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Editorial

Dear Readers, Welcome to issue No. 1/2011 of DCI's Juvenile Justice Newsletter.

In January, DCI sections in Europe and the Middle East had the opportunity to meet for a three-day seminar on "Juvenile Justice in Europe and in the Middle East: Current Situation, Challenges and Prospects." This seminar allowed DCI sections to identify common issues and exchange ideas on ways to tackle them and work jointly.

Moreover, from 28 February to 25 March 2011, the Human Rights Council (HRC) holds its 16th session in Geneva. The second week of this session included its annual full-day meeting on the Rights of the Child. The subject of the meeting (9 March) is "a holistic approach for the protection and promotion of the rights of children working and/or living on the street." DCI International Secretariat took the advantage of this day to highlight the issue of juvenile justice. As you may know, street children are often considered to be juvenile delinquents, even if this is not the case. Thus, DCI presented a written statement on this subject; DCI also, together with the OMCT and under the umbrella of the Interagency Panel on Juvenile Justice, organized a side event on the 10th of March called "When Street Children are Confronted to Juvenile Justice: Arising awareness. Enhancing protection."

Several written statements have been submitted and oral statements read during the session. In particular, DCI and OMCT submitted a written statement on institutional violence against children living/working in the street; violations of street children's rights in the justice system; the prob-

lem of "status offences"; and poor conditions and abuse suffered while in detention. The text urges States to ensure the protection of all children, and street children in particular, from discriminatory laws and practices; to cease abuse and maltreatment of street children at the hands of the law enforcement; to guarantee investigations of any such abuses; to work towards stronger communication and human rights training for and among all employees of the juvenile justice system; and to ensure that street children to receive proper attention and reintegration rather than being dealt with as criminals to be punished. Always focusing on the topic of violence in the administration of justice, DCI and other NGOs presented an oral statement during the presentation of the SRGS's Report on Violence against Children on Thursday 8 March, stressing the need for profound investigation and action toward eliminating violence in the juvenile justice system.

In this edition of the newsletter, you will learn more about the situation of juvenile justice in Zimbabwe, the overuse of imprisonment in Europe, and the status of adolescents in conflict with the law in Argentina. This last article is the statement submitted by DCI on street children and juvenile justice.



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Juvenile Justice in Zimbabwe

by Robin Myers

DCI-Zimbabwe is among DCI's newest sections, selected for admission as a national chapter in November 2010. Its mission is to promote social justice and serve society by focusing on child protection and advocating for the eradication of child labour and other forms of child abuse, improving access to education and psychosocial support.

To this end, the fundamental objectives of DCI-Zimbabwe are: to influence positive practices relevant to juvenile justice and rehabilitation, as well to prevent any form of child abuse, gender inequality, and violence against humanity; to advocate for social and legal policy reforms on matters affecting children; to raise awareness on human rights among children and other members of the society, and to provide them with training related to psychosocial support; and to research, document, and publish issues on children's human rights.

This article will give a brief overview of the state of juvenile justice in Zimbabwe, so as to have a clearer understanding of DCI-Zimbabwe's role as an advocate for social change in this context.

As is the case in much of the world, the Zimbabwean juvenile justice system remains largely retributive rather than reformative: as DCI-Zimbabwe explains, there is "very little in the criminal justice system that seeks to promote the wellbeing of the juvenile offender in any meaningful way." A history of colonial domination, the Rhodesian laws in place before independence, and a "wholesale transference of definitions of criminal behaviour of Western institutions" are all factors (among many others) that have contributed to an understanding of juvenile "delinquency" that often privileges the maintenance of social stability over the holistic rehabilitation and integration of adolescents facing complex social and developmental circumstances.

There are two primary legal mechanisms designed for juvenile offenders in Zimbabwe: 1) the juvenile courts, and 2) the magistrate's courts, which administer both the Children's Protection and Adoption Act and the Criminal Procedure and Evidence Act. When a juvenile is charged with an offense, he/she is referred to a probation officer, then responsible for compiling a social inquiry report. This report contains information on the juvenile's socioeconomic circumstances - which is supposed to be weighed as part of the disposal process in the effort of achieving and improving juvenile justice.

DCI-Zimbabwe refers to the creation of the juvenile court as "a serious attempt toward the realisation of juvenile justice." However, "the juvenile court suffers from an 'identity crisis,'" because its "criminal justice and welfare objectives are often contradictory in that criminal justice focuses on retribution...whereas welfare objectives focus on rehabilitation or reform," a process in which an individual (especially a juvenile) is understood to be undergoing a process of continuous transformation and growth. Juvenile justice cannot truly be implemented unless this "identity crisis" is resolved.

