UNICEF Guidance Note for CEE/CIS

on consultation with children in juvenile justice programming
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This Guidance Note issued by the UNICEF Regional Office for CEE/CIS (Central and Eastern Europe and the Commonwealth of Independent States) is primarily designed to assist UNICEF offices in the region in dealing with juvenile justice programming.

The guidance is founded on relevant international standards and principles and builds on the Critical Mass exercise of the CEE/CIS Regional Office.

August 2010
With UNICEF’s support, the NGO *Children’s Rights Centre of Albania* provides education and rehabilitation services to young prisoners.

Here, a social worker discusses their activities with a group of boys.
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1. Introduction

It is the belief of the Regional Office for CEE/CIS Child Protection Unit that child participation and empowerment approaches apply with acute relevance to children and adolescents in conflict with the law. Although this population may be hard to reach and involve, its situation should not be seen solely in terms of conflict. Juvenile offending is an indication of the limit reached by the child in his/her search for meaning and worth in life, but it also constitutes an opportunity for adults and children to reconnect and identify new potentialities. Protection in juvenile justice must go hand in hand with individual access to information, services and complaint mechanisms, as well as to collective participation channels. All UNICEF juvenile justice programmes in CEE/CIS should therefore develop a child participation and empowerment component through their established systemic approach. This guidance provides the framework for such developments and an introduction to some first steps.

2. Consulting with children to enhance participation

What is child participation?

Meaningful child participation is based upon the recognition that children are important stakeholders whose voices and perspectives must be heard and included in all interventions, policies and procedures affecting them. It involves ensuring that children are able to express an opinion about – and exert an influence upon – decision-making and action. Furthermore, child participation involves ensuring that policies and procedures provide an enabling environment for children’s voices to be heard in strategic planning and operations. Underscoring this is the importance of increasing the accountability of organizations and institutions in regard to children’s rights, interests and perspectives. Listening to children is the first crucial step, and taking into account children’s perspectives in policymaking and programming is essential to meaningful child participation.
Child participation can be considered consultative where children’s views inform programme components. Alternatively, activities may be initiated by adults but implemented by and with children. Child participation can also be self-initiated, with children leading activities and adults providing support where necessary. Such activities may include situational analyses or the identification of key issues, in which children articulate their concerns and/or are used as researchers to learn more about children’s needs. Children may be consulted on strategies and work plans in the course of programme planning and design. They can also be involved in implementation in terms of managing activities or undertaking specific components of work. Finally, children can be involved in monitoring and evaluation, whether by identifying key indicators relevant to children, expressing how a project or programme has had an impact on their lives or asking other children about these issues.

**Child participation and empowerment as a factor of resilience**¹

While the developmental consequences of living with chronic violence can be devastating, not all children exposed to powerful stressors sustain developmental damage. Some children develop a high degree of competence in spite of stressful environments and experiences. Since the processes that lead a child to be in conflict with the law – and his/her subsequent contact with the justice system – can be extremely stressful, if not violent, we should consider resilience-building as being central to juvenile justice.

Research has identified protective and resilience factors, mainly in children’s early years and in relation to families, communities, aspirations, beliefs and personal characteristics such as cognitive competence, experiences of self-efficacy and corresponding feelings of self-confidence and positive self-esteem. Yet a child’s reaction to violence also depends upon the child’s age and developmental maturity. Older children are better able to cope with stress than younger children, as cognitive maturation enhances *expression and coping*. Resilient children have the capacity to *make sense* of the stressful and traumatic events with which they are confronted. Resilience and the ability to handle stress also depend upon the ability of children to access information about and understand events taking place around them, otherwise known as representational competence.

¹ This section is based upon extracts from United Nations Children’s Fund, *Technical Notes: Special Considerations for Programming in Unstable Situations*, UNICEF, 2000, p. 490.
The research confirms the importance of giving children in conflict with the law information and opportunities to debate, comment, complain, organize, contribute and reflect on their situation and on juvenile justice as a whole. This gives meaning to a child’s experience and transforms it into a positive, maturing episode that will ultimately allow him/her to play a constructive role in society and live a better life. Participation is likely to increase children’s sense of self-efficacy – in other words, their perception of power and control over their environment. This is essential in building children’s agency and ability to make positive and constructive decisions in relation to their own lives and other people’s.

Child participation will also have a positive impact upon children’s interpersonal relationships and the sociocultural contexts within which they make decisions and act, for instance, by impacting positively on constructions of childhood and the ways in which adults relate to children. Evidence suggests that child participation has the following effects upon children, their families and communities:

- **On children**: greater self-esteem, access to new opportunities and awareness of rights.
- **On parents, siblings, extended family**: greater sensitivity to children’s situation and improved inter-generational communication.
- **On staff**: more respect for children, less use of violence and greater understanding of children’s capacities.
- **On institutions**: changes in organizational structure and policies, further consultation with children and a greater response to children’s concerns and priorities.
- **On the community**: improved attitudes towards children generally and specifically towards those whose behaviour may be counter to social norms; and an enhanced understanding of child rights and child protection issues.
- **On the realization of children’s rights**: adults listen more to children and are less likely to resort to violence to resolve inter-generational conflict; children enjoy a safer environment; and positive changes in legislation or rules are based upon children’s views.
Participation is thus a potential source of empowerment for children, when undertaken meaningfully and ethically. It is also essential to the strengthening of child protection systems and interventions in the area of family preservation and community engagement.

**Child participation concepts applied to juvenile justice**

One of the basic principles underlying the Convention on the Rights of the Child is that the views and experiences of children should be taken into account in developing or reforming policies, programmes and institutions affecting them. To date, this principle appears to have had limited impact upon efforts to develop or reform juvenile justice systems around the world. Some examples of surveys of juvenile offenders do exist, however. The Committee on the Rights of the Child has observed, “In many cases, only children themselves are in a position to indicate whether their rights are being fully recognized and realized.”

Participation is a **substantive right** that entitles children to be actors of their own lives rather than passive recipients of judicial decisions and correctional-educational measures. It is also a **procedural right** through which other rights may be realized, justice achieved and abuses of power exposed.

Article 12 of the Convention on the Rights of the Child imposes an obligation on States and adults to enable and enforce this right of participation. This entails providing **space, time, resources and options for children to express themselves**. Article 12 does not entail a duty for children to express their views, so they should be allowed to remain silent or not participate, if they wish. It is essential that children are provided explanations as to how their views will be taken into account and, if not, why not.

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2 This section is largely inspired by Landsdown, G., ‘Can you hear me? The right of young children to participate in decisions affecting them’ (working paper), Bernard van Leer Foundation, 2005.

3 Committee on the Rights of the Child General Comment No. 10: Children’s Rights in Juvenile Justice, CRC/C/GC/10, 2 February 2007, chapter VII.

4 Committee on the Rights of the Child General Comment No. 5: General measures of implementation for the Convention on the Rights of the Child, CRC/GC/2003/5, 10 March 2003, para. 50.
It is also crucial to understand children’s interpretations and the meanings that they attach to certain concepts and processes. This issue was exemplified by a study of children’s views on a UK Government proposal for improving outcomes for children (Sinclair et al., 2002). The proposal used the terms ‘protection’ and ‘being safe’ interchangeably. To the children, however, ‘protection’ implied overprotection and restrictions, and was thus viewed negatively. In contrast, the children understood the concept of ‘being safe’ as freedom from bullying and crime, and was therefore a desirable goal. In order to address these issues, it is necessary to allow sufficient time to listen properly, to check back with children and to avoid making assumptions on their behalf.

