

This technical briefing paper examines the work of UNICEF Sudan and its partners in addressing the issue of violence, sexual assaults and abuse against children and women in the northern states of Sudan, and the development of Family and Child Protection Units managed by the Sudanese police.

Situation analysis

The situation of children in contact with the law, whether they are victims and witnesses of crimes or alleged offenders, is a serious protection concern in Sudan. Violence against children remains largely unreported, although some limited surveys reports indicate that children are victims of violence in their homes, at school, in institutions and on the street.

A Save the Children Sweden field study carried out in Khartoum in 2005 revealed that corporate punishment is prevalent in schools and homes, with the majority of children interviewing citing experience of physical punishment in either of these environments. A 2006 workshop organized by the Sudanese National Council for Child Welfare in Darfur reported that 148 out of 150 male participants claimed to beat their children, suggesting a wide acceptance of physical violence.

Awareness among communities about threats to child protection is low and many crimes against children, particularly those involving sexual violence, go unreported due to fear of social stigma.

Despite an increase in per capita GDP from US\$415¹ in 2000 to an estimated US\$ 1,077 in 2006², up to 60 per cent of Sudan's population in the northern states of Sudan and up to 90 per cent of those in Southern Sudan, experience extreme poverty. This, combined with insufficient access to social services, disparities in the means of production, the impact of armed conflict and displacement, and the almost complete absence of social protection for the poorest segments of society all render children more vulnerable to coming into conflict with the law, or being victims of crimes.

Global experience shows that children growing up in conditions of poverty and instability are often forced into risk-taking behaviours to support their families – or to secure their own survival where they are without parental care. Although Sudanese law restricts the employment of children under the age of 16, a 2004 study by Save the Children Sweden, the Ministry of Social Welfare, Women and Children's Affairs, and the National Council for Child Welfare³ found that 82 per cent of children aged between 7 and 18 years working on the streets of Khartoum did so to support their families. A second study by the Save the Children in 2004 also found that 22 per cent of children working as domestic servants in Khartoum complained of being exposed to physical violence, while 70 per cent of girls interviewed claimed to suffered some form or sexual abuse.



The first Family and Child Protection Unit managed by the Sudanese police was opened in Khartoum in 2007

Statutory instruments and structures to protect children at risk of violence and abuse or in conflict with the law.

The 2004 Child Act, covering the northern states of Sudan, established special courts dealing with cases involving children. Three such juvenile courts are currently functional in Khartoum State only. The courts only consider cases of alleged child offenders; judges are reluctant to take on cases involving children as victims of crime, due to the inappropriate court settings that do not allow for proper separation of children from alleged adult offenders.

Judges in the juvenile courts do work towards implementing child-friendly procedures, and are found to apply international juvenile justice standards. Experience has been gained from the courts' efforts to involve social workers in the process and to secure family and legal representation for child offenders during trials.

The police deal with any child in contact with the law. Prior to 2006, cases of sexual and physical abuse against children, if reported, faced limited capacity for professional follow-up within the police force. There was no system for evidence gathering, with the families of victims often having to provide evidence themselves to back up complaints. No legal support was automatically available to child victims, and no medical or psychosocial care services were available through the police force. The lack of a child-friendly system for dealing with cases of abuse and exploitation meant that many crimes were simply not reported.

Social attitudes towards crimes against children

Communities in Sudan have traditionally shown limited understanding of crimes against children, or of their vulnerability to abuse and exploitation. In the case of adolescent girls, sexually motivated crimes have often been assimilated with adultery increasing the level of stigma attached to those affected. This has also affected the willingness of families to report such crimes.

¹ World Food Programme, *Annual Needs and Livelihoods Assessment (Central, Eastern and Three Areas)*, Khartoum, 2007

² Economist Intelligence Unit, *CountryData*, 2007.

³ National Council for Child Welfare and Save the Children Sweden, *Child Labour in Khartoum*, 2004.

The concept of integrated protection services within the police force

In early 2006, UNICEF and the National Council of Child Welfare (NCCW) began discussions with the Sudan police to explore the potential systems for protecting children in contact with the law.

Ensuring high-level commitment within the police

Early on in the process, the Government of Sudan arranged a visit by Khartoum's Chief of Police to Jordan, to study the country's police-based child protection system and to develop a better understanding of the role and responsibilities of the police in child protection. The response of the Sudan police force was swift—a Committee of Police Generals was tasked to undertake a feasibility study for a form of child protection unit within the police's organization structure, supported by the NCCW and UNICEF. In March 2006, a decree was issued setting forth the establishment of Child Protection Units within the police structure, and from this starting point the concept of a system of Family and Child Protection Units to be managed by the police began to take shape.

