“Street Children and Juvenile Justice: Prevention Strategies”
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(Presentation for the First Conference of the International Juvenile Justice Observatory, 28 October 2004, Salamanca, Spain)

Abstract

Street-involved children are particularly vulnerable to human rights abuses within criminal justice systems: they are more likely to come into contact with the system in the first place (whether or not they have actually committed an offence) and are less able to defend themselves from abuses once within the system. Due to their lack of contact with responsible adults and lack of fixed address street children are less likely to benefit from diversion schemes, release mechanisms such as bail and other alternatives to detention, even in countries where these options are available. The importance of investment in prevention strategies therefore cannot be overstated in the case of street children in order to break the abusive revolving door cycle of street life, arrest and detention.

This paper outlines strategies to address: a) the prevention of street migration and b) the prevention of first-time and re-offending, based on a distinction between the theories of developmental prevention and responsive prevention. The paper highlights the importance of approaches which are child rights-based, individualised, which respect children’s choices, their resiliency and peer relationships and which emphasise the role of the community. The paper outlines challenges common to prevention work and is illustrated throughout by practical project examples and quotations from street children themselves.

Definitions of ‘street children’

The term ‘street children’ has both positive and negative connotations. It can label and stigmatise children or it can provide them with an identity and a sense of belonging. It can include a very wide range of children who: are homeless; work on the streets but sleep at home; either do or do not have family contact; work in open-air markets; live on the streets with their families; live in day or night shelters; spend a lot of time in institutions (e.g. prison).

The Consortium for Street Children acknowledges the limitations and many connotations, both positive and negative, of the term ‘street children’, but – in the absence of a widely acceptable alternative - uses the term for convenience, on the understanding that in reality, street children defy such convenient generalisations because each child is unique. Definitions of ‘street children’ in different contexts must take into account the child’s own perceptions of their individual circumstances and how they themselves wish to be described.

In the words of one boy in the Philippines, “I am bad… I am helpful too.”\textsuperscript{1} Children, including those living and working in the streets, are complex human beings with hopes and dreams whose problems need to be examined holistically, in relation to the individual circumstances in which they find themselves. This individualised approach is key to effective strategies working with children in the criminal justice system.

\textsuperscript{1} UP CIDS PST, Painted Gray Faces, Behind Bars and in the Streets: Street Children and Juvenile Justice System in the Philippines, Quezon City, UP CIDS PST and CSC, 2003, p.120.
Street children and juvenile justice

Street-involved children are particularly vulnerable to human rights abuses within criminal justice systems: they are more likely to come into contact with the system in the first place (whether or not they have actually committed an offence) and are less able to defend themselves from abuses once within the system.

It is essential to understand from the outset that not all street children in criminal justice systems are criminals, but rather fall into three very different groups:

1) **Children in actual conflict with the law**: Some street children do engage in criminal behaviour ranging from minor to serious offences. These street children are in conflict with the law.

2) **Children in perceived conflict with the law**: Others may be arrested for activities that are officially criminalised in legislation but which the international human rights community calls for to be decriminalised as a matter of urgency. For example, street children are arrested for being victims of commercial sexual exploitation, for begging, ‘vagrancy’ and for ‘status offences’ such as truancy, ‘running away from home’, and being ‘beyond parental control’. In these cases, although technically in conflict with the law, children in this category are actually victims of legislation that needs urgently to be reformed.

3) **Children in need of care and protection**: Some street children do *not* engage in criminal behaviour. Nevertheless, they may still be arrested randomly and illegally, on prejudiced suspicion of being involved in criminal behaviour, or they may be detained ‘for their own protection’. In some countries, in the absence of adequate social welfare responses, the criminal justice system is used to warehouse homeless children regardless of whether or not they have committed a crime.