An insistence upon passive obedience renders children vulnerable to exploitation and abuse; in places of detention or custody, such mistreatment is particularly prevalent. Participation can give children in conflict with the law opportunities to learn about their rights and duties, about how their freedom is limited by the rights and freedoms of others, and about how their actions can affect the rights of others. Yet, encouraging law enforcement officials, the judiciary and child protection professionals to make the paradigm shift towards child participation can be a long and difficult process for a number of reasons.

Child participation may pose a threat to authority and to the sense of professional competence. The ‘generation gap’ combined with the ‘professional gap’ may create a divide between child protection workers and children, hindering meaningful communication and engagement.

At an ethical level, the selection of children and youths, and of topics for child participation processes may not be transparent and equitable. The responsibilities given to children may not be appropriate for their age and stage of development, and may therefore be the cause of frustration and disappointment rather than empowerment. Concerns about confidentiality and fears that participation will lead to inappropriate exposure of vulnerable children may exist. At a practical level, child participation processes may be costly in terms of both financial and human resources.⁵

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3. Consulting with children on juvenile justice reforms in CEE/CIS: Methodology

Key methodological challenges and related recommendations have been identified through the analysis of CEE/CIS child survey reports:

**Support, commitment and capacity**

- Time and resources should be invested in consultation at a regional and national level to ensure that all key government and non-government stakeholders buy into the research objectives, design and tools beforehand.
- Ideally, UNICEF country offices should ensure the buy-in of particular government institutions, not only to assist the research process in terms of access, but also to ensure that the findings are used to inform policy change.
- It is necessary to *invest in recruitment and training* to ensure that researchers have the skills to engage with children on sensitive issues. While an in-depth knowledge of the juvenile justice system is desirable, what is more important is the ability to engage with children, particularly in the context of adversity.
- *Ethical considerations* must be given primacy in research with children in conflict with the law. There is a stigma attached to offending, and children who are placed in detention or have recurring contact with law enforcement authorities are vulnerable. Ethical protocols and referral mechanisms must be developed in advance and all researchers should be trained in their use (see Annex).

**Access**

- *Preparation and buy-in:* It was difficult to access children in certain juvenile facilities due to formal obstacles. This suggests that buy-in from key stakeholders was not obtained in advance through official letters, and that adequate preparation was not made prior to the assessment.
- *Building up trust* with children so that they do not feel the need to misrepresent the truth and can participate fully. Researchers must consider the possibility that children may have a number of reasons for concealing the truth, including the fear of retribution, a lack of understanding or faith in promises of confidentiality, mistrust of the
researcher, a desire to tell the researcher what they think he/she wants to hear, and the wish to obtain a particular reward or outcome. Trust could be built through informal activities and multiple interactions, ensuring that the child’s first encounter with the researcher takes place before the first formal interview. The best option might be for independent educators or social workers who have regular contact with the children and opportunities for follow-up with them (e.g. an NGO providing occasional activities or services) to undertake the consultation.

- **Retrospective interviews**: Researchers found it difficult to access children who have been released or who have graduated due to various logistical constraints and ethical concerns, but the value of their opinions on the long-term impact of the justice system justifies the extra efforts required to reach out to them. It is therefore necessary to maintain contact with children after they have left the facility without raising their expectations and blurring the researcher–respondent relationship. This must be done with caution given the potential for logistical and ethical concerns to arise.

### Quantitative surveys

- Surveys were not suited to children of different ages, educational levels and levels of comprehension. Children did not understand certain questions, for example, those relating to procedures within the criminal justice system. Furthermore, they could not explain ‘the chain of events’ that led to their placement in juvenile correction facilities.

- ‘Leading’ responses: Prior to or during the administration of surveys, the researchers provided information to the children about criminal justice procedures, the roles and responsibilities of key actors (e.g., lawyers) and different forms of violence that they may face. This approach is likely to produce a bias and distort responses. Instead questionnaires should be tested in advance to ensure that they are child-friendly and will not require additional explanation by the researchers during the survey. Children themselves should be involved in testing and adapting questionnaires and other research tools.
• Content: The surveys did not give children an opportunity to reflect on the meaning of certain events and situations, or the impact of such experiences on their well-being. Many children did not respond to questions in surveys or provided one-word responses to open-ended questions. Children’s failure to respond to these questions may be related to their mistrust of the researchers and their promises of confidentiality and/or to their fear of retribution. Evidence suggests that children are unwilling to discuss sensitive information in a survey format.

• Analysis: Quantitative findings must be analysed against qualitative responses to understand why certain responses are given or what certain statistics mean in the context of juvenile justice. In most cases, literature or legal policy reviews need to accompany findings to contextualize children’s responses.

Questionnaires

• **Structured questionnaires:** These do not open up an opportunity for children to lead the interview in a direction important to them, nor do they provide for in-depth discussion and analysis. By offering respondents fixed options in the questions, there is little scope left for greater discussion. The questions are asked in a set, ordered manner without adaptation to the respondents or their responses, which may lead to a sense of frustration from respondents who have to repeat themselves. This option must therefore be weighed against the survey objectives and the respondents’ needs and well-being.

• **Semi-structured questionnaires:** When in-depth interviews were conducted, open-ended questions enabled children to discuss the people and activities that were significant to them. Yet when specific questions were asked about the police, less in-depth information was elicited. When questions around this issue were not asked explicitly, however, children voluntarily made certain statements, suggesting a number of problems in the police system. From a methodological point of view, this suggests that researchers must adopt creative methods to encourage children to talk about sensitive issues, as direct questions may not be effective in eliciting information.

• **Focus groups:** Focus groups serve a number of functions. Firstly, they provide a valuable opportunity to build trust with children. Secondly, they enable the identification of children who offer interesting information and are willing to be interviewed on an individual basis.
Finally, they provide important information about the way in which a group interacts, participants’ shared opinions and overarching social norms. Focus groups therefore offer an important methodological tool in the context of juvenile justice, but should be followed up with in-depth interviews to gain more information about differences in experiences and their impact upon individual children.

- **Child-centred tools**: Unfortunately, no creative child-centred tools such as art or drama appear to have been used in recent juvenile justice child consultation exercises in the CEE/CIS region. This is a missed opportunity, as children need access to different vehicles in order to express themselves fully. This underscores the importance of planning child consultations as activities in themselves – rather than as a means of obtaining information only. Research conducted on other sensitive topics such as child abuse, exploitation and trafficking has highlighted the value in using creative methods appropriate to children’s ages and literacy/education levels and interests. Child-centred research tools not only serve to build trust between researcher and subject, but also provide a vehicle through which children can express themselves. Children may associate a one-on-one interview with interrogation (particularly in the context of juvenile justice), but may be more receptive to interactive activities and creative techniques involving art and drama. Such activities may also prove to be therapeutic as they give children an opportunity to reflect on their experiences.

