awareness-raising**

Promote and support:

- Community-level reporting mechanisms
- Community-level alternatives to detention
- Restorative justice processes


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- Strengthen and raise awareness about community-level reporting mechanisms for child victims and child witnesses of crime.
- Promote the adoption and implementation of community-level alternatives to detention that seek to reintegrate children and restore their well-being.
- Develop or strengthen restorative justice processes that align with international standards and are facilitated by trained community members and organizations.
- Provide support to community-based early warning mechanisms.
- Provide support to specialized police teams focusing on serious and organized crime affecting children.




*At the end of this debriefing, ask learners if they have questions on the content of this segment. It is important to allow sufficient time to answer all questions, before moving on to the next segment.*

## Slides 13 & 14: Key messages for Learning Activity 2.1

**Key messages for Learning Activity 2.1** 

- The early phases of a crisis may present entry points for UNPOL to strengthen systems that may otherwise resist change.
- UNPOL can collaborate with a full range of actors to:
  - (a) Assess the ways in which legal and justice systems at all levels provide protection and present risks
  - (b) Develop interventions to reinforce protection and overcome risks

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**Key messages for Learning Activity 2.1 (cont.)** 

- Advocacy should focus on:
  - (a) Enforcing laws that protect children
  - (b) Stopping ongoing violations
  - (c) Preventing future violations
- UNPOL should implement its non-executive mandate (i.e., mentoring and advising) in the early stages to:
  - (a) Help to integrate child protection in all relevant policies, strategies and plans
  - (b) Collect data to inform decision-making
  - (c) Support children's access to justice and legal reform

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## Reference Materials

Additional resources and references for instructors to enrich their knowledge prior to facilitating this segment of the module:

- Canada, Vancouver Principles on Peacekeeping and the Prevention of Recruitment and Use of Child Soldiers, 2017, [www.international.gc.ca/world-monde/issues\\_development-enjeux\\_developpement/human\\_rights-droits\\_homme/principles-vancouver-principes-pledge-engageons.aspx?lang=eng](http://www.international.gc.ca/world-monde/issues_development-enjeux_developpement/human_rights-droits_homme/principles-vancouver-principes-pledge-engageons.aspx?lang=eng); and Implementation Guidance for the Vancouver Principles, 2019, [www.canada.ca/en/department-national-defence/corporate/reports-publications/vancouver-principles.html](http://www.canada.ca/en/department-national-defence/corporate/reports-publications/vancouver-principles.html)
- The Alliance for Child Protection in Humanitarian Action, Chapter 20 on Justice for Children, Minimum Standards for Child Protection in Humanitarian Action (CPMS), 2019, [https://alliancecpha.org/en/CPMS\\_home](https://alliancecpha.org/en/CPMS_home)

## Learning Activity 2.2

### How to act when contributing to the prevention of violations and other practices affecting children



*In this segment, instructors will help United Nations Police (UNPOL) personnel to apply prevention strategies and approaches relating to child protection, in line with international norms and standards.*

*It is important that instructors establish linkages between prevention of crime and prevention of the six grave violations against children in situations of armed conflict (see Module 6: How to monitor and report violations of children's rights). UNPOL's particular role in crime prevention is to identify and address threats and risks of grave violations against children.*

*The exercises in this segment are based on the premise that UNPOL is comprised of experienced police officers who have worked with children in contact with the law. They combine the principles of justice for children in contact with the law with the realities of armed conflict. Instructors are encouraged to divide the participants into groups without briefing them before they begin the exercises. The purpose of the activity is to allow participants to use their existing knowledge and experience to answer the questions on their own. Instructors should be well prepared for the debriefing exercise at the end of the activities, and should be able to explain the key messages, lead the discussion, ensure the alignment of key learning objectives and provide any additional information.*

*There are four case studies with four different focuses, in different country contexts. Instructors are encouraged to use as many case studies as possible, as they all provide different insights into different realities in peace operations. Instructors can decide to focus on some case studies only, in view of time constraints and/or in case the number of participants is small. Instructors should make sure to reserve sufficient time for debriefing at the end of each exercise, as this is where the instructors can add value to the discussion, by verifying answers and complementing them with additional information provided in the manual. Achieving the objective of this segment depends on the quality of the discussion after the group exercises.*