In the Zimbabwean system, a number of other systemic obstacles and tendencies often prevent juvenile justice from being achieved. Among them are:

- Limited options before the juvenile court: caution, reprimand, suspended sentence, postponed sentence, supervision, and committal to an institution. Corporal punishment, while officially discontinued after independence, is coming back into practice. Juveniles are remanded several times before their cases are heard, which means that trials can last for months before disposition.
- If committed to an institution,



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juveniles are usually sentenced to three years, regardless of the nature and severity of the offence or the juvenile's needs.

- When the police collect data about investigations, arrests, and offences committed by juveniles, they do not separate it in any way from the data on adult offenders. Monthly reports on cases of juvenile justice are lumped together with general "child welfare" cases. In short, there are few mechanisms in place to distinguish the documentation of juvenile justice cases from other, broader categories.

- The role of social workers in the juvenile justice process is overly constrained: they are used as instruments of social control, rather than agents of social change, family and community support, etc.

- The Department of Social Welfare - the custodian of the Protection and Adoption Act, which is the crux of child welfare in Zimbabwe - possesses a great deal of data on juvenile justice cases. They include: probation officers' reports to the Attorney General; sociological reports on juvenile offenders; juvenile court registers; data on repeated offenses, juveniles released before their sentence is over, leaves of absence, etc; monthly case contacts; statistical returns; monthly and yearly reports; procedural information from the Ministry of Justice, Legal and Parliamentary Affairs; and review orders. But this information is not analysed or coordinated among relevant bodies in a way that would create a stronger and more effective juvenile justice system.

- Data (including academic information) on juvenile justice in Zimbabwe is scarce, given that this is a fairly new area of interest to begin with. This means not only that information is limited, but also that the child-centeredness of the data is weak: in other words, the data focuses much more on the official process than on the children themselves.

We have already said that the Zimbabwean juvenile justice system most urgently needs to become reformatory rather than retributive. What, then, are some of the primary changes that need to be made?

- Social workers, and the role of social work itself, must be de-paralyzed within juvenile justice proceedings so that it can more thoroughly ensure the wellbeing of young people in conflict with the law.

- Important data already exists on trends in juvenile justice; there is great potential. But it must be analysed and studied in meaningful ways: the data held by the Department of Social Welfare could easily be processed and analyzed to become monitoring, process, and output indicators, and would thus provide an enormous amount of information that could be coordinated more efficiently among the relevant bodies and ensure juvenile justice more effectively. Separate records of juvenile offenders should be kept; data should be carefully aggregated, and it should be coordinated in ways that serve the interests of juvenile justice rather than just meeting administrative needs.

- The age of criminal responsibility must be examined to ensure that it harmonises with social, cultural, and economic circumstances. DCI-Zimbabwe recommends an age of no lower than 15 years, always ensuring that a child has sufficiently matured to be held responsible for his actions.

- Legal representation must be made an inalienable right in Zimbabwe, regardless of the economic restrictions facing a minor and his/her family.

- More emphasis should be placed on diversionary, remedial, and preventative measures within communities, increasing young people's access to support systems and resources.

- Supervision options should be given priority, allowing probation officers to help strengthen families to provide the necessary care, resources, and supervision for their children.



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All of these goals will also help achieve another, more crucial, goal for juvenile justice: the very concept of juvenile “criminal behaviour” itself must be redefined. Children’s problems are social problems; they are in constant dialogue with their environments, and thus in constant transformation. DCI-Zimbabwe reminds us, both for their own context and for the defence of children’s rights all over the world, that “the juvenile justice system must be social change-oriented in that it must seek to eliminate or modify the circumstances that lead to crime”: to support and integrate, not punish and isolate our young people.



Let’s stop trivialising imprisonment

By Benoît Van Keirsbilck, president of DCI Belgium

This article was released in the chronicle of the International Association of Youth and Family Magistrates

In Belgium, there has been an exponential rise in cases where a whole raft of different structures resort to imprisonment of juveniles, whether they be new prisons or closed institutions for juveniles or new specialised institutions for juveniles suffering from psychiatric problems, drug addiction or even for instances of sexual abuse against juveniles. This increase in detention spaces is occurring without there being an established link with developments in official juvenile delinquency statistics.