- **A combination of tools**: Tools such as surveys and structured questionnaires should be treated with caution when addressing sensitive issues. Using a combination of semi-structured and unstructured tools in an individual or group setting is useful in elucidating trends, norms and individual lived realities (see Annex). Surveys should be limited to demographic information and basic information about juvenile facilities only. Children’s perceptions and feelings should then be explored in in-depth interviews.

- **Sensitive issues**: Structured surveys and questionnaires with pre-coded categories are inappropriate when discussing sensitive issues such as violence and the impact of institutionalization upon children. Children must be allowed to define violence, what it means to them and how they have been affected by it. It is important to remember, however, that children may not want to recall experiences of violence and that they have the right not to be pressurized to recall or discuss these issues. Insisting that a child does so constitutes a violation of his/her consent;
may lead to psychosocial distress; and may be counterproductive, leading the child to simply refuse to discuss sensitive issues. More time should be spent with children, and more informal activities developed, so that children feel able to introduce or discuss these sensitive issues of their own accord. Similarly, findings from research involving children in other settings suggests that a more effective and child-sensitive approach is to allow children to describe the people with whom they are in contact in a particular setting. This ensures that children are able to introduce people who have had some impact upon their lives, even if they do not know exactly what that person’s particular role or function is meant to be.

Analysis and follow-up

- **Validity of findings**: Multiple sources can be consulted without breaking promises of confidentiality; questions can be asked in different ways; research methods can be revised; and multiple interviews with the same child can be scheduled. In other words, the researcher may verify the information provided by children through triangulation. The researcher must, however, be careful not to perpetuate dangerous beliefs that children (even when in conflict with the law) cannot be trusted or believed, as this is likely to undermine participatory processes. Both the willingness of adults to listen to or engage with children and children’s willingness to participate in research projects and interventions of this kind could be adversely affected by such harmful aspersions.

- **Contextualize findings**: Further research into children’s perceptions around what childhood should and ought to be, contrasted with their actual experiences of childhood, would elicit important nuances and contextualize children’s questionnaire responses. Further analysis may be useful in understanding the effect of macro political and institutional processes on children’s relationships and agency in the context of juvenile justice. It is essential that an in-depth literature review and legal policy analysis is conducted prior to the development of research tools.

- **Children’s voices**: Adults tend to speak for or on behalf of children in conflict with the law. Such reports could be strengthened with children’s quotes, pictures and other representations of their lived realities.
Despite the fact that children in conflict with the law are vulnerable, *an appreciative approach* that highlights their strengths and resiliency is needed. This will not only provide useful information about children’s sense of self-efficacy and agency, but it will also ensure that their participation in the research is more empowering. Attention should also be directed to examples of promising practice or best practice in institutions, with a view to sharing this at a national and regional level for the benefit of other institutions.

**Post-assessment follow-up:** Efforts to follow up research with the children themselves after the assessment has been finalized remain altogether too modest. Consultation is a means of initiating a process of participation for children and young people involved in the juvenile justice system; it is not an end in itself. As well as informing stakeholders of the research findings, where possible children themselves should be informed of the findings, involved in the dissemination of results and engaged in further planning processes. The final report could, for example, be presented for discussion with all stakeholders once it is consolidated and safe, either as a special children’s report or as part of an overall assessment report. Where the feasibility and relevance of involving child participants in the presentation and promotion of survey results is adequate, this involvement should be considered and supported.

While recent research has been promising, the analysis of consultation reports demonstrated that more efforts must be made in terms of **strengthening child-centred research capacity and follow-up in the region**, so that consultation can be both meaningful and effective. Research is the first step in what should be an ongoing process of child participation. This requires the commitment of adult stakeholders in various roles as well as the technical support of UNICEF country and regional offices.
In 2009–2010, UNICEF has been participating in the drafting of the new Council of Europe Guidelines on Child-Friendly Justice – a tool meant to enhance children’s access to and treatment in justice. See: www.coe.int/t/dghl/standardsetting/childjustice

During this process, it has been decided to listen directly to children and young people.

Around 30 partners throughout Europe have contributed to this consultation, preparing and disseminating a questionnaire, and also organizing discussion groups with children and young people in their different surroundings, in order to find out their views about justice in all its forms.

In total, more than 3,700 replies have been received from 25 countries. These have been analysed by Ursula Kilkeely, an Irish youth rights expert, and taken into account in the drafting of the guidelines on child-friendly justice. Key issues raised by children – whether they had come in contact with the justice system as offender, victim or other – included the vital importance of their family ties, a general mistrust of public authorities, a call for adults to show respect towards them, and the need to be allowed to speak for themselves.

UNICEF offices in Bosnia and Herzegovina, Croatia, Georgia, Kyrgyzstan, Moldova, Turkey and Ukraine, as well as the Regional Office for CEE/CIS and the Belgian National Committee for UNICEF, have been contributing to this process.

Child-friendly versions of the child consultation report and of the guidelines themselves will be made available by the Council of Europe. Their release will constitute an important opportunity to get back in touch with the children who have been consulted, to give them feedback and to involve them in the development of follow-up activities that they consider meaningful.
4. Consulting with children in juvenile justice programming

Child participation and empowerment should be enabled not only through individual legal guarantees and services in judicial and administrative proceedings, but also in protocols, rules and programmes in collective settings and activities. Hence, in juvenile justice programming, UNICEF should consult with children on, among other things:

Institutional capacity-building

- Drawing up of child participation and adolescent development guidelines and training manuals for the different players involved in juvenile justice (i.e., the judiciary, and law enforcement and penitentiary personnel, as well as monitoring bodies).
- Involvement of children and adolescents formerly in contact or in conflict with the law in training sessions for the judiciary, and law enforcement and social services personnel.

Prevention

- Children and adolescents to be consulted in the development of multi-sectoral prevention plans (e.g., through surveys, meetings and focus group discussions).
- Prevention programmes to develop participatory methods (e.g., role play, group discussions and visits, instead of simply lectures given by the police).
- Children and adolescents to be consulted and involved in the production of information materials (e.g., leaflets).
- Children and adolescents – especially those formerly in contact or in conflict with the law – to be involved in peer prevention activities.
- Adolescents and youths to be employed (e.g., by municipal authorities) to undertake outreach and mentoring activities.

Establishment of alternatives to detention

- Involvement of children and adolescents who are under alternative measures (diverted or sentenced) in the establishment of programme rules, activity planning, the running of group discussions, and the monitoring and evaluation of the programme.
• Adolescents and youths to be employed (e.g., by service providers) to undertake mentoring for children under diversion or alternative sentencing measures.

**Protection and reintegration of children deprived of their liberty**

• Involvement of child and adolescent inmates in the establishment of the house rules, activity planning and the running of weekly group discussions.
• Choice for inmates to become involved in daily duties favouring the development of livelihood skills (e.g., cooking, gardening, laundry, etc.).
• Increased support (e.g., free and organized transport) and involvement of inmates to prepare for family visits (e.g., decoration of visit settings, cooking, etc.) and unconditional implementation of the right to visits and telephone calls (i.e., cancellation of visits must not be a disciplinary measure).
• Increased access to external players proposing participatory activities in custodial settings (e.g., artists).
• Establishment of life skills and entrepreneurial skills trainings and activities with the participation of community players (e.g., private companies offering apprenticeships).