*NOTE to instructors: Instructors should bear in mind that some law enforcement officials may consider arrest, prosecution and detention<sup>8</sup> as preventive actions, because they are*

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<sup>8</sup> See DPO, Specialized Training Materials for United Nations Police Officers in UN Peace Operations, 2021, Lesson 11: Apprehension, arrest and detention in UN peace operations <https://resourcehub01.blob.core.windows.net/training-files/Training%20Materials/024%20STM-UNPOL/024-022%20UNPOL%20STM%20Lesson%2011%20Apprehension,%20Arrest%20and%20Detention%20in%20UN%20Peace%20Operations.pdf>.

*perceived as a way to send a message to the population to refrain from committing crimes or face those consequences. While this debate is beyond the scope of this exercise, encourage participants to focus on direct preventative actions targeting at-risk children and the push-pull factors, rather than indirect prevention of the overall justice system.*

*Instructors are encouraged to remind participants of the capacity-building non-executive mandate of UNPOL and encourage them to focus on the role of UNPOL in supporting the host-State police that should take the lead in designing and implementing those actions.*


**TIME:** 85 minutes

- Introduction of activity and instructions: 5 minutes
- Group work on case studies: 40 minutes
- Prevention strategy correction: 10 minutes
- Debriefing in plenary: 25 minutes
- Questions and key messages: 5 minutes



*Show slide 15 and read the text out loud.*

### **Slide 15: Definition of crime prevention<sup>9</sup>**

**Definition of crime prevention** 

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*"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."*

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<sup>9</sup> See ECOSOC Resolution 2002/13, Annex, Guidelines for the Prevention of Crime, [https://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/resolution\\_2002-13.pdf](https://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/resolution_2002-13.pdf).

- In relation to child protection, crime prevention activities apply to all children in contact with the law:
  - Child victims of a criminal act
  - Child witnesses of a criminal act
  - A child in conflict with the law because he/she is suspected, accused or convicted of an act against the law or a regulation
- Children may be at risk of being victimized or entering in conflict with the law, and must be considered when developing prevention strategies.

### Slide 16: Learning Activity 2.2 – Instructions



**Learning Activity 2.2**

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**Instructions**


- Discuss the four case studies in groups
- Each group will develop a prevention strategy (40 minutes)
- Use the response template to complete the task
- Each group will present one key element of the exercise to the plenary

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### INSTRUCTIONS:

- Provide participants with the materials and instructions for the learning activity.
- Divide the participants into groups and ask them to complete the task using the table provided.
- Give the groups 40 minutes to complete the exercise (for larger groups, encourage participants to divide the tasks).
- After 40 minutes, distribute the suggested responses and allow each group to evaluate their answers. Give the groups 10 minutes to complete the evaluation.
- After 10 minutes, ask each group to share one point that they learned from the exercise, and encourage participants in the other groups to react.
- Then, use slides 17 and 18 for the debriefing and to further engage participants on prevention strategies and the role of UNPOL.

**Slide 17: UNPOL's non-executive mandate**



**UNPOL's non-executive mandate**

- UNPOL should not develop prevention strategies on its own, nor should it implement such strategies directly
- Coordination with the UNPOL Child Protection Focal Point and Child Protection Advisers is essential
- UNPOL should concentrate its efforts on further collaborating with the host-State police to provide advice and guidance on prevention

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- According to the DPKO-DFS Policy on United Nations Police in Peacekeeping Operations and Special Political Missions, UN police officers have two core functions:
  - Provide 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;
  - Provide 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.
- For those reasons, UNPOL should not develop prevention strategies on its own, nor implement them directly.<sup>10</sup>
- Coordination with the UNPOL Child Protection Focal Point and with the Child Protection Advisers can help to ensure that action is taken by those who are mandated to deal with such issues.
- UNPOL should concentrate its efforts on further collaborating with the host-State police to provide advice on the responsibility of the host-State police in relation to crime prevention.