This article endeavours to understand the mechanisms which have been implemented in order to subsequently outline the ways in which this trend can be reversed.

Exponential increase in imprisonment

Firstly, we must remember that nature abhors a vacuum. The more we create structures for deprivation of liberty, the more they will be used. In this respect, as long as there are places immediately available, this measure will always be the easy option for judges in juvenile courts as it relieves them from having to look for alternatives and really asking themselves if deprivation of liberty is appropriate in each case.

The evolution of the number of places in closed institutions in Belgium is illuminating. The latest centre to be announced is due to open in 2012 in the south of the country which will be able to house 120 young people! If the latter does indeed come into being, 330 new places for juvenile detention will have been created in Belgium since 1st January 2002. However, according to the National Crime and Criminology Institute (INCC), the number of minors reported to youth prosecutors due to delinquency offences seems to have fallen if we compare today with the 1980s



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Juvenile justice, a particular type of justice

For more than a century a number of countries have decided to implement justice specific to juveniles drawn up on a premise: that punishment can be imposed in conjunction with educational or rehabilitative work. Faced with the mess in the traditional penal system, the notion of juvenile justice thus began to emerge little by little. Even if they are 'offenders' we are talking about children whose capacity for judgement is not thought to be 'mature', that their actions are also linked to the shortcomings of adults— and sometimes to society itself—

The principal characteristics of juvenile justice are henceforward to be based on a specialised jurisdiction, distinct from that of adults, with the job of applying educational measures for an indefinite period rather than punitive sentences or sanctions. This needs to involve the definition of an age of penal majority (and in principle a minimum age for penal responsibility, which covers two different notions), whatever the nature of the offence may be.

These young people will one day leave these centres with an attitude that may be difficult to bear and which renders their reinsertion ever more difficult. They are often put back into their old environment, without the situation really having improved: as the context in which they committed the offences remains the same there is a huge risk that they will reoffend.

Reconsideration of the specificity of juvenile justice

Voices are repeatedly raised concerning offences involving minors that attract media attention denouncing judicial treatment which gives 'preferential treatment' to minors. Legislative reforms in a growing number of countries are tending to move further away from principles which allow them to construct a specific system for dealing with juvenile delinquency.

These positions and legislative modifications often rest on a comparison with the adult penal system and on the idea that the severity of an offence is measured and recognised by the severity of a sentence imposed.

For those who support this approach, everyone is responsible for their own path in life and it is counterproductive to want to reduce social inequalities. A society should manage (with the least cost possible?) the harmful effects of deviation and try to reduce the social risks and nuisances which are associated with these without seeking to take on board the collective causes of each individual case.

Alternatives that aren't really alternatives (or don't go far enough!)

Yet real alternatives do exist. They go from keeping the young person in their family environment alongside intensive educational monitoring to community work as well as mediation and other educational approaches. There are researches that show that at a far lower cost, measures which keep juveniles in their own environment provide better results than deprivation of liberty.

The role of the media

Overexposure of certain stories, of course often dramatic, paints a very negative picture of youth and accentuates the trend towards greater repression. It is certainly true that explaining how alternatives to custody bring about better results and, in the long term, better guarantee public security, takes some time. A huge pedagogical effort is required, citing examples and especially allaying the concerns of the public who have the impression that public authorities do nothing.

The role of society

This climate, exacerbated by the economic crisis and therefore by the number of families living in extremely precarious situations, pushes public authorities to adopt increasingly repressive measures, especially vis-à-vis youth. A society



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which puts more and more of its adolescents behind bars is a society going in the wrong direction, which affords little to those who are in need of particular social assistance and is not fulfilling its fundamental financial obligation which should aim to achieve equal opportunities for all young people.

What purpose does imprisonment serve?

Certain young people should be stopped from drifting off course, this being in their own interest but additionally in the interest of the community. Nevertheless, if placing them in a closed environment does indeed respond, in the short term, to the imperative of protecting society, it does not necessarily prove to be effective in its educational objectives. Even from the educational perspective, it is not an adequate response to this concern. This is especially because prison only ever rarely improves the character of those who are subjected to it. It does not heal, it does not provide care and it does not deter.