The findings from the Consortium for Street Children project show that the vast majority of street children processed through justice systems fall into categories (2) and (3) in contrast to public opinion that generally sees them as criminals. For example, in Nairobi, Kenya for the month of November 2001, the Juvenile Court Register indicates that 85% of children passing through the court were ‘charged’ with being ‘in need of care and protection’. Ironically, a mural painted on the walls of that very same court proclaims the message: “Justice in the best interests of the child”.

The following quotations – and many more - from children themselves (taken from the Consortium for Street Children’s publication on street children and juvenile justice) seriously throw this statement into question.
“While selling sweets, I found a wallet lying on the ground and asked a woman standing nearby if it belonged to her. A man standing there said it was his and I had picked his pocket. He handed me over to the police. The police ate all my sweets and locked me up. I will sell sweets again when I get out of here, but I will never help someone again” (8-year-old boy, Borstal Jail, Bahawalpur, Pakistan).

“Policemen often arrest us for sleeping under a bridge.” (Eugene, aged 15, child participant, UP CIDS PST / CSC Street Children and Juvenile Justice Project, Philippines)

“When a girl is almost grown-up, she gets molested or raped in exchange for her freedom.” (Ryan, aged 16, cited in UP CIDS PST / CSC End of Project Report, 2003, Philippines).

Clear evidence and shocking testimonies from around the world indicate that criminal ‘justice’ systems are far from operating ‘in the best interests of the child.’ It is time for governments, civil society and the international community to unite together in order to put ‘justice’ back into the ‘justice’ system.

Guiding principles for the way forward

The Consortium for Street Children has produced a comprehensive book examining the links between street children and juvenile justice which includes children’s testimonies, practical project examples, analysis and recommendations based on a cohesive approach to reform. This approach is based on the following key themes:

1. The need for a **child rights-based approach**

2. The need for an understanding of the following **key concepts**:
   a) **Each child is unique** and requires an **individualised approach**
   b) Interventions should take into account the **concept of choices, limited choices and non-choices** available to children
   c) **Relationship-building** is key to reform
   d) The **role of the community** is essential
   e) There needs to be a better understanding of, and respect for, children’s resiliency and their peer relationships

3. The need for interventions in the following **four priority areas**:
   - prevention
   - separation of criminal justice and social welfare systems
   - diversion
   - alternatives to detention

The current paper will focus on prevention strategies, but will touch on the other themes.

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The importance of prevention

Not only are street children particularly vulnerable to human rights violations in criminal justice systems, but due to their lack of contact with responsible adults and lack of fixed address - they are also less likely to benefit from diversion schemes, release mechanisms such as bail and other alternatives to detention, even in countries where these options are available. The importance of investment in prevention strategies therefore cannot be overstated in the case of street children in order to break the abusive revolving door cycle of street life, arrest and detention.

This ‘revolving door’ of street children’s experiences in juvenile justice systems, and the importance of breaking the cycle at the earliest possible stage (i.e. prevention) is demonstrated in the following two diagrams.4

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PROCESS: THE ‘REVOLVING DOOR’ OF STREET CHILDREN IN THE CRIMINAL JUSTICE SYSTEM

1. ON THE STREET
   - POLICE HARASSMENT / VIOLENCE / EXTORTION / FAILURE TO PROTECT

2. ARREST
   - OFTEN ILLEGAL AND ARBITRARY; INC. ‘ROUNDUPS’

3. POLICE
   - DETENTION—FROM A FEW HOURS TO SEVERAL WEEKS OR MORE

4. JUVENILE (OR ADULT) COURT
   - REMAND WARRANT ISSUED
   - ADULT REMAND HOME / PRISON
   - PRE-/ UNDER TRIAL DETENTION—CAN LAST FOR YEARS

5. JUVENILE REMAND HOME
   - POSSIBILITY OF ESCAPE

6. JUVENILE (OR ADULT) COURT
   - USUALLY NOT CHILD-FRIENDLY / HARSH SENTENCES

7. (ALTERNATIVES TO DETENTION)
   - APPROVED SCHOOL OR ‘RE-EDUCATION CENTRE’
   - BORSTAL OR PRISON

EVENTUAL RELEASE OR ESCAPE
KEY STAGES OF INTERVENTION FOR STREET CHILDREN IN THE CRIMINAL JUSTICE SYSTEM: BREAKING THE ‘REVOLVING DOOR’ CYCLE