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<sup>10</sup> See DPKO-DFS Guidelines on the role of the United Nations police in protection of civilians, 2017. [https://police.un.org/sites/default/files/protection-of-civilians-unpol\\_guidelines\\_2017.pdf](https://police.un.org/sites/default/files/protection-of-civilians-unpol_guidelines_2017.pdf). For additional information on sexual exploitation and abuse, gender-based violence and conflict-related sexual violence, please consult: <https://peacekeepingresourcehub.un.org/en/training/stm/sea>.



**Slide 18: Coordination**

**Coordination**

- Prevention strategies require coordination among several actors
- Coordination is compulsory

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- Prevention strategies require coordination among several actors involved in child protection (see Module 5: How to collaborate on and coordinate child protection in a United Nations peace operation) and cannot be undertaken by one entity.
- UNPOL officers must understand this systemic approach to coordination and systematically connect with the appropriate actors (i.e., psychologists, social workers, teachers, youth associations, community actors, religious and traditional leaders, etc.).
- Police officers are not required to be specialized child protection professionals.
- It is absolutely necessary and compulsory to coordinate with other actors and create strong relationships in order for prevention to be effective.



*At the end of the debriefing, ask learners if they have questions on the content of this segment. It is important to allow sufficient time to answer all questions.*

**Slides 19 & 20: Key messages for Learning Activity 2.2**

**Key messages for Learning Activity 2.2**

- Prevention can target the general population regarding social norms, values and practices that affect all children
- Prevention can target specific segments of the population, such as children at risk of entering in conflict with the law or victims of violence
- Prevention can target children who are already in contact with the law, to prevent recidivism by those already in conflict with the law, or discrimination and abuse against those in rehabilitation

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**Key messages for Learning Activity 2.2 (cont.)**

- A prevention strategy includes problem analysis, target groups, specific activities, resources, a time frame for implementation, engaged actors, risks and evaluation
- UNPOL officers play a critical role in supporting the development and implementation of prevention strategies by the host-State police
- Connect prevention strategies with international norms and standards which offer good practices

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## Reference Materials

Additional resources and references for instructors to enrich their knowledge prior to facilitating this segment of the module:

- DPKO, DFS and DPA, Policy on Child Protection in United Nations Peace Operations, 2017, [https://peacekeeping.un.org/sites/default/files/1.\\_protection\\_-\\_3\\_child\\_protection\\_policy\\_0.pdf](https://peacekeeping.un.org/sites/default/files/1._protection_-_3_child_protection_policy_0.pdf)
- United Nations, Guidelines for the Prevention of Crime, ECOSOC resolution 2002/13, Annex, [https://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/resolution\\_2002-13.pdf](https://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/resolution_2002-13.pdf)
- UNODC, Handbook on the United Nations Crime Prevention Guidelines: Making them work, Vienna, 2010, [https://www.unodc.org/pdf/criminal\\_justice/Handbook\\_on\\_Crime\\_Prevention\\_Guidelines\\_-\\_Making\\_them\\_work.pdf](https://www.unodc.org/pdf/criminal_justice/Handbook_on_Crime_Prevention_Guidelines_-_Making_them_work.pdf)
- United Nations Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines), General Assembly resolution 45/112, Annex, 14 December 1990, [www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-guidelines-prevention-juvenile-delinquency-riyadh](http://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-guidelines-prevention-juvenile-delinquency-riyadh)
- UNICEF, Toolkit on Diversion and Alternatives to Detention, 2010, <https://sites.unicef.org/tdad/>
- UNICEF and the UNODC, Introducing the United Nations Model Strategies and Practical Measures on the Elimination of Violence Against Children in the Field of Crime Prevention and Criminal Justice: A New Tool for Policymakers, Criminal Justice Officials and Practitioners, 2015, [www.unodc.org/documents/justice-and-prison-reform/14-08451\\_Strategy\\_eBook.pdf](http://www.unodc.org/documents/justice-and-prison-reform/14-08451_Strategy_eBook.pdf)
- United Nations Global Study on Children Deprived of Liberty, 2019, <https://www.ohchr.org/en/treaty-bodies/crc/united-nations-global-study-children-deprived-liberty>; see also A/74/136, Annex: Report of the Independent Expert leading to the United Nations global study on children deprived of liberty