The issue of cost

Imprisonment security policies cost a great deal of money, in exchange for a very unpredictable level of effectiveness. A prison for juveniles brings with it, at least in the western world (but also, to a lesser extent, in other lesser developed countries) considerable expenditure. The cost of placing a young person in a public institution for youth protection in Belgium can be from 200€ to 300€ per day; this cost rises to up to 500€ for the federal closed centres (which have even more of a secure nature).

Potential solutions

The sentence (punishment) so desired by society should not be considered equivalent to 'sentenced to imprisonment'. The punishment must no longer be measured quantitatively, but instead qualitatively. Imprisoning people has never been a solution. This measure is counterproductive. If you imprison a young person at 16 for 4 or 5 years, you are building a time bomb and turning

their reinsertion into an obstacle course.

Getting out of the punitive and focusing on the future and making the young offender and the victim incorporate into active resources with a view to resolving the conflict, whilst re-establishing the social link, are ambitious objectives. These are the premises of a non-judicial approach to juvenile delinquency. A clear strategy is necessary. This must look to an immediate moratorium on the creation of new imprisonment places and it must also lead to the progressive closing of existing places, which should be replaced by services which develop preventive or social approaches or measures.

In conclusion

It is necessary for:

- priority to be given to alternatives to imprisonment;
- public authorities to respect international standards that they have subscribed to and consequently commit to limit imprisonment measures;
- public authorities commit to reduce the number of cases in which imprisonment is resorted to by working both on the demand for this type of punishment as well as other types of measures on offer giving priority to working with the young person in their usual environment;
- services mandated to educate, supervise or help adolescents to be able to pass on difficulties encountered and benefit from the necessary tools to respond to these in a coherent manner with a model for an inclusive society;
- relevant judicial actors, in a sufficient number, to be trained and informed in order to award real and effective priority to measures which do avoid using deprivation of liberty for adolescents; and for them to place confidence in the whole range of measures at their disposal that do not include deprivation of liberty;
- juvenile policy to be based on reliable data rather than on fear and clichés;

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- scientific research in the legal, psychological, sociological and criminological fields to study all aspects linked to deprivation of the liberty of adolescents and different types of measures addressing juvenile delinquency in greater depth; for, in addition to this, the results of research will be brought into the public domain and widely published, both to relevant professionals and the wider public in order to bring about a change in mentality;
- the press to provide itself with the means, space and time to analyse the trend of juvenile delinquency in a different way, as well as the social reaction to crime, in order to inform the public and avoid simply transmitting stereotypical images.

To have access to the whole article, please visit: <http://www.defenceforchildren.org/resources/publications/78-articles.html>

Adolescence: Citizenship, Justice, and Security

by Dr. Norberto Liwski, President of DCI-Argentina

Once again, and like a spasmodic behavior after a criminal act produced by an adolescent, this sector of society has been placed at the center of a media debate that (apart from honorable exceptions like the one manifested by Dr. Adriana Puiggrós) have brought about an analytical reductionism that distances citizenship from an integral, democratic perspective in its relation with juvenile justice.

It is necessary to recover, within the diversity of approaches, the greatest respect for adolescents in general - and particularly for those who, passing through a cycle of growth expressed in the continual dispossession of rights, find themselves in socially unfavorable conditions and exposed to conflict with the law. The necessary respect doesn't signify ignoring complex realities, but rather avoiding the distortions of those realities that deliberately seek to generate false interpretations and promote the stigmatization of these young people.

Political advocacy based on data and constructed according to the perspective of human rights constitutes one of the guarantees upon which not only a correct diagnosis of the complex social scenario

proves to be viable; it likewise enables contributions to the development of public policies and parliamentary debates that show society in a high level of democratic reflection and include the voices of adolescents themselves as an indispensable resource.

The Convention on the Rights of the Child is mentioned with great frequency and excessive frivolity in order to establish positions that, ultimately, often run contrary to the regulations and principles of the aforementioned human rights treaty incorporated into the national constitution [of Argentina]. It is precisely the Committee planned by the Convention itself for following and monitoring its application - which is to say, the UN Committee on the Rights of the Child - that should be an active party in this national debate regarding the implementation of its own observations and recommendations. Therefore, it's important to remember that the examination of the third report by the state of Argentina, carried out in May 2010, constitutes an insurmountable piece of information regarding the implementation of policies and legislations on childhood and adolescence.



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Consequently, it becomes useful to remember the chapter addressed to the administration of juvenile justice, which recommends, among other measures, repealing Law 22.378 - sanctioned by the last military dictatorship - and approving a law compatible with the Convention, one that insists on children's right to be heard within judicial processes and on promoting policies that establish measures of social reintegration and alternative penalties to the deprivation of liberty.