The police itself felt that, at the very least, all officers should be trained on child-friendly procedures and improved awareness of issues affecting children in contact with the law. From this premise, discussions centred on the need to maintain support for child victims of crime within the law enforcement structures—especially if there was to be a serious effort to increase the level of prosecutions of those accused of crimes against children.

It was felt that the specialist nature of the crimes to be addressed required a specialist response. While training of officers was a solid foundation, local police stations and individual officers could not be expected to have the necessary capacity to fully investigate and follow through on each case—for example in the area of forensics, evidence gathering, medical assessments and psychosocial support. Such specialist services required a dedicated unit, and that unit needed to be an integral part of the existing law enforcement system.

The Family and Child Protection Units were therefore designed to provide a 'one-stop-shop' of professional services to children who survived crimes, witnessed crimes, or are accused of having committed an offence. More specifically, the units would:

- Introduce a special policing approach that is sensitive to the needs of vulnerable children and women and helps their rehabilitation.
- Ensure that staff in the Units are specially trained to deal with cases involving children and women; provide services in a non-threatening environment
- Provide multiple services in one place, including psycho-social support, social work services, legal aid and forensic investigation
- Secure proper investigation of cases involving children as victims and ensure that perpetrators are prosecuted and held accountable for their crimes
- Raise awareness among local communities about sexual and gender-based violence, the role of and services provided by the Family and Child Protection Units, and encourage communities to report to the system
- Establish a system of close collaboration with specialists from different sectors to ensure an integrated response to children and women in contact with the law—including social work, legal aid, prosecution, judiciary, and psycho-social and health professionals
- Establish and maintain a database on all cases reported to the Unit.

Implementation strategy

A UNICEF-supported strategy workshop in April 2006 brought together all relevant actors (the police, NCCW, the Federal Ministry of Health, the Ministry of Social Welfare, Women and Children's Affairs, the Ministry of Justice, the Office of the Chief Justice and NGOs) to discuss:

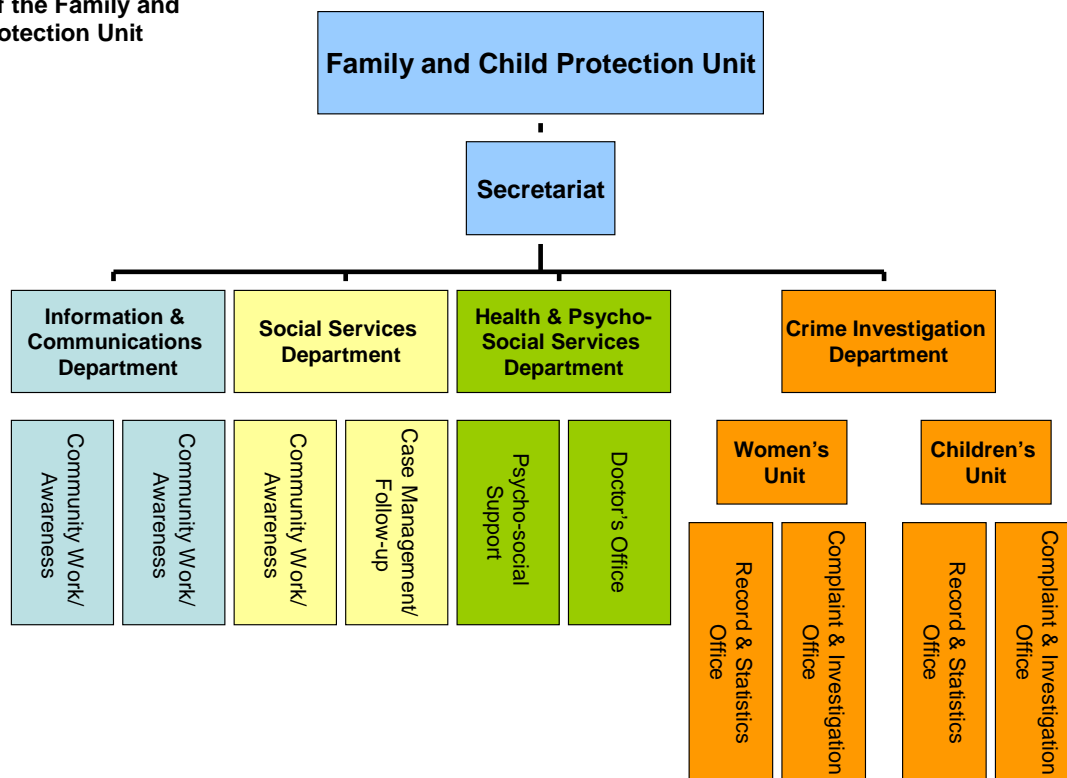
- a) the different stages of establishing the Units, starting with a pilot in Khartoum State;
- b) the roles and responsibilities of different actors involved; and
- c) the Units' linkages to other sectors and service providers.