## Learning Activity 2.3

### How to promote effective diversion measures in child protection



*In this segment, instructors will help United Nations Police (UNPOL) personnel understand and apply diversion strategies and approaches to child protection, in line with international norms and standards.*

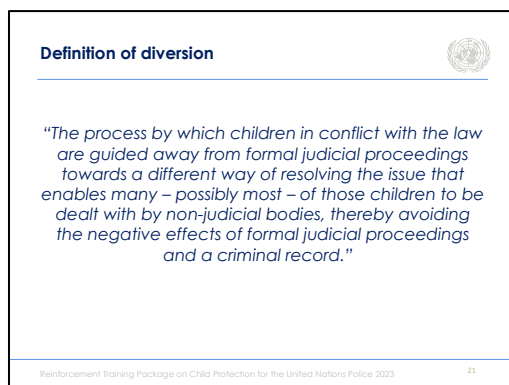
**TIME:** 95 minutes

- Introduction of activity and instructions: 25 minutes
- Case study: 15 minutes
- Plenary: 15 minutes
- Role-play: 20 minutes
- Plenary: 15 minutes
- Questions and key messages: 5 minutes




*Show slides 21 and 22 and generate discussion about diversion. If time allows, instructors can invite participants who have been in similar situations to share their experiences. Diversion may be a concept some participants are not familiar with. Instructors are encouraged to familiarise themselves with or refresh their understanding of diversion prior to facilitating this activity using the recommended material listed at the end of this section.*

#### Slide 21: Definition of diversion<sup>11</sup>



<sup>11</sup> Adapted from UNICEF, Toolkit on Diversion and Alternatives to Detention, 2010, [https://sites.unicef.org/tdad/index\\_55660.html](https://sites.unicef.org/tdad/index_55660.html).

**Slide 22: What are possible diversion measures?**

**What are the possible diversion measures?** 

- Verbal or written warning
- Apology by the offender
- Restitution
- Community work
- Mediation between the child and the victim
- Counselling programmes with a social worker for psychosocial support aimed at changing behaviours
- Probation programmes to monitor and support the child in the case of reinsertion into the community

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- Diversion measures include:
  - Verbal or written warning: The police officer may explain to the child in the presence of his/her parent(s) or guardian that his/her action was wrong, and warns the child not to repeat the offence again.
  - Apology: The police officer encourages the child to apologize to the person who was wronged (the victim).
  - Restitution: The child or his/her parents are required to pay for the damage that the child caused.
  - Community work: The child shall give a specific number of hours of service to the community.
  - Other measures include:
    - Mediation between the child and the victim,
    - Counselling programmes with a social worker for psychosocial support to change behaviours,
    - Probation programmes to monitor and support the child in the case of reinsertion/reintegration into the community.
- It is important that instructors make references to informal justice systems, for instance the use of elders/religious leaders and alternative dispute resolution, to reflect on the importance of bridging formal and informal justice systems in the spirit of the best interests of the child.

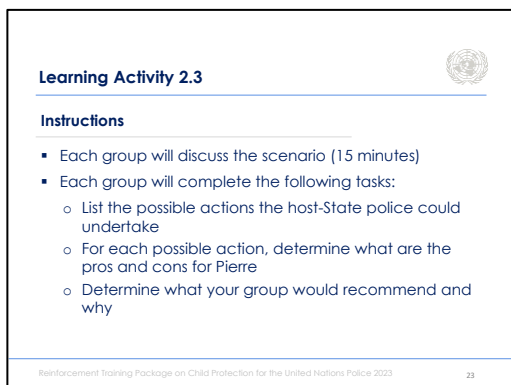


*NOTE to instructors: Instructors should emphasize that UNPOL officers must familiarize themselves with diversion in the legal framework of the host country before taking any action. The legislation and procedures applicable to diversion vary greatly from one country to another.*

## INSTRUCTIONS:

- Show slides 23 & 24 to present the scenario and assign the task.
- Divide participants in groups of four or five.
- Each group will have 15 minutes to complete the following three tasks:
  - List possible actions the host-State police could undertake (possible actions include doing nothing, depriving Pierre of his liberty from the moment of apprehension, with various alternative options listed in slide 22).
  - For each possible action, determine what are the pros and cons for Pierre.
  - Finally, determine what would your group recommend and why.

