

Module

2



How to Support Child-friendly Prevention and Diversion

Assessment – Answers

- 1) A boy is accused of physically assaulting another boy. Should diversion measures be considered for the boy who is suspected of having sexually exploited the other?
- c. Yes, diversion measures should be considered within the parameters of the national legislation, if the conditions to allow the boy and his parents to agree on such measures are met, if it can be demonstrated that diversion is appropriate to address the individual needs of the boy, in particular promoting his reintegration, and if diversion responds to the needs of society at large.



Diversion should be promoted in all situations that fulfil the conditions detailed in this response.

- 2) To prevent recruitment and use of children by armed forces and armed groups, UNPOL can:
- a. If its mandate allows, conduct additional joint patrols with the host-State police in areas where children could be recruited.



UNPOL has a non-executive mandate, therefore UNPOL officers cannot engage directly in the host-State's systems. Only the host-State police can take direct action.

- 3) Early warning encompasses monitoring factors that can expose children to conflict-related violence. Which action is inappropriate as part of the planning and early warning stages?
- d. Reporting the six grave violations against children through the United Nations Monitoring and Reporting Mechanism.



The information gathered through the Monitoring and Reporting Mechanism is used in United Nations reporting and can trigger action by the Security Council and other actors. It would be more a question of prevention and response at that point, rather than early warning.

- 4) The host-State police noticed that more girls had entered into conflict with the law in the past two months, while the conflict has put financial pressure on families. A prevention strategy would NOT include:
- Support to the host-State police to eliminate the influence of all religious, traditional and non-formal actors in the girls' lives. Since these actors are non-formal, they hinder official prevention strategies and compromise the rule of law in favour of children's rights.



Non-formal actors can be pivotal actors in the child protection system. UNPOL should support the host-State police in its collaboration with them to ensure that they know and respect the law, their actions respect international norms and standards applicable to children's rights, and they use their informal authority to enhance the protection of children.

- 5) Your UNPOL colleague says that diversion measures cannot be applied in this peace operation because the legal system in the host country is based on civil law. Which one of these answers is adequate?
- Your colleague is wrong; diversion measures may vary in their application according to legislation and the role of prosecutors and police in a particular country, but the police always play a central role in documenting the contexts and options for diversion, even if it is the prosecutor who makes the decision.



Different countries may have different procedures and laws governing the role of the police in relation to diversion. However, it is important to emphasize that the police are always the entry point for diversion. Sometimes the police may make the decision about diversion directly, sometimes they provide the information to enable others to make the decision.

- 6) If a child has served his/her full sentence and is released from detention, is it still relevant to devise a prevention strategy?
- Yes, because the police should consider the risks of recidivism, as well as the risks posed to the child by his/her family, community, peers and society

at large, which could cause harm, including discrimination, ostracization and exploitation.



Anyone under the age of 18 is a child, including those who have been found guilty of a crime or an offence. Because rehabilitation and reintegration can be a complex journey for children in conflict with the law, it is important to recognize the risks that they may face and adapt prevention strategies as needed.

7) Can detention be used as a child protection measure?

- c. Yes, according to international norms and standards, in cases where the police believe that the child may be a threat to others or to himself/herself, detention can be used as a last resort for 72 hours maximum, until adequate solution is found with other child protection actors.



The only situation in which detention can be used as a child protection measure is described in this response, and it should only be for the shortest time possible.

8) The Child Protection Adviser in the United Nations peace operation tells you he/she has heard from credible sources that children in your duty station could be abducted in the next few days. What should you do?

- c. Coordinate with UNPOL's internal chain of command and the UNPOL Child Protection Focal Point to inform the host-State police and support them in liaising with key people responsible for the protection of children, such as village chiefs, teachers and women's groups.



In all situations, UNPOL's hierarchy must be informed and coordination with the host-State police is essential to respect UNPOL's mandate.