The same Committee in its General Comment No. 10 of February 2007, "Children's Rights in juvenile justice," upon referring to the minimum age of legal responsibility, recognizes within the 193 States Parties the existence of a wide margin of minimum ages with respect to criminal responsibility, and posits "a commendable maximum of 14 to 16 years old..." At the same time, and in the same document, States are exhorted to maintain a policy of elevating the minimum age, and in no case are they recommended to reduce it.

On the other hand, upon examining some variables of adolescence in the province of Buenos Aires - mentioned in the recommendations of the Committee - we can affirm the following information supplied by the Attorney General of the Supreme Court of Justice, corresponding to the first semester of 2010: it has been

established that the participation of children and adolescents in the preparatory criminal investigations [IPP in the original Spanish] represents 4.3%; as for the crime of homicide, it represents 1% of the total calculated for the province of Buenos Aires.

From another analytical angle, and as far as adolescent safety within the same jurisdiction is concerned, we can observe that the rates of adolescent mortality due to external causes - that is, violent causes - represents the age group of greatest incidence. Thus, the province's Minister of Health reports that the deaths of adolescents by homicide were, in 2009, 10.6% of the total number of deaths by homicide - to which should also be added causes such as suicide (at an alarming increase), traffic accidents, and other violent deaths, the origins of which are determined by judicial inquiry.

Democratic debate, a debate free of speculations that divert attention from the problems of adolescents in their real magnitude, demands a high analytical rigor - one permitting the elaboration of public policy and legislation that leaves behind the burdens of the dictatorship; and one that harmonizes with the present reality, including with the international commitments assumed by the country, and with a profound collective effort made to broaden the culture of social integration and non-discrimination.

Written Statement : Children working and/or living in the street and juvenile justice

In many countries around the world, children and adolescents who live and/or work in the streets suffer from wide-ranging human rights violations, including in the justice system. Arrests occur often regardless whether or not children have actually committed an offence.

Children working and/or living in the street are not criminals per se, and they deserve further attention, as well as specific care and protection.

The children working and/or living in the street have not chosen their

condition. Many causes, in particular socio-economic grounds but also family and community violence, push them into this precarious situation. However, instead of granting them the protection they deserve, the society considers them as delinquents and often treats them harshly. Their economic precariousness pushes many of them to find means of subsistence, sometimes through breaking the law. Domestic legislations and policies are often very repressive towards those children who may come easily in contact with the justice system,



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not only because they infringe the general criminal law, but also when they commit special status offences. Therefore, although technically in conflict with the law, those children are actually victims of unfair legislations that are contrary to relevant international standards and require urgent reform.

Police violence against street children

Street children are considered by many to be a criminal threat to society. This perception results in them being transposed from 'children' to 'street children' to 'criminals' deserving punishment in the public's mind. The influence of negative public opinions on local and national politics contributes to shaping discriminatory policies and legislation, encourages violence against street children and fosters a culture of impunity. Street children are sometimes subjected to beatings, extortion and sexual abuse by police. In violation of international law, they are arrested randomly and illegally and they are rounded up and held for long periods in police lockups under deplorable physical conditions. Furthermore, the police often fails to protect children from abuse committed by others.

Violations of street children' rights in the justice system

Children should have their cases heard in special juvenile courts, as stated in the UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules). In practice, this is often not the case: they are frequently sent to adult courts that do not apply the law according to the age of the child. Although, judges have specialized knowledge of the domestic legislation related to children, they may well not be trained in international human rights standards or sensitized to the specific needs and handling of children.

Street children are often subject to harsh sentences for petty theft, begging, 'vagrancy' or 'prostitution'. Children are often accused of acts that would not be considered as an offence if committed by an adult, like status offences (for exam-

ple, truancy, running away from home...). They often have no one to plead their case or speak out about conditions they may suffer, both before and during detention, such as extreme overcrowding, malnutrition, physical, mental and sexual abuse, lack of access to medical care or legal advice and little prospect of rehabilitation, education or release.