### Slides 23 & 24: Learning Activity 2.3 – Instructions & situation

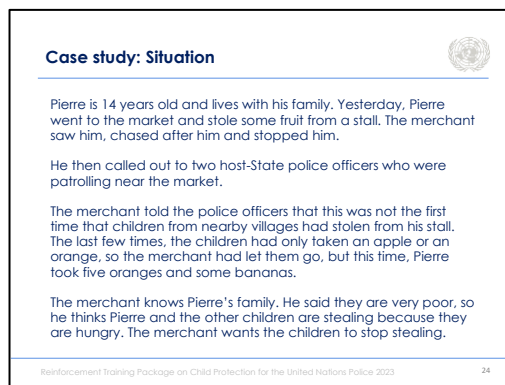


**Learning Activity 2.3**

**Instructions**

- Each group will discuss the scenario (15 minutes)
- Each group will complete the following tasks:
  - List the possible actions the host-State police could undertake
  - For each possible action, determine what are the pros and cons for Pierre
  - Determine what your group would recommend and why

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**Case study: Situation**

Pierre is 14 years old and lives with his family. Yesterday, Pierre went to the market and stole some fruit from a stall. The merchant saw him, chased after him and stopped him.

He then called out to two host-State police officers who were patrolling near the market.

The merchant told the police officers that this was not the first time that children from nearby villages had stolen from his stall. The last few times, the children had only taken an apple or an orange, so the merchant had let them go, but this time, Pierre took five oranges and some bananas.

The merchant knows Pierre's family. He said they are very poor, so he thinks Pierre and the other children are stealing because they are hungry. The merchant wants the children to stop stealing.


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*Instructors should use slides 25 to 27 for the debriefing exercise with the entire group.*

- During the debriefing, take into account the number of groups formed and ensure to facilitate a discussion, alternating between groups to provide answers to each of the questions. It is suggested for instance to ask one group to name one option of action with its pros and cons, and then ask a second group to list a second option, and so forth, so that all groups can participate. Encourage discussion and complementary information between groups.

**Slide 25: Case study – Is diversion an appropriate option?**


**Case study: Is diversion an appropriate option?** 

- Pierre committed a minor offence – so yes, diversion should be considered within the legal parameters of the host-State
- The merchant wants children to stop stealing his fruits
- We must ensure that Pierre learns from this mistake, but Pierre should not be forced into complex judicial proceedings
- Children steal food when they are hungry
- Alternatives to access food and resources must be envisaged to address causes

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- Pierre has committed a minor offence, therefore diversion would be appropriate.
- The interests of the victim would also be taken into consideration under the diversion measure: the merchant does not want to prosecute Pierre, he wants the children to stop stealing his fruits.
- It is a matter of ensuring that Pierre learns from the mistake, that there will be no recidivism, and that Pierre is not forced into a long complex and costly judicial proceeding for a minor offence.
- This is not the first time that children have stolen from this merchant, and it is likely that they have stolen from others too.
- It seems that the children steal food when they are hungry.
- The offences need to be addressed so that the children understand that stealing is a crime and they should not do it.
- The children need to be provided with alternatives to access food and resources.