To ensure that there was clarity on how different partners would inter-act—considered a critical issue given the sensitive nature of the project and the importance of leadership from the authorities—the workshop produced a Memorandum of Understanding, detailing the respective inputs of the police and UNICEF in setting up a model Family and Child Protection Unit in Khartoum.

The police force designated a location on the grounds of the Central Police Headquarters in downtown Khartoum, large enough to house the Unit and its different services. UNICEF provided the necessary supplies and equipment, including computers, furniture, and vehicles.

To ensure that knowledge and practice within the Unit was in line with international standards, UNICEF supported specialized training for police officers assigned to the Unit. These efforts continue. Initially, a group of police officers was supported to attend training by the Jordanian police on child-friendly investigation procedures. During 2007, more than seven internal training sessions were organized for the staff of the Unit on issues such as child rights, counselling, video

Structure of the Family and Child Protection Unit



investigation techniques, and child-friendly investigation.

UNICEF, with support from Save the Children Sweden, also continued creating exposure for key personnel from the police, prosecutors and judges to the work of law enforcement actors in child protection in other countries: study tours to Uganda and Ethiopia were organized and key staff were also supported to participate in conferences on the topic in South Africa, Yemen and Egypt.

To support the Unit's day-to-day work, UNICEF based an international expert consultant within the Unit in December 2006. The consultant, a former police officer herself with extensive experience in child protection, provided on-the-job training for the Unit's police officers, supported formal training, and provided on-going organizational and managerial advice.

Following this extensive build-up, lasting almost a year, Sudan's first Family and Child Protection Unit became operational in Khartoum in January 2007, operating 24 hours with staff working in three shifts.

The Unit focuses on providing a child and family-friendly environment, which lessens the trauma of child survivors of crimes and reduces secondary victimization. Services currently provided include professional medical care, counselling, and access to dedicated investigators and prosecutors, all under one roof. The Unit's staff wears civilian clothes, with those involved in interviewing children having undertaken special training to enable them to carefully assess a child's situation and to collect information on each case without further traumatizing the victim.

Children's legal testimonies are recorded on video, to limit the need for potentially painful or traumatic hearings and court appearances. Confidentiality is guaranteed at all times. As part of the Unit's psychosocial support, children are provided a separate space where they can play and feel safe while social workers work closely with communities, providing families who have come into contact with the Unit with support and counselling.

In 2008, two additional Units were established, serving the capital.



The Units take advantage of modern video-based evidence gathering suites, providing a child-friendly environment for young victims to speak with police officers

Funding

The table below shows the respective contributions towards running costs of the Khartoum units from 2006 to 2008. These figures do not include police salary costs, which are also covered by the police force itself, or the value of equipment and other supplies provided by UNICEF.

UNICEF's contribution has mainly been in assisting with initial start-up costs and skills development of police officers, with an increasing proportion of costs covered by the police each year.

Year	Contribution from UNICEF (US\$)	Contribution from Sudan police force (US\$)	Total (US\$)
2006	53,000	18,700	71,700
2007	133,300	263,700	397,000
2008	273,000	481,300	754,300
Total (US\$)	459,300	763,700	1,223,000

Initial results

In 2007, the Family and Child Protection Unit in Khartoum have handled more than 1,360 cases of reported violence, abuse or other rights violations against children. The majority of cases involved children aged between six and ten years, and the greatest number of complaints related to sexual violence—1,021 fell into this category.

The table below uses data provided by the Khartoum court system to analyse the status of cases of sexual crimes, including rape, appearing at the court as a result of a referral from the Family and Child Protection Units in 2007 alone. The remaining cases of alleged sexual offences were not submitted for prosecution due to insufficient evidence found by investigators, reluctance or inability on the part of the complainant to take the allegations forward, or investigations finding a lack of credibility in the allegation.