1a. PREVENTION OF STREET MIGRATION
1b. PREVENTION OF FIRST TIME AND RE-OFFENDING
2. SEPARATION OF SOCIAL WELFARE AND CRIMINAL JUSTICE SYSTEMS
3. DIVERSION
4. ALTERNATIVES TO DETENTION

- ON THE STREET
- POLICE HARASSMENT / VIOLENCE / EXTORTION / FAILURE TO PROTECT
- ARREST
- OFTEN ILLEGAL AND ARBITRARY: INC. ‘ROUNDUP’
- POLICE
- 3-72 HOURS TO SEVERAL WEEKS OR ON THE STREET
- 3-72 HOURS TO SEVERAL WEEKS OR

ALTERNATIVES TO DETENTION:
- JUVENILE REMAND
- ADULT REMAND
- PRE-/ UNDER TRIAL DETENTION—CAN LAST FOR YEARS
- JUVENILE OR ADULT COURT
- JUVENILE OR ADULT COURT
- APPROVED SCHOOL OR ‘RE-EDUCATION’
- USUALLY NOT CHILD-FRIENDLY / HARSH SENTENCES
- BORSTAL OR PRISON
- REMAND WARRANT ISSUED
- HOME / PRISON
- USUALLY NOT CHILD-FRIENDLY / HARSH SENTENCES
- BORSTAL OR PRISON

(Alternatives to detention)
The priority areas for intervention are therefore:
1. Prevention (of street migration and of first time and re-offending)
2. Separation of social welfare and criminal justice systems (to ensure that children in need of care and protection are not processed as criminals)
3. Diversion
4. Alternatives to detention

Amongst these priorities for intervention, the importance of prevention cannot be overstated, especially given the complex challenges that exclude street children in particular from access to justice and fair treatment in criminal justice systems.

**The need for a holistic approach to prevention: a child rights-based approach**

The best prevention of street migration, first time and re-offending is full implementation of the UN Convention on the Rights of the Child (CRC). What better prevention can there be than children enjoying their rights to education, health, participation, play, freedom from violence and developing a sense of responsibility in a loving and supportive family, community and country? Unfortunately, this ideal situation is far removed from the reality of the lives of millions of children around the world.

A holistic approach to prevention, based on the framework of the CRC, therefore involves employing a child rights-based approach to prevention and other intervention approaches. A child rights-based approach can be defined as follows:

An approach which sees each child as a unique and equally valuable human being, with the right not only to life and survival, but also to development to his/her fullest potential, offering the best understanding of anyone of his/her own situation / with essential experience to offer, who deserves to have his/her best interests met through adequate allocation of resources and implementation of all of the rights in the Convention on the Rights of the Child.

It is important when working with the CRC not to approach it as a ‘shopping list’ of disconnected articles. For example, discussions around the topic of juvenile justice are often reduced to a focus on Articles 37 & 40 whereas a holistic approach argues for a consideration of the ‘five umbrella rights’ of the CRC\(^5\) in addition to the more thematically specific articles. Under this holistic approach, it can be argued that the most important right in the CRC is the right to life, survival and development (Article 6). This in turn is underpinned by the rights to non-discrimination (Art. 2), best interests of the child (Art. 3), participation (Art. 12) and implementation and adequate resourcing of all rights in the CRC (Art. 4).