**Slides 26 & 27: Case study – How can diversion be applied?**

**Case study: How can diversion be applied?** 

- Each country's legal context will influence how diversion can be applied
- The host-State police should meet with Pierre, his parent(s) or guardian(s) and a social worker
- Pierre and his parent(s) or guardian(s) must agree to a diversion measure

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**Case study: How can diversion be applied? (cont.)** 

- It is important for Pierre to understand that stealing is wrong
- The social worker analyzes the situations of the families
- Diversion measure should be mutually agreed upon
- The Child Protection Adviser can provide advice

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- Each country has a legal context that will influence how diversion can be applied, taking into account the principle of legality, discretion granted to the police and to prosecutors, the age of criminal responsibility, protocols for referrals, etc. Understanding the legal context is critical to determining how diversion can be applied in a given context.
- Pierre and his parent(s)/guardian(s) must agree to the diversion measure (provided that there are legal grounds to implement it).
- The host-State police should meet with Pierre, his parent(s) or guardian(s) and a social worker and initiate a conversation to understand why he stole the fruits and find out what his family situation is.
- It is important that Pierre understands that stealing is wrong, no matter what the reason, and that he learns from the mistake.
- The host-State police should involve a social worker to analyse the situations of the families of the children in the surrounding villages, if they have been identified.
- The host-State police and the social worker (and/or customary leader or other trusted community figure) could then meet with the parent(s) or guardian(s) and discuss the matter. During the meeting(s), a diversion measure should be agreed upon (provided that there are legal grounds to implement it). For example, the children should apologize to the merchant and promise not to steal again and they could work a few hours to compensate the merchant for the stolen fruits; there could be other measures aimed at modifying behaviours.
- The social worker should liaise with the appropriate actors to take other action in order to ensure that the children in the villages have enough food to eat.
- UNPOL should also involve the Child Protection Adviser to provide advice and ensure follow-up.



*Instructors should emphasize that diversion is a critical measure to ensure that justice is decentralized, and that the child learns a lesson without burdening the justice system with lengthy procedures.*

*At the end of the debriefing, proceed with the next exercise.*

### **INSTRUCTIONS:**

- Select six volunteers for the role-play.
- If possible, it is recommended that facilitators identify and brief the six volunteers the day before the role-play, or at least at the very beginning of the day, to allow sufficient time for preparation.
- Assign the following roles:
  - UNPOL Team Leader

- UNPOL Child Protection Focal Point
- Two host-State police officers
- Local Prosecutor
- Police Commissioner for the district
- Participants are not required to know the job description of the above-mentioned functions to successfully execute this exercise. They should try their best to engage in the activity with a general understanding of what each function may be responsible for.
- Show slides 28 and 29 and read the text out loud.

### Slides 28 & 29: Learning Activity 2.3 (cont.) – Instructions & situation

**Learning Activity 2.3 (cont.)**

**Instructions**

- Six volunteers will role-play the interaction between one UNPOL Team Leader, one UNPOL Child Protection Focal Point, two host-State police officers, one local prosecutor and one District Police Commissioner (10 minutes)
- The UNPOL and the host-State police officers are tasked to explain:
  - 1) The reasons for using diversion measures
  - 2) The conditions that make diversion measures appropriate

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**Role-play: Situation**

The local Prosecutor and district Police Commissioner are good friends and are almost at the end of their respective careers. They have never applied diversion measures, but they have heard that recently, such measures have been applied in other communities. They ask to meet with the local police to understand why these measures have been adopted.

The Prosecutor and the Police Commissioner are mostly curious. They are sceptical, but they are not negative or authoritative. They are genuinely interested to understand about diversion measures and why they have been applied.

The two host-State police officers ask their UNPOL counterparts to support them in presenting their argument for adopting diversion measures.

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- Ask the participants to act naturally. They should all be open to listening to others, but also pragmatic in questioning the feasibility of the recommendations formulated by the police officers. The aim of the meeting is to explain to higher-ups the reasons and conditions that make diversion measures appropriate.
- Give the volunteers 5 minutes to prepare their roles, and inform them that the role-play will last 10 minutes.
- Consider finding a location in the middle of the room where all participants can clearly hear the conversation.
- If time is limited, consider dividing participants into groups and conducting more role-plays simultaneously with a smaller group of observers who can more easily hear the interaction.
- Instructors should observe the role play and avoid intervening unless the role-play is derailing. Instructors should keep track of the time and stop the role-play after 10 minutes.
- Commend the volunteers for their performance. Then call for 2 or 3 comments from the other participants who observed the role-play to get their views on what worked well and what less well, in terms of coordination and actions to be taken.