**Creation of knowledge and awareness**

• Children and adolescents to be consulted in the design and implementation of juvenile justice research.
• Inclusion of children and adolescents as survey and research subjects.
• Production of child-friendly versions of research and data collection results.

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**Lessons learnt from child participation in the EC-supported UNICEF Juvenile Justice System Reform Project in Montenegro, 2009**

One project lesson learnt is the exponential project value of meaningful child participation in creative activities, in this case of children in conflict with the law in a dramatic production based upon their own life experiences. Respect for the views of the child is a
guiding principle of the Convention on the Rights of the Child and a leading principle for comprehensive juvenile justice policy, thus full child participation is an already accepted lesson. However, examples that target disadvantaged groups and achieve remarkable results are not well-known and are rarely replicated.

In summary terms, the project invested modest financial resources over three months to support the local NGO Proscenium, which developed a theatrical play with children placed in the semi-open Ljubovic Centre. Based on their own life experiences, over 20 children participated in the play ‘On the good and on the bad road in life’ and presented it five times in December 2009. There were approximately 830 spectators across the five performances, and positive television, radio, and print media coverage was extensive. Beyond the children’s own strengths, the NGO’s experience in professional theatre and drama production, and in working with disadvantaged populations (Rom, refugees, etc.), was fundamental. The children’s dramatic performances brought audiences to tears, and within the Ljubovic Centre, staff and children “breathed as one for the first time.” One of the NGO’s leaders identified the most important result as the “pure joy” of the children, and called the experience “the best project in my life.”

This project activity exemplified the transformative power of meaningful child participation in ways that are rarely seen. Rather than as an exceptional or isolated activity, children’s rights designate such work as a core value and basis for all work with children. The theatrical play humanized with immediacy the project’s goals, empowered children with dignity and respect, and advanced the realization of children’s rights.

Source: Cipriani, D., External Evaluation Report, April 2010, pp.43-44
Annex

A. Findings from surveys with children on juvenile justice reforms in CEE/CIS

Research on the specific issue of juvenile justice confirms that the experiences of children can provide valuable information about important issues concerning the treatment of juvenile offenders – information that is unavailable from other sources. Examples of surveys of this kind include one from Indonesia\(^6\) and one from Paraguay\(^7\), as well as a regional survey covering six countries in Central America\(^8\).

More recently, surveys have been undertaken with children on juvenile justice issues in the CEE/CIS region specifically, as part of broader reform advocacy and programming. In order to understand the level and quality of child consultation in juvenile justice programmes led or supported by UNICEF in the CEE/CIS region, unpublished reports and PowerPoint presentations from Azerbaijan, Armenia, Serbia and Ukraine were reviewed and six transcripts from a study in Kosovo analysed. These documents covered the following samples:

<table>
<thead>
<tr>
<th>Country</th>
<th>Commissioned by</th>
<th>Consultation conducted by</th>
<th>Date of consultation</th>
<th>Sample size (children and youths)</th>
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<td>National Consultant</td>
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<td>Serbia(^8)</td>
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<td>131</td>
</tr>
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<td>Ukraine</td>
<td>UNICEF</td>
<td>Centre for Social Expertise, National Academy of Sciences</td>
<td>2008</td>
<td>17</td>
</tr>
</tbody>
</table>

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\(^6\) This survey is known only by references to it in the second report of Indonesia to the Committee on the Rights of the Child, CRC/C/65/Add.23, 7 July 2003, para. 513–518, 532–533.

\(^7\) Second report of Paraguay to the Committee on the Rights of the Child, CRC/C/64/Add.12, 15 March 2001, para. 1014.

\(^8\) A survey conducted by Save the Children UK in Bangladesh is mentioned in United Nations Children’s Fund, *Juvenile Justice in South Asia: Improving Protection for Children in Conflict with the Law*, UNICEF, Kathmandu, 2006. Efforts to obtain a copy have, however, been unsuccessful.

The findings of existing research are specific to the country context and the particular situations of the children and youths who participated in the surveys. The perceptions of children in the CEE/CIS region are summarized below.

The justice process

- **Overall impressions**: Many children replied “nothing at all” or declined to comment. Further research is required to understand children’s perceptions of the juvenile justice process.

- **The police**: For the most part, children refrained from answering questions about the police, or described them in a very negative manner. Reference was made to violence, abuse and exploitation in police custody. Some children stated that investigators used deception, threats and violence to obtain a statement and admission of guilt. Some interrogations were conducted without the presence of a lawyer or adult to represent the child. Some children stated that their parents were not informed that they had been detained.

- **Pre-trial facilities**: Many children complained about conditions in the pre-trial facilities, in which they had to stay for lengthy periods of time due to the postponement of case hearings.

- **Fair decision-making process by authorities/court**: Children’s responses were divided as to whether the court’s decision was fair or not. Some complained that sentences were too severe; others felt that the judge was fair and sentences were justified. Some were agitated and emotional during court proceedings and felt that they should have received more support during this process.

- **Placement**: Many children complained that they were not informed of their rights and duration of stay when placed in the institution.

- **Periodic review of cases**: Only a few children stated that their cases are reviewed periodically. For the most part, children’s ongoing contact with lawyers and other mandated child inspectors was limited.

Children’s recommendations:

- Children’s cases should be re-examined in court
- Children should be provided with legal aid
- Children should not be imprisoned
- Children should be informed of their rights
- Children’s records should be expunged.
Social supports within institutions

- **Familial contact**: Many children, particularly those in closed-type institutions, had very little contact with their families. The reports suggest that some parents chose not to visit their children. Some others could not see their children because visiting times clashed with their work schedules or because there were restrictions on the number of visits that they could make. Despite evidence of negative treatment at the hands of many parents, children generally wanted to return home to their families.

- **Social workers and lawyers**: Children complained that they received inadequate support from social workers and lawyers. They had either never met such persons or did not have ongoing contact with them. Many children complained that they had no one with whom to discuss their problems. Some did say, however, that they were able to sustain relationships with NGO staff and volunteers.

- **Staff in juvenile facilities**: Some country reports suggest that children viewed staff in a very positive light, particularly when they respected children, listened to them and tried to motivate them. Reference was also made, however, to staff meting out negative treatment, including verbal abuse, physical abuse (involving hitting and beating children) and labour exploitation. In some institutions, children complained that they were forced to work under threat of physical violence.

- **Security guards**: Reference was made to corruption and verbal and physical abuse at the hands of security guards. Across all reports, the children requested that security guards show them more respect.

- **Ombudsman institution monitors**: Despite negative treatment at the hands of various staff members, children rarely made formal complaints. Even when ombudsmen were present, children did not feel that they could communicate their problems to these people.

**Children’s recommendations:**

- Permit and facilitate visits to their homes and families
- Adapt visiting hours to suit children and their families
- Give them more support from psychologists
- Treat them well
- Do not force them to work
- Staff should trust children more.
Services in institutions

- **Housing, nutrition and health:** Across all studies, these services were described as adequate or satisfactory. Some children even described the services as an improvement on their living conditions at home.