Cases presented to the courts for prosecution	Cases returned to the police for further investigation	Cases dismissed by courts due to insufficient evidence	Cases still under process	Cases leading to convictions
813	55	96	189	473

The impressive conviction rate is believed to be a result of several factors. The presence of medical experts, forensic investigators and skilled police officers at each Unit has led to reports of abuse and violence being followed up more quickly, with rapid gathering of evidence from victims. This has led to much more robust legal cases being presented to the courts. Perhaps most importantly, the acceptance of a child's evidence in court as a result of the stronger working relationship between police officers and the judiciary has made presentation of cases more effective and likely to succeed.

The success rate of prosecutions has further motivated staff at the Family and Child Protection Units to redouble efforts to provide the highest level of professional support to complainants.

Strengthening systems and capacity through the Family and Child Protection Unit



Each Family and Child Protection Unit is served by specially trained police officers and social workers, to ensure children and women have access to professional support and guidance.

Following the establishment of the Khartoum unit, the partners moved to strengthen referral mechanisms between the Unit and prosecution departments within the judiciary, with Khartoum's three juvenile courts, the Ministry of Interior's criminal laboratories, the Khartoum and police hospitals' respective forensic departments, and a network of volunteer lawyers who provide free legal aid to the victims of criminal cases dealt with by the Unit.

Similarly, efforts have been made to build the capacity of the Unit's staff—an initial cadre of five personnel has grown to 158 staff across three Units in Khartoum (see below) of which 41 are women—eight of these are senior officers. This includes 24 police officers, 32 social workers and psychologists, and 102 other police personnel working in the areas of intelligence, security, administration, and transportation.

Professionalism within the Unit has increased since its inception.

One key success has been the development of a monitoring and reporting system that provides information on the number and nature of cases received by the Unit and how they are dealt with. The Unit's monthly and annual reports are also an important source for information on trends in crimes against children. While recognizing that the nature of crimes handled by the Unit are highly sensitive within Sudanese communities, this effort to track and record cases is indicative of a growing openness on the issue of sexual abuse and gender-based crime on behalf of authorities.

The work of the Khartoum unit has also inspired changes and reform in other parts of the justice sector. In late 2007, for example, Sudan's Attorney-General issued a decree setting forth the establishment of 'Child Prosecution Offices' at state level, recognizing the need for specially trained staff to conduct investigations in cases involving children.

Within the police itself, the work of the Unit has helped to raise awareness on the gaps and limitations within existing national legislation in relation to the protection of children. As a result, the police has actively supported the draft Child Act 2008, prepared by a UNICEF-supported legal reform committee under the leadership of the NCCW. The draft law, which is currently before the Cabinet of Ministers, is an effort to comprehensively reform national legislation pertaining to children.

Expanding the concept across Sudan

In September 2007, the Sudan police force—through its Director-General—issued a decree, requiring the replication of the Khartoum' pilot project in all 15 northern states of Sudan, and underlining the sense of ownership for the initiative by the police force.

Since the decree was issued, a further eight units have been established—the two additional units in Khartoum, one in South Kordofan, one in North Kordofan, one in West Darfur, one in North Darfur, one in Kassala and one in Gedaref. As of November 2008, three additional units were under finalization in Red Sea, South Darfur and Blue Nile States. Each follows the same model of the Khartoum unit, and initial results indicate that the units are enabling children and families to have recourse to support that was previously inaccessible, even while the units' capacity is still developing.

Challenges and lessons learned

While the capacity of the new system continues to evolve, there are a number of remaining challenges to address. One critical observation that emerged during the first year of the Family and Child Protection Units' operation has been the need to adjust focus on addressing the issue of reform within the wider justice system—the judiciary, prosecution and social welfare departments—rather than concentrating solely on the police. Together with partners, UNICEF is now working to adopt a justice sector wide approach to overcome problems identified in handling of cases referred by the police to the judicial system.

There remains considerable concern amongst women victims of crime—especially gender-based violence—of repercussions should they come forward with complaints; this is linked to traditional perceptions that a woman who reports a rape, but is unable to prove the guilt of her attacker, may be later accused of the crime of adultery. UNICEF is therefore advocating for penal reform initiatives, to reduce the notion of criminality that may be attached to women who report sexual crimes against them. Similarly, efforts are required to increase confidence amongst women and children in coming forward to report cases of abuse.