Focus on the content and the approach, not on the acting skills of the participants. Suggested questions to open the discussion with participants who observed the scene include:

- What did UNPOL propose?
  - What were the key points that were agreed upon?
  - What was the conclusion?
- If time allows, instructors can invite participants who have been in similar situations to share their experiences.



*Use slides 30 to 34 for the debriefing exercise with the entire group.*

### **Slide 30: Role-play: Necessary conditions for diversion measures to be applied**


**Role-play: Necessary conditions for diversion measures** 

- No limit to the application of diversion measures, but based on the seriousness of the offence
- Indicative criterion is whether diversion is appropriate to address the reintegration of the child
- Diversion should be applied as early as possible in the judicial process
- Diversion can be initiated at any point in the judicial process

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- Despite the trend to consider diversion only for minor offences, the international legal framework does not impose a limit to its application in relation to the seriousness of the offence committed.
- A more indicative criterion for applying diversion is whether it is appropriate to address the individual needs of the child, in particular with regard to promoting his/her reintegration, as well as respond to the needs of society at large.
- It is preferable to apply diversion measures as early as possible, for example, before the child is arrested or charged with an offence.
- However, diversion can be initiated at any point in the judicial process, from the moment that a child is apprehended up to when he/she is sentenced.

**Slide 31: Role-play: Participation of the child in diversion**

**Role-play: Participation of the child in diversion** 

- Diversion can only be applied with the free consent of the child
- It may be necessary to obtain the collaboration of the child's parent(s) or guardian(s) (unless the parent(s)/guardian(s) are/were involved in the harm caused to the child)

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- In accordance with international standards, diversion may only be applied when the circumstances of the case are clear, and with the free consent of the child.
- Depending on the circumstances of the case, it may be necessary to obtain the collaboration of the child's parent(s) or guardian(s) (unless the parent(s)/guardian(s) are/were involved in the harm caused to the child).

**Slide 32: Role-play: Advantages of diversion**

**Role-play: Advantages of diversion** 

- The child avoids getting a criminal record
- Can help children to assume responsibility for wrongdoings
- The child avoids incarceration
- Reduces the volume of cases going through the criminal justice system
- Strengthens community structures


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- With diversion, the child avoids getting a criminal record that would accompany him/her throughout adulthood.
- Diversion measures can help children assume responsibility for wrongdoings they have committed by placing the emphasis on restorative action rather than punishment, in particular when diversion is applied together with victim-offender mediation, if appropriate.
- With diversion, the child avoids incarceration; studies have shown that placing children in detention facilities exposes them to criminal elements and increases

the risk of them committing other crimes and/or joining criminal organizations once released.

- Diversion reduces the volume of cases going through the criminal justice system. Criminal justice systems often experience delays owing to the large volume of cases; this is true especially in conflict and post-conflict contexts, when the justice system has been overloaded.
- Diversion measures can strengthen community structures by obliging them take responsibility in supporting their children.

### Slide 33: Role-play: Limits to diversion

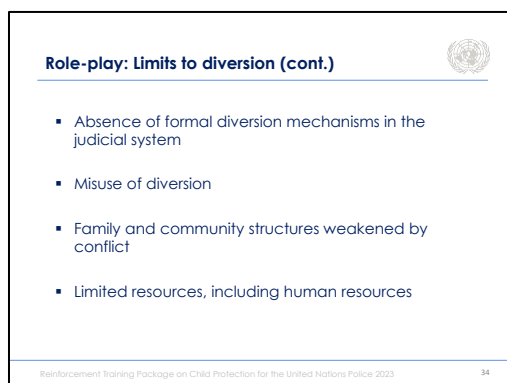
**Role-play: Limits to diversion** 

- Diversion is bound by the legal system
- Some civil law systems limit the ability of police officers to adopt diversion measures (this decision is within the remit of the prosecutors)
- Prosecutors depend on information provided by the police to decide on diversion measures