- **Inadequate counselling and rehabilitation services:** Many children were worried about the absence or poor quality of counselling services. This is a concern, given that some children said they were lonely, depressed, ashamed, scared and feeling hopeless about the future. Few examples were provided of children feeling ‘better’ after seeing a psychologist. It is important to note that in some cases where psychologists were available, children stated that they would rarely see one of their own volition. Greater efforts should be made to ensure that psychologists are more accessible to children.

- **Inadequate vocational services:** Children in various facilities (and adults who had left the same facilities), felt that they had not been equipped with the vocational skills needed to find employment upon leaving the juvenile system.

- **Education:** Many children did not attend school, but reasons for their absence were not given. Although this is specific to certain institutions, communication with educators was often described as poor. Some children complained that they were verbally and physically abused by their tutors. In some cases, children referred specifically to a shortage of teachers.

- **Recreational activities:** Children preferred to spend time pursuing outdoor activities. Most children requested more sporting activities and excursions outside the institution. Children’s biggest concern was their lack of freedom in deciding what activities to engage in.

**Children’s recommendations:**

- Refurbish institutions
- Organize excursions
- Transform closed-type institutions into open-type facilities
- Create more opportunities to participate in sport
- Purchase books for the library
- Give children vocational training and guidance for future job seeking
- Give children more freedom.
The impact of institutionalization

Many children stated that institutionalization had ‘no impact’ upon them; this finding requires further investigation using child-sensitive research tools (see Annex).

- **Impact on prevention**: A few children suggested that their placement has had a positive impact – it has prevented them from engaging in criminal activities; it has helped them to control their emotions; it has enhanced their communication skills; and it has given them moral guidance.

- **Impact on reintegration**: Some children complained that the biggest issue was the separation from their families. Retrospective interviews with adults who have left juvenile facilities suggest that the impact of institutionalization may be negative for a number of reasons – it leaves children nervous, aggressive and mistrustful; and it leaves children without financial support and unprepared to find paid employment. Many adults complained that they had received little support from their families, communities and other actors upon leaving the juvenile justice system. The children’s accounts suggest that formal reintegration programmes are either absent or ineffective in terms of providing long-term support.

**Children’s recommendations:**
- Give children more support when they leave.

**B. Research tools**

**Semi-structured interviews**

The semi-structured interview has been described as a guided conversation. It is a conversation in that it is informal and relaxed, yet it is guided by certain key themes.

A successful researcher needs to be:
- **Honest, open and trustworthy**: Be upfront with the child. Explain the objectives and aims of the project, and your particular role in
it. Be clear about what they can expect from you, and what your responsibility to them is. Emphasise that they or their families will not receive any immediate benefits, but that this research will be used to improve other projects. Give the child an opportunity to ask questions about you. Answer them as honestly and openly as possible bearing in mind that you are asking the child to share potentially sensitive things about their lives, and that you need to create a trusting space for them to do so. You need to EARN this trust as the child is not obligated to help you. So developing a rapport is essential.

- **Committed** to the respondent-researcher relationship: The researcher needs to invest time and energy in building this rapport. All attempts should be made to interact with the child before the interview in a relaxed and informal setting so as to build a relationship with the child. In addition, the researcher should try to conduct multiple interviews with the child. As the trust develops over time there will be more opportunity for the child to reflect on his/her own experiences and share them with the researcher.

- **Attentive**: In order to gain an in-depth understanding of the children’s lives and perceptions, it is necessary to listen attentively to what the child says, explore his/her comments, and confirm or clarify anything you do not understand. It is important to remember here that YOU are trying to learn from the child, and not the other way around.

- **Sensitive**: You need to be sensitive to the child’s needs, likes and dislikes at all stages in the research process. The child must be given the opportunity to state his/her preferences in terms of interview venue and time, duration and content. The child must be able to decide not to answer a particular question or terminate the interview at any point.

- **Ethical**: You need to follow the research protocol closely. It is your responsibility to ensure that the child’s best interests are given primacy, and that he/she is happy and safe.

- **Flexible**: The researcher needs to ensure that certain core themes are covered while providing space for the child respondent to bring up matters and issues of concern. The researcher should
follow up with open-ended questions including words such as WHY...? HOW...? WHO...? WHEN...? EXPLAIN...? AND THEN WHAT HAPPENED...? WHAT DO YOU MEAN?

- **Creative**: The researcher should include activities in the research schedule such as life history books or decision-making charts listed below. These activities need to be appropriate, stimulating and FUN!

The researcher should NEVER:

- Act in a manner that undermines or places the best interests of the child at risk
- Violate the ethical standards set out in this protocol (see section on ‘Ethical Protocol’)
- Lead the children’s responses, tell them what to say or what they ought to think
- Make judgements about the child and his/her responses
- Try to force the child to stick to an inflexible research schedule

**Deciding on the interviewing tool:**

When deciding upon (A) the type of interview and (B) the specific interview schedule you need to consider the following 10 questions:

1. **Objective**: Why are you interviewing this person?
2. **Outcomes**: What are you hoping to achieve from this interview?
3. **Data**: What type of data are you trying to gather?
4. **Format**: How will this data be analysed and used? Do you need a standardised questionnaire to allow for coding and cross-comparison?
5. **Context**: Where are you interviewing this person?
6. **Duration**: How long do you have to interview this person? Will you be able to interview this person again?
7. **Open**: Will the respondent be able to honestly and openly express their feelings and opinions?
8. **Appropriate**: Is this line of questioning suitable given the respondent and the context?
9. **Ethics**: Will these questions confuse, harm or make the respondent feel uncomfortable in any way? Will they raise the respondent’s expectations?

10. **Reflexivity**: How do you feel about asking these questions?


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**Unstructured interviews**

This method is very useful when undertaking research on very sensitive subjects such as juvenile justice. A researcher would start an interview with an open-ended question such as ‘How did you come to be here?’ or ‘Tell me about yourself’ and the child then leads the direction of the interview. Unstructured tools may be used to understand what is important to the child and what the child is hesitant to discuss. They also help to build trust with the child and can be followed up using more structured methods that focus on specific themes and questions. The researcher must, however, be trained and prepared to respond to potentially disturbing or upsetting information that the child may want to share (see Annex: Ethical protocol – paragraph on being supportive).

The unstructured interview is led by the respondent, who brings up significant issues and topics at will. The interviewer does not arrive with a set agenda for the interview or with a set of themes and/or questions, but lets the respondent drive the process.

The main advantage of this method is that it is relaxed and enables the respondent to discuss the topics that he/she is interested in. In this way, it is often an entry point into the child’s life and what various events *mean* to him/her. This approach is, however, more difficult as it requires high levels of trust and rapport so that the child will feel comfortable highlighting significant events and matters. When using this method, it is therefore useful if the researcher is familiar with the context, the language and concepts that the child uses. The researcher can also face problems asking the questions that he/she is particularly interested in as the child drives the interview. The unstructured interview therefore requires time, patience and investment.
Practical guidelines when conducting focus groups with children

**Facilitation:** As a facilitator you have a number of responsibilities. It is your job to ensure that:

- Children’s safety and best interests are given primacy
- The children are comfortable and happy
- An atmosphere of trust and sharing is created so that all participants can learn about themselves, about each other and from each other!
- Research questions and activities are appropriate, useful and FUN!
- The activities run smoothly, elicit insightful information and are enjoyed by the children
- All the information is recorded well and clearly

This method can be used when attempting to assemble **life histories and case studies**.  

