



Police Training on Child Rights & Child Protection: Lessons Learned and Manual

Marie Wernham with Savina Geerinckx & Elanor Jackson

“ All persons having contact with, or being responsible for, children in the criminal justice system should receive education and training in human rights, the principles and provisions of the Convention [on the Rights of the Child] and other United Nations standards and norms in juvenile justice as an integral part of their training programmes. Such persons include police and other law enforcement officials... ”
(Vienna Guidelines, 24)

“ Training of police personnel must include the rights of children. Some or many police personnel in my country, Ghana, do not know much about juvenile justice administration. Some arrest children and place them in an adult cell. Some assault juveniles who have been involved in crimes. ”
(CAS, NGO, Ghana)

“ Everybody should be trained and they need to know about the law. Then they will be able to show children a good future. ”
(35-year-old male police constable in Dhaka, Bangladesh)

“ I'd teach the police: don't take bribes from criminals and don't take money from street children. If you do this, the street children will react inside and might become a criminal one day. They will think 'I will be able to commit any crime so long as I give money to the police.' ”
(Street girl, Dhaka, Bangladesh)

96.8% of 67 respondents to the Consortium for Street Children questionnaire on police training from 47 countries agreed that there is still a 'great need' for police to be trained in child rights and child protection in their countries.

91.9% thought it would be useful to have a manual that compiles international experiences and information relating to police training and child rights.

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How to use this book

WHO IS THIS BOOK FOR?

- ◆ Police trainers (training / sensitisation on general child rights and child protection, not specialised topics such as evidence collection, detailed investigation skills, child trafficking etc.);
- ◆ Managers of police training colleges and those with influence on the police training curriculum;
- ◆ NGOs and other organisations involved in police training;
- ◆ Government ministries and others who develop policy and law in relation to child rights and/or juvenile justice;
- ◆ Inter-governmental organisations and academic institutions with interest in police work, child rights and/or juvenile justice;
- ◆ Donor governments and other funders of police training;
- ◆ Other stakeholders within the juvenile justice system such as magistrates, lawyers, social workers, probation officers, judges, juvenile justice institution staff (remand homes, detention centres etc.).

HOW CAN I USE IT?

- ◆ As **background reading material** on police training in relation to children, with a particular emphasis on street children;
- ◆ As a **reference manual** in relation to standards, procedures and policy recommendations;
- ◆ As a **planning tool to develop an overall strategy** to improve police practice and standards in relation to children;
- ◆ As a **training manual** for **basic sensitisation** and **skills development** for the police in relation to child rights and child protection.

See Appendix 1 for suggested training agendas suitable for courses of ½ day, 1 day, 3 days and 5 days.

WHAT TO LOOK OUT FOR!



Warning or please note



Key learning points



See also



5 Guiding Principles



International human rights standards



Lessons learned



Questionnaire feedback



Resources

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Mural inside the Juvenile Court, Nairobi, Kenya

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Glossary & acronyms

ACRWC

African Charter on the Rights and Welfare of the Child

Beijing Rules

UN Standard Minimum Rules for the Administration of Juvenile Justice

Child

A child is any person under 18 years of age.

This includes a married person under 18 years of age

Community policing

Law enforcement that seeks to integrate officers into the local community to reduce crime and gain good community relations

CRC

UN Convention on the Rights of the Child

Discrimination

Treatment that is designed or has the effect of putting one group of people at a disadvantage or denying the group a privilege or a right that is enjoyed by other groups

Diversion

Dealing with an offence/crime other than by the formal justice process such as a warning, supervision by a specialist child-friendly police officer or a family group conference which is a restorative justice process with little or no oversight by the court

Forensic

Evidence that is analyzed by scientific means which could include hair fibre, DNA etc.

Gender

Social, economic, political and cultural roles and expectations assigned to males and females that are socially determined and are not based on the biological differences between them

Gender sensitivity

Ability to recognise gender issues, and especially the ability to recognise, assess and act in order to address discrimination, exploitation, abuse and violence against women and girls; ability to recognise, support and strengthen the role and capacities of women and girls in creating gender responsive families, communities and pillars of the justice system

Guardian

A person having legal custody of another

Human rights

The rights people are entitled to simply because they are human beings, irrespective of their citizenship, nationality, race, ethnicity, language, sex, sexuality, abilities or any other status

JDLs

UN Rules for the Protection of Juveniles Deprived of their Liberty

Juvenile justice system

International standards require jurisdictions to develop a separate criminal justice system for children (those under 18 years of age). Juvenile justice is the term used to describe a criminal justice system developed for children. Most jurisdictions have a juvenile justice process but not all conform to international standards

Minimum age of criminal responsibility

The age below which all children are deemed incapable of being held responsible for a crime. They are therefore exempt from criminal liability and cannot be prosecuted or penalised

NGO

Non-governmental organization

Proportionality

The principle of 'proportionality' requires that our response to the wrongdoings of children be appropriate to, or take into consideration, their stage of moral development, their maturity or their concept of what is right and wrong

Riyadh Guidelines

UN Guidelines on the Prevention of Juvenile Delinquency

Standard Minimum Rules

UN Standard Minimum Rules for the Treatment of Prisoners

Status offences

Conduct which would not, under law, be an offence if committed by an adult. Examples include truancy, running away and underage drinking. Its classification as an 'offence' is therefore related to the 'status' of the 'offender' as a child

Tokyo Rules

UN Standard Minimum Rules for Non-Custodial Measures

UN

United Nations

Victim/survivor

Many NGOs and researchers use the term 'survivor' to refer to those who have suffered violence and abuse. 'Survivor' is preferred to 'victim' since it is more positive and draws attention to resistance, coping and survival. However, the term 'victim' is still more widely used and so the author has chosen to combine the terms for the purposes of taking into account common usage but also promoting a better understanding of current psychosocial approaches in this area

Vienna Guidelines

UN Guidelines for Action on Children in the Criminal Justice System (Resolution 1997/30)

Overview

Aims

1. To provide information to enable trainers to design, implement, monitor and evaluate effective and practical police training courses in relation to child rights and child protection with a view to:
 - a. Develop the knowledge, understanding, attitudes and skills of police officers so that every child who comes into contact with them is treated as we would want our own child to be treated;
 - b. Give police a better understanding of national and international laws that relate to children and how they should be applied;
 - c. Bridge the gap between theory and practice relevant to policing and child rights / child protection so that police are able to act in the best interests of children;
 - d. Enable police to distinguish between a child in need of care and protection and a child who is in conflict with the law;
 - e. Motivate the police to take an active part in bringing about positive changes in the lives of children in difficult circumstances.
2. To gather and disseminate 'lessons learned' in relation to police training on child rights and child protection from around the world.
3. To promote policy recommendations for governments and police.
4. To compile a list of resources and contacts working internationally in the field of police training on child rights and child protection.

Background

This book is the final outcome of an 8-month project to evaluate and consolidate lessons learned in relation to police training and sensitisation in the international arena of work with street children.

This project was developed in response to international demand for improved information on police training in order to reduce human rights violations against street children.

The project has involved: participatory evaluations of two existing projects in Bangladesh and Ethiopia (including participation of street children), which took place in August and September 2004; feedback from an international questionnaire (67 questionnaires returned from 47 countries); desk-based research; and input from NGOs, police and international experts involved in police training.

The findings from the questionnaire are integrated throughout this book.

This project came about as a direct follow-on from CSC's two-year research and advocacy project on street children and juvenile justice which took place from January 2002 – May 2004, the findings of which are contained in CSC's publication 'An Outside Chance: Street Children and Juvenile Justice – an International Perspective' (available from CSC's website).