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- UNPOL officers supporting the host-State police will be bound by the legal system and principles relating to diversion in the host country.
- Some civil law systems limit the ability of police officers to adopt diversion measures, as such decisions are within the remit of prosecutors.
- It should be noted that prosecutors depend on information provided by the police to decide on diversion measures. For instance, a police report in which it is stated that a child was accused of stealing fruits would not help the prosecutor to decide to apply diversion measures. A police report indicating that a child has been suspected of stealing fruits AND the nature of the information collected from the merchant, the child's family, the child and the social worker will probably enable the prosecutor to apply diversion measures to the child.
- For that reason, even when police officers do not have the legal authority to apply diversion directly, their understanding of diversion is important, and their role remains central to its application.

**Slide 34: Role-play: Limits to diversion (cont.)**




- Implementing diversion measures is more challenging in conflict and post-conflict settings. This is because conflicts disrupt family and community life, which are normally children's first support system. 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 UNPOL 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 the international standards on diversion.
  - Misuse of diversion: Offences and crimes committed against children should not be diverted to non-judicial settlements. Community-based justice perceptions, patriarchal power structures and mistrust in the State justice system may lead communities to prioritize their interests over those of children. It is therefore important to understand that diversion measures are for *children*, not for communities to informally settle violations against children.
  - Family and community structures weakened by conflict: During an armed conflict, immediate (parents, siblings) and extended (cousins, aunts, uncles, grandparents) family members may be killed, displaced or separated from one another. Parental authority is also disrupted, and parents are not always able to supervise their children like they would in normal times. In times of peace, communities usually have structures in place to deal with conflict and to provide support to children at risk and juvenile offenders. However, in times of armed conflict, these structures become weakened and often destroyed, for example, owing to tensions caused by ethnic violence, forced displacement, killing of local authority figures such as teachers, village chiefs, religious leaders, etc.

- Limited resources, including human resources: In conflict and post-conflict contexts, there may not be a sufficient number of actors who are normally responsible for following up diversion measures – such as teachers, social workers, police officers, etc. This may be due to killings, forced displacement, destruction of schools and police stations or reform of State institutions in post-conflict settings that temporarily disrupt the work of these actors.



*After the debriefing for this exercise, ask learners if they have questions on the content of this segment. It is important to allow sufficient time to answer all questions, before moving on to the next module.*

### Slide 35: Key messages for Learning Activity 2.3

**Key messages for Learning Activity 2.3** 

- Diversion is a key process that should be implemented in specific circumstances to avoid the negative effects of a formal judicial proceeding
- Diversion should be conducted by child protection professionals
- UNPOL should seek support from specialists when advising on or promoting diversion measures
- UNPOL can support the host-State police with the conceptualization of diversion strategies
- It is important to connect diversion with international norms and standards

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## Reference Materials

Additional resources and references for instructors to enrich their knowledge prior to facilitating this segment of the module:

- UNICEF, Toolkit on Diversion and Alternatives to Detention, 2010, <https://sites.unicef.org/tdad/>
- UNICEF and UNODC, Introducing the United Nations Model Strategies and Practical Measures on the Elimination of Violence Against Children in the Field of Crime Prevention and Criminal Justice: A New Tool for Policymakers, Criminal Justice Officials and Practitioners, 2015, [www.unodc.org/documents/justice-and-prison-reform/14-08451\\_Strategy\\_eBook.pdf](http://www.unodc.org/documents/justice-and-prison-reform/14-08451_Strategy_eBook.pdf)

- United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), General Assembly resolution 40/33, Annex, 29 November 1985, <https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-standard-minimum-rules-administration-juvenile>

## Learning Activities

Additional information for the learning activities is in a separate file. It includes:

Number	Name	Methods	Time
2.2	How to act when contributing to the prevention of violations and other practices affecting children	Case studies	85 minutes

## Learning Evaluation

Learning evaluation options for this module are in a separate file.

**TIME:** 15 minutes