<table>
<thead>
<tr>
<th>Method</th>
<th>Life story</th>
<th>Case Study</th>
</tr>
</thead>
<tbody>
<tr>
<td>Focus</td>
<td>Child’s perspective, understanding and feelings</td>
<td>Details of a person’s life or situation. Processes, events and context.</td>
</tr>
<tr>
<td>Key question</td>
<td>What does this event mean to the child? How does the child feel about this event?</td>
<td>What happened in this event? Why did the child experience this event?</td>
</tr>
<tr>
<td>Data</td>
<td>Subjective</td>
<td>Subjective and objective</td>
</tr>
<tr>
<td>How</td>
<td>Home/site visits and interviews. Unstructured interviews preferably or semi-structured with numerous open-ended questions.</td>
<td>In-depth interviews with the child and others who are familiar with the child. Any other data related to the child e.g. school reports, social worker reports, pictures, drawings, general observations.</td>
</tr>
</tbody>
</table>

In order to fulfil your responsibilities, you need to follow these general guidelines:

1. Be sensitive to the children’s needs. Spend time with the children beforehand and confer with a person who knows the children.
2. LISTEN to the children and take all their opinions seriously.
3. WATCH them closely for signs of possible unhappiness and distraction. Children who are participating actively, will listen attentively and will share their thoughts and opinions freely.
4. Encourage the children to participate by giving them a say over what activities will be used. Reward them with tokens and praise, and recognize good work.
5. Give them the option NOT to participate in any activities if they are not comfortable.
6. Explain the activities slowly and clearly. Demonstrate or provide examples if necessary provided that you do not lead the children or tell them what they must or should say.
7. Keep checking whether the children understand what is being asked of them and why it is being asked of them. Be clear when assigning tasks and roles. Children who are confused are not happy children!
8. If the activities are not working, be spontaneous and flexible – end them if necessary and decide upon more appropriate activities. The activities must be interesting and FUN!
9. Ensure that the children are not bored. Keep interspersing the activities with ice-breakers or stimulating energetic exercises or games (see examples below). This not only keeps the children interested but is necessary to build rapport and group spirit. It is only in a trusting, relaxed environment that the child will share information and participate actively.
10. To create this atmosphere of trust, it is important for the facilitator to actively participate in ALL the activities, including those that involve singing, dancing, and role play. Other practical considerations should also be taken into account. For example, the facilitator should be seated at the same level as the child, maintain eye contact and be prepared to answer questions about him/herself.
11. The facilitator must NEVER come across as being authoritative. Include the children when setting ground rules. NEVER lose your temper or panic!

12. Remember to FACILITATE the discussion, and not drive it. You are not a school teacher! The children should be the main drivers of the discussion. Open-ended questions should always be used that enable the children to produce their own answers and thoughts. Always ask WHY or HOW? The facilitator must not put his/her own answers or judgements forward, after all our main interest is in what the child thinks!

13. In order to elicit insightful information, it is important to allow the child to speak so try not interrupt, unless the child is digressing completely or is dominating the group conversation. Watch the other children closely for their reaction.

14. Ensure that everything is recorded. Ideally there should be a note-taker on hand. This person is responsible for transcribing what is said, noting details about the children’s behaviour and relationships, and monitoring the recording equipment. Ensure beforehand that this equipment works. During each break check that the sound is of a suitable quality. There is nothing more frustrating than running a successful focus group discussion, only to find that the tape is blank or the sound muffled!

**Venue, activities and props:**

- Children’s safety is the most important consideration. Make sure that the children are comfortable in this venue and with using these materials.

- When deciding upon the venue, the nature of the activities must be carefully considered. Make sure that the children can be loud and have the space needed to express themselves. For example, if they involve a lot of moving around it might be best to conduct the focus groups outdoors. This might not be suitable if it is noisy and the weather is not reliable, particularly if you are using a lot of art activities or if you would like to record the activities. It is always best to scope out the venue before-hand in order to ascertain whether it is suitable and all the activities are viable.
For example, make sure that there are wall plugs to run recording devices.

- Make sure that you are prepared in advance and that all the materials are on hand. Ensure that these materials are suited to the age, gender and cultural background of the children involved. For example, be careful when using scissors or drawing pins with very young children.

- Make sure that there are toilet facilities, refreshments and that any other special requirements are taken care of (e.g. disabled children)


**Child-centred tools**

Activities that may be useful in this context include:

- Institutional mapping: Children draw a picture of the institution and map out important places, objects and people. Happy and sad faces or different coloured stickers can be used to illustrate children’s feelings. This is followed by a discussion about the map.

- Decision-making charts: Charts may be used to illustrate who has no say, who has some say and who has a lot of say in making important decisions in a range of settings (e.g., in the home, in the institution, etc.).

- Life history books or cartoons: Children illustrate or write in sequential order how they came to be in the institution or what happened after they arrived at the institution.

- Interactive life histories: Working in a group, a child starts telling a story about another child who came into conflict with the law. A second child continues the story, a third carries it on, and so forth. This method can also be used to show what happens to children who leave the institution.

- Role play: Children act out various scenarios, for example, the court process, what happened when they were arrested or what will happen when they leave the institution.

- Radio show or newspaper: Children create a radio show or newspaper to tell children in other parts of the world what life is like for them in their community or, more specifically, in their institution.
• Video and photo: Children are supported in producing videos or photos that enable them to share their views and illustrate their experiences or fantasies in regard to issues such as justice, violence or rehabilitation.

• Songs and poetry: Children sing songs or write poems about what they would like to do after they leave the institution. Some examples exist of powerful rap songs emanating from penal colonies. A discussion follows around what must be done to achieve these hopes and dreams, and whether or not the children feel capable of achieving them.

It is crucial to remember that what is important here is not the activity itself, but the discussion that is facilitated by the activity.

**Child-centred research activities:**

Before deciding upon an activity, make sure that the following are considered:

1. **Research questions and objectives**: Ensure that the activity will elicit in-depth information about significant events in the children’s lives, how the children feel about their lives, what places some children more at risk, why some feel unsafe or in danger, how much power and say do they have over their lives, what social supports they have, how they help themselves, and what dreams they have for a future.

2. **Time, materials and venues**: These practical matters must be taken into account to ensure that the aims of this research tool are realistic and the targets achievable.

3. **Size of the group**: A focus group usually includes 5 – 10 children. You will need to divide large groups up into smaller groups, before convening for the discussion. This will create the space for everyone to voice their opinions and participate fully.

4. **Age**: Although you must be careful about making assumptions about children’s capacities and capabilities, it is important to recognize that children do differ on developmental lines. It is therefore useful to divide children up roughly along the following lines: 7-11 years and 12-18 years. It might be useful to discuss this, and the suggested activities beforehand with a person who is familiar with the children to ascertain what the children will understand, what they will be able to actively participate in, and what they will enjoy. For example, for
younger children it might be necessary to keep the activities short and energetic. Their reading and writing skills must also be taken into account. For some, it might be easier to express themselves through art, music, theatre and dance.