Reforms are also required in the social welfare sector, to ensure that the necessary social protection policies and programmes are established to complement actions taken within the justice sector. Vulnerability amongst families and communities is a major risk factor related to children who come into contact with law.

Moving the programme forward: 2008 and beyond

Promoting law reform to strengthen the protection of vulnerable children

Capitalising on the growing interest in government and other sectors in the issue of child protection, UNICEF and the NCCW will embark on a major advocacy campaign to promote the passing of the draft Child Act, currently before the Cabinet of Ministers. The campaign will target key decision makers, including parliamentarians and members of Sudan's highest religious body, the Fatwa Council. The Child Act, once in force, will improve the legal basis for the protection of vulnerable children - specifically, the Act applies a clear definition of the child as any person under the age of 18, compared to previous legislation which defined a child based on level of physical development of the child (this placed girls at particular risk, as they could be defined as adults upon reaching puberty). The age of criminal responsibility has also been increased from 7 to 12 years of age. The new Act also provides for a range of protection measures for victims of crime including rehabilitation, compensation and reintegration packages, in addition to tougher penalties for those found guilty of sexual crimes against children—with a maximum sentence of ten years imprisonment.

Supporting the decentralization of the Family and Child Protection Unit within Khartoum State

UNICEF will provide technical and financial support in the process of decentralizing the work of the pilot Unit. A total of seven units are planned across Khartoum State alone by 2011. Elsewhere the principle of decentralization is already being established—in each police station across the northern states of Sudan, there is now a dedicated officer responsi-

ble for handling issues related to children, part of whose responsibility will be to liaise with the state-level Family and Child Protection Units as they are established.

Enabling the Family and Child Protection Units to respond to all children in contact with the law, including alleged child offenders

The objective of the units is to respond to vulnerable children, however they come into contact with the law. The majority of cases dealt with by Khartoum's pilot unit, however, involve children as victims and witnesses. Where the Unit received cases of juvenile offenders, these were referred to Khartoum's juvenile courts. To address this gap, UNICEF, together with the NCCW, will promote the development of a policy on separating minor and serious crimes at the level of police and prosecution, promote new regulations to this effect, support training on juvenile justice for staff that will exclusively deal with cases involving alleged child offenders as part of the new units, and advise on the physical lay-out of the new units to accommodate both child victims and offenders, with spatial separation a key criteria.

Strengthening communities' awareness of their role in child protection

UNICEF, the NCCW and civil society partners are in the process of rolling-out a major awareness campaign on child protection, using public media (television, radio and signage and print media). One component of the campaign is aimed at raising awareness among communities of all types of abuse of children – sexual, physical, neglect and verbal - the damage caused, how child abuse can be prevented, and importantly where to get help. Messaging will also address misconceptions about juvenile offending and emphasize the role of communities in the reintegration and rehabilitation of children in conflict with the law. Such awareness is considered the first step in prevention of abuse and exploitation of children, while the removal of stigma attached to child victims will increase confidence amongst families in reporting crime.

The campaign will also look at the issue of child offenders, promoting a message that young offenders also need specialist support and care, and that efforts should be made to find “rehabilitative” forms of justice rather than punitive. Such an approach will provide opportunities for offenders to interact with victims as part of reintegration to their communities, and encourage offenders to take advantage of a “second chance” within society.

A further aspect of advocacy around the issue of child offenders is to encourage communities and local leaders to look more closely at the root causes of young offending, and identify ways in which crime prevention can be developed through local projects and initiatives that address the reasons why children commit crimes.

Improving contact opportunities for children at risk.

In early 2009, UNICEF will join forces with the police and the National Council for Child Welfare to launch Sudan's first telephone hotline, through which victims or witnesses of crimes against women and children, or those who suspect that such crimes are being perpetrated, can reach specially trained police operators for advice and support. Operators can refer callers to investigating officers, or to psychologists and social workers for crisis management. The launch of the hotline marks another step in an ongoing public awareness campaign on child rights in the northern states of Sudan, while also building public confidence in the police as a source of help for children and their families.



Supporting the development of a central information database on children in contact with the law

UNICEF will support the development of an information collection strategy that will connect the monitoring and reporting systems within the Units with a central database at the level of the Ministry of Interior. The strategy will introduce a standardized process for the collection of information for core indicators in two areas, violence against children and juvenile justice. It will also make recommendations as to how to extend the system to include other key sources of information, including detention facilities and courts.