Conditions of detention

Abuse is rampant in detention: Violence, intimidation, torture, forced confessions, false accusations, exploitation (for example: children having to clean the toilets or run errands), extortion, inhumane conditions (including lack of food or water, overcrowding, no bedding or toilet facilities, poor light and temperature extremes) and mixing of children with adults are commonplace. Even if children are detained separately from adults they are frequently not adequately separated from child detainees of significantly different ages or criminal statutes. Even where there are separate facilities or sleeping areas for children, children are often still mixed with adult criminals at meal times and during recreation. Girls are especially likely to be held with female adults and inadequately separated from other categories of children because of insufficient facilities for detaining them.

Alternatives to detention are rarely implemented, even if they exist as legislative options at the discretion of the judge. Street children are particularly discriminated against in this regard, either through prejudice, or due to the frequent lack of support structures which are necessary to implement many of the alternatives (for example release to the custody of a responsible parent or guardian, or payment of a fine). The majority of street children end up in some form of detention, usually in institutions known as 'approved schools' or 're-education centres'. The objective of these institutions is supposedly to 'reform' or 'rehabilitate' children through education and training, with varying degrees of freedom and access to the outside world. In some cases children are transferred



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from an approved school or re-education centre to a juvenile prison or adult prison if deemed to be 'incorrigible' by the authorities. After release, without the intervention of NGOs with residential facilities, children end up back on the streets. Often they will have come into contact with more hardened criminals, and are therefore better schooled in the art of committing crime.

Recommendations

With this in mind, Defence for Children International, the World Organization against Torture and Dynamo International:

Urges States to amend national legislation in line with the UN Convention on the Rights of the Child, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and other UN guidelines on juvenile justice (including the Riyadh Guidelines, Beijing Rules, and JDLs), to:

- ensure that all children, including children working or/and living in the street, below the age of 18 are accorded the protection of separate justice provisions and are not treated as adults;
- de-criminalize any status offences such as 'vagrancy', 'loitering', child prostitution, truancy and 'running away';
- set the minimum age of criminal responsibility (not to be confused with the minimum age of imprisonment) at a suitable level, with due regard of the protection of all children, including street children, above and below that age, according to comprehensive implementation of international human rights standards, and with special regard to children who may end up in the custodial system through welfare or administrative rather than criminal provisions;
- ensure the protection of all children, and street children in particular, regardless of gender, race, ethnicity, sexuality, disability and social, economic or any other status from discriminatory laws and practices (e.g. laws that discriminate girls in relation to sexual behavior).
- Immediately stop the abuse and maltreatment of children working and/

or living in the streets by law enforcement and other justice system personnel and safeguard their human rights. Protect children on the street and in custody from torture and ill-treatment, including rape and sexual abuse, whether by officials or other detainees.

- Guarantee immediate investigations into any alleged abuse and ill-treatment, identify those responsible, bring them before a civil, competent, and impartial tribunal and apply the penal, civil and/or administrative sanctions provided by law and according to international human rights standards.
 - Ensure adequate budget allocation to social services, probation and programs focusing on prevention, diversion and alternatives to detention.
 - Facilitate closer and stronger communication and coordination between all actors and sectors in the criminal justice and social welfare systems, including among central and local government agencies, and between government agencies and civil society.
 - Ensure that all juvenile justice system personnel (police, social services, probation, lawyers, judiciary, staff in prisons and institutions), receive rigorous training in human rights and children's rights, in particularly relation to street children.
 - Set up accessible and child-friendly reporting and complaints independent mechanisms in case of child rights' violations.
 - Take appropriate measures and ensure that any street child victim of a violation of his/her human rights have access and get physical and psychological recovery and social reintegration.
- Strongly recommends States to develop, implement and monitor child-centered and child rights-based policies and procedures in the following key areas:
- Prevention: Orient political will and allocate resources to the structured development of child rights-based comprehensive prevention policies as outlined in UN Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines), 1990.
 - Separation of social welfare and



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criminal justice systems: Separate the systems to avoid processing children who are not in conflict with the law through the criminal justice system.

Diversion: Amend legislation and practices and allocate resources to ensure that arrest and detention are only used as a last resort. Promote diversion programmes as an additional procedural mechanism to allow / propose exit points at each stage of traditional criminal proceedings, with an emphasis on restorative justice and child rights-friendly traditional and non-

formal justice systems. Immediately end the practice of lengthy pre-trial detention / remand.

- Alternatives to detention: Prioritise the use of non-custodial sentencing options as measures at the disposal of the judiciary (to constitute diversion from imprisonment, but not necessarily diversion from criminal proceedings) and implement immediate review of children currently in detention with the goal to withdraw them from detention, and place them in alternative programmes.

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