(5) **Gender**: Do not assume that children differ on gendered lines. On the other hand, efforts must be made to ensure that the activities are sensitive to how gender might be constructed in a particular context. The methods should draw out these differences. For example, when discussing significant events, it is always important to ask whether girls and boys share the same significant events.

(6) **Culture/class/background**: It is very important to ensure that the activities that are selected are culturally and socially appropriate. Certain topics and activities may not be possible to investigate and/or use given social norms, particularly those related to sexuality or violence. Similarly, children from certain cultures or backgrounds might prefer particular types of activities. For example, music and dance may be better to use than ones involving the written word. They might prefer group activities rather than individual or competitive activities. Yet again, it is important to seek the advice of someone who is familiar with these children beforehand. In addition, adapt the names and words that are used to suit the local conditions.

(7) **Personality**: In a focus group, there are many children with a wide range of personalities. It is difficult to choose activities to suit everyone, but the facilitator needs to be aware of these differences. For instance, children who are more shy and withdrawn might need special coaching or require particular activities. They may not be comfortable presenting material on their own, or are likely to be over-shadowed or intimidated in a large group setting. Working in pairs might be the best option. When dividing children into pairs, be sensitive to the children’s relationships with each other. Some children may simply not get along and may be uncomfortable working together, so give the children a degree of choice about whom they want to partner with. On the other hand, make sure that there are no children who are left out because they have no-one to partner with.
To overcome this, the facilitator can partner with that particular child. In general, the facilitator needs to be sensitive to the dynamics of the group, and the needs of particular children.

**Potential challenges:** The researchers need to think ahead and pre-empt possible problems that may arise. To be sensitive to these issues it is important to do the following:

- Spend time with the children beforehand so that you can build rapport and trust, observe their behaviour and relationships, and develop some idea of the activities that are likely to succeed or fail.
- Discuss these activities and the materials that will be needed with someone who knows the children, their backgrounds, likes and dislikes.


**Ethical protocol**

**Ethical strategy and child protection policy**

Ethics need to be incorporated into all stages of the research process, from the design of the research, to the data gathering, data analysis, report-writing, dissemination, monitoring and evaluation phases.

**Empowering:** Research can only be empowering if it is undertaken in an ethical manner and takes into account the following:

- You should not adopt a superior stance in relation to your respondents, whether they are adults or children.
- You are trying to learn from them. As we are trying to understand their thoughts, perceptions and experiences, we do NOT know more than them in this context. Do NOT impose your opinions and values upon them.
- They are not obliged to help you. So you have to work at developing a relationship with them. After all, in this context they should be in a position of power. They can choose not to participate fully, or choose not to provide honest answers. Bear this in mind – you have to earn their trust and participation!
• You need to recognize the manner in which power relations are constructed. By virtue of the fact that you are an adult, of a particular gender or emerge from a particular socio-economic background, you may be in a position to exercise more power than your child respondents. You should NEVER exploit this and use it to achieve your own ends. You should NEVER force them to participate or dictate the terms of their participation.

• You need to reflexively analyse how your own beliefs about childhood, sexuality, gender etc. might affect the way that you pose questions, use terms or interact with your respondents. For instance, you might not be aware that simply using the terms ‘victim’ or ‘at-risk’ might serve to demonise and stigmatize these children and communities further. You need to think about your own beliefs regarding childhood: do you think they are capable of making decisions and expressing themselves? If you do not, you will come across as patronising and the children are unlikely to place their trust in you.

• You need to focus on the strengths of these children, families and communities. Try to frame your questions and activities in a positive light highlighting their positive attributes, skills and how they can help themselves. After all, in order to create long-term, sustainable solutions to the problems that many children face, we need to build upon these strengths!

• In general, research is only empowering if it is honest, respectful and enables the respondents to express themselves in the best way they can.

• Bear in mind that you are interrupting their daily routines, livelihoods and social activities, so please thank them for their time and effort.

**Consultative:** A wide range of actors need to be consulted including children, their families, communities, civil society organizations, state actors and other stakeholders. This consultation must not amount to a token gesture but must be meaningful. The following points are important:

• Contact *all* stakeholders at the outset to ensure that the project is inclusive, allows for a wide range of opinions and does not aggravate the discrimination of particular individuals or groups.
• Key research staff must be easily reachable by members of the community. Contact information should be shared with organizations and other stakeholders upon arrival in a community.

• There must be forums where participants can express their voices. Focus groups should be arranged with members of the community at the outset.

• Their opinions must be listened to and respected. Their thoughts, ideas and concerns should be clearly noted and reported. They should be thanked for their input even when you disagree with their comments.

• Their skills and knowledge must be used as a resource that will benefit the project. Instead of thinking of these communities as ‘at-risk’, negative or dysfunctional, focus on their strengths, what they know and how they help each other.

• Their input must be used to inform the nature, direction and findings of the project. This project is not fixed or inflexible. The snowballing sampling technique relies on input from key informants. The research tools are all intended to be research-driven. So take your respondents’ opinions into account!

• The findings need to be discussed and widely disseminated to all participants and stakeholders. In order to ensure that the respondents have ownership of the outcomes, they should have an opportunity to comment on draft reports before they are disseminated regionally or internationally.

• These findings should be used to inform future policies that will benefit the children, their families and communities.

**Sensitive and flexible:** The research needs to be sensitive to the needs of the respondents, their families and communities.

• The local context, the socio-economic status of the respondents and their cultural norms must be taken into account.

• Research tools need to be adaptable to this local context.
• Research questions should be appropriate and responsive to the way in which gender, childhood, ethnicity, race, class and other categories are constructed in this particular context.
• The activities, language and terms used should be adjusted for each interview and focus group discussion.
• The location of the interviews and focus groups should take into account the desires, needs and safety of the respondents.
• The facilitators and researchers must be sensitive to the respondent’s likes and dislikes, and adjust the methodology accordingly.

**Sensible:** The research needs to be sensible in the sense that the researchers and facilitators must act with foresight, anticipate possible risks and prepare in advance. It is your responsibility to ensure that the children, their families and communities do not face any harm to their physical, social and psychological well-being, directly or indirectly.

So assess the short and long-term risks and the context, and on this basis, plan ahead:

• Consult local stakeholders beforehand to ascertain what the potential risks may be in that particular setting. These risks pertain both to the child, their families, communities, and to the research staff themselves.
• This knowledge should be used to inform the research tools used, where the research is conducted, how it is conducted and who the respondents will be. It must be remembered that the child’s well-being must be given primacy.
• These risks should be discussed with and clearly explained to the respondents at the outset, thereby giving them an opportunity to choose not to take part.
• It must be remembered that these risks will not necessarily be physical and obvious, but may in fact be emotional and hidden. For example, the child may be stigmatized by his/her involvement in the research project. The possibility of further social exclusion and discrimination should be taken into account. The child’s participation may cause tension in his/her household, peer group and wider community. Alternatively, the emotional affects of
discussing sensitive topics might only be felt by the child after the interview is terminated. The researchers and facilitators must prepare in advance for these eventualities.

- Recognize that you do not necessarily know how best to avoid these risks. Speak to the children directly as well as to those who know them. For example, some children may feel more comfortable being interviewed with a friend or family member even though in your opinion this will breach the notion of confidentiality.

**Supportive:** Support must be provided throughout the research project.

**During the interview or focus group,** be prepared for children possibly feeling distressed or uncomfortable. Follow these steps:

**Step 1:** Observe the children closely for signs of discomfort or distress

**Step 2:** Approach the child without stigmatizing him/her in a group setting

**Step 3:** Ask them how they feel, if they would like to talk to you or take some time out. Do not focus on negative feelings at this point.

**Step 4:** Talk to the child in private. Provide support but not answers or solutions. Listen to how they are feeling, ask them why they are feeling like that, and what will make them feel better in the short- and the long-term.

**Step 5:** Be clear about your limitations. You cannot offer them long-term solutions but can refer them to individuals who may be in a position to do so.

**Step 6:** You can attempt to alleviate their distress in the short-term however. Ask them if they would like to continue with the interview or focus group, if they need a break or would like to terminate it completely. Check if they would like you to do something differently; for example, refrain from asking them particular questions or phrasing things in a particular way.

**Step 7:** Ask them if you can contact anyone on their behalf. This may be a parent, friend or other person.
Step 8: Provide them with contact information for other support structures e.g. organizations working on issues related to children and violence.

Step 9: If you are particularly concerned about a child it is best to contact your line manager who can provide you with advice before breaking their confidentiality (see below).

After the interview or focus group you need to allow the respondents to process their experience:

Step 1: Ask them how they feel after having spoken to you.

Step 2: If these feelings are negative, discuss them with the child and ask them what would make them feel better.

Step 3: As above, be clear about your limitations and make referrals if necessary.

Step 4: Play a light-hearted game or converse about something that is not related to the research. This will allow them to re-adjust to their everyday lives.

Informed Consent: Throughout the research process, informed consent must be obtained from all the participants including the children, their families, communities and institutions. This consent needs to be based on a clear understanding of the research process, objectives, methods and outcomes:

- Research process: Explain why this research is being undertaken, what will happen to the information that is gathered and who will see it. Some may be concerned about confidentiality for example (see below for guidelines).

- Objectives: Explain clearly what this research is trying to understand and do not offer your opinions or feelings on the subject matter. Emphasise that the objective is to increase our understanding and not to undertake a particular project that they will derive immediate benefits from.

- Methods: Be practical. Explain what types of activities will be undertaken, their duration and location. Allow the respondent to express preferences at this point.
• Outcomes: Inform them how the findings will be used and where they will be disseminated. Once again, emphasise that there will not be any immediate advantages for them or those around them, but that this understanding will be used in future projects to help other vulnerable children.

• Encourage them to ask questions about their role, and about your expectations and your responsibilities.

• Give them time to think about the implications of this participation.

• Never pressurise them into participating and make it clear that they can choose not to participate at any point.

• It is necessary to seek permission from parents and caregivers as well as gatekeepers at various institutions (e.g. staff at a children’s shelter) BUT the child’s consent is the most important. If the parents consent and the child does not, you must NOT continue with this research.

• Consent forms are often problematic because they depend on a certain level of literacy, often have a negative impact upon the researcher-respondent relationship, create a sense of obligation in the mind of the respondent and do not necessarily guarantee that consent is informed. So consider their use carefully!

• In general, it is important to ensure that consent is informed, that there is a genuine choice, and that it is not treated casually!

Cautious and protective: When deciding upon staff and allocating tasks, managers need to err on the side of caution:

• When recruiting staff permanently or even on a one-off basis it is important to ensure that a number of checks are undertaken to confirm their identity, qualifications and relationship with past employers. Please remember that these staff members will be working with children, their families and communities directly or indirectly and could potentially harm them. Their activities need to be closely monitored and evaluated.

• The staff’s safety and security also need to be taken into account. Do not allow them to take any risks. In many instances it might be best if they work in pairs, in public places or at particular times in the day. It is also useful if they carry identifying documentation,
notify others of their whereabouts and keep security contact numbers on hand. In terms of emotional risks, make counselling support available. This is a distressing subject and it is not because they are adults that they will necessarily be equipped to deal with or process all that they have heard, witnessed and felt.

- The research staff must receive the necessary training that will enable them to learn from their respondents in a sensitive and ethical manner.
- The child’s well-being is the most important consideration. See Save the Children’s Child Protection code of conduct for more information. In terms of the way in which tasks are allocated, recognize that in some instances it may be better to use female researchers when interviewing female respondents particularly when it is such a sensitive topic. The children may also prefer to have friends, parents or teachers present. This is their right!

**Worthwhile:** Managers need to carefully consider the issue of payment, which may have a significant effect upon the research process. It is best to follow these guidelines:

a) Discuss remuneration with the staff and the children. Try to establish what will make it worthwhile for children to participate.

b) Bear in mind that you do not want to exploit the child, but you also do not want to raise expectations, create resentment and jealousy in the local community, ‘buy’ their assistance, oblige them to participate and create an unhealthy power dynamic in the researcher-respondent relationship.

c) Instead of cash, payment in kind is often more appropriate, such as food, transport, notebooks etc.

d) If this research is taking the child away from income-earning activities, cash remuneration may be necessary. This needs to be carefully considered!

**Confidential:** As this research project deals with a particularly sensitive subject matter, confidentiality is of extreme importance. The following must be undertaken:

- Discuss issues related to confidentiality upfront with respondents so that they can decide at this juncture not to participate. Ask
them if they think that your approach is suitable, and if they have any particular requests. Some may not want you to use a tape-recorder and may even be hesitant about you taking detailed notes during the interview.

- Assure them that you will not use their names or any other identifying material. Narratives and life histories may even be adjusted to hide their identity.
- But be clear that any tapes or notes that are compiled, will be transcribed (by a person who may not necessarily be you), translated and used in a report, which will be read widely. Make sure that they are clear and happy with this.
- Offer to show them the final report before it is published.
- In terms of practical matters, keep their names separate from the data, and make sure that the tapes and transcripts are carefully stored and protected.

The particular nature of this topic raises child protection issues. If you encounter a child who you are particularly concerned about or hear of another child in danger, follow these steps:

**Step 1:** Discuss your concerns with the respondent first to establish whether he/she feels the same. Please do not assume that your perceptions of threat or harm correspond with those of the child.

**Step 2:** Encourage them to tell another trustworthy adult.

**Step 3:** Refer them to an individual or organization who could help them.

**Step 4:** Inform them if you plan to take action with/without their consent.

**Step 5:** Contact your line manager to establish what action is appropriate.

**Step 6:** Contact individuals or organizations who may know of the child and who may be in a better position to provide assistance.
Accountable: The research needs to be accountable to the children, their families and communities. The following measures must be taken:

- The research project must involve all the stakeholders in the research.
- Their skills and strengths must be harnessed and developed.
- They must exercise a degree of ownership over the project.
- Findings must be discussed, disseminated and used to further the interests of at-risk children and their communities.
- Their participation must be built into monitoring and evaluation processes.
- When establishing indicators against which the project will be evaluated, and when dealing with the community, expectations and targets need to be realistic. It must be emphasised that this research project will be used in future projects but cannot offer any immediate tangible benefits to the child or his/her community. Researchers need to be upfront about their limitations!