A consideration of all of these five umbrella rights makes up a child rights-based approach as defined above:

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\(^5\) For many years the CRC has been analysed in terms of the ‘four principles’ (the best interests of the child, non-discrimination, participation and the right to life, survival and development). However, this approach has been criticised for marginalising the importance of Article 4 (on implementation and resources – especially for economic, social and cultural rights) and for terminology that weakens the strength of the four articles in question: the best interests of the child, non-discrimination, participation and the right to life, survival and development are **rights** rather than mere **principles**. The term ‘rights’ carries a greater psychological and legal weight and more accurately represents states’ legal obligations regarding implementation whereas ‘principles’ are subject to being outweighed by other ‘principles’. The term ‘umbrella rights’ was coined by Bruce Abramson to refer to Articles 1, 2(1), 3(1), 4 and 5 of the CRC and has been adapted here to refer to articles of the CRC which reflect a more programmatic as well as legal focus. See Abramson, B., ‘Two Stumbling Blocks to CRC Monitoring: the Four “General Principles” and “the Definition of the Child”’, September 2003.
• An approach which sees each child as a unique and equally valuable human being (Art. 2 non-discrimination)
• with the right not only to life and survival, but also to development to his/her fullest potential (Art. 6)
• offering the best understanding of anyone of his/her own situation / with essential experience to offer (Art. 12 participation)
• who deserves to have his/her best interests met (Art. 3)
• through adequate allocation of resources and implementation of all of the rights in the Convention on the Rights of the Child (Art. 4)

This approach can be applied to interventions by using the following tool – the ‘Table Leg Test.’ Imagine that the programme being planned is a glass of water on the table. Unless the planning, implementation and monitoring from the programme is taking into account the four ‘table legs’ of participation, the best interests of the child, non-discrimination and adequate resources, then the ‘table’ will be unstable and the project will come crashing to the ground.

**A CHILD RIGHTS-BASED APPROACH: THE ‘TABLE LEG TEST’**

**IF ANY OF THE LEGS ARE MISSING, THE PROGRAMME IS NOT STABLE!**

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The ‘three-stage choice process’: understanding, expanding and empowering

Essentially a child rights-based approach is about treating children with the respect and dignity that is inherent to every human being (including those under the age of 18). On this basis, it is important not to assume that adults always know what is best for children and young people.

With this in mind, and based on experiences from organizations around the world, something that emerges very clearly is that work at an individual level with street children needs to be centred around choices. This approach can be seen as a three-stage process of understanding, expanding and empowering:

1. **Understanding choices:** We need to understand, *from their own perspective*, why individual children have made the choices they have: very often they have been confronted by limited choices or ‘non-choices’, for example when a boy or girl is faced with the dilemma: ‘Do I stay at home and continue to be abused by my step-father, or do I take my chances of being abused on the street?’ Only once we understand the background to a particular child’s situation can we attempt to identify a suitable intervention that we can work with them to implement. In the context of street children’s involvement in the criminal justice system, such choices or non-choices may include: ‘Do I steal or go hungry?'; ‘Do I agree to have sex with the policeman or let him arrest me?’; ‘Do I help in the older boy’s robbery or get beaten up by him?’

2. **Expanding choices:** The next logical step is to help expand the choices available to them, for example, offering the option of residential shelters as an alternative to sleeping in a dangerous alleyway; the option of family reunification or group living; the option of less hazardous employment; the option of self-protection against sexually transmitted infections and HIV/AIDS; the option of someone to call in times of trouble who can intervene at the police station. It may be that, due to socio-economic and cultural constraints, there are fewer choices available to girls than boys in a given situation and therefore particular efforts should be made to promote gender equality in programming.

3. **Empowering children to make choices:** Even when choices are expanded, it can be difficult for children make the transitions necessary to implement those choices. The final stage is therefore empowering girls and boys to actually make, and carry through, their choices. This can be especially difficult in the case of children who are not used to having this freedom through (e.g.) a history of repeated coercion / abuse which can be inherently *dis*-empowering. This is often particularly the case with girls who have been subjected to limited decision-making in cultural contexts that are inherently disempowering to women and girls. Likewise, many NGOs experience particular challenges with children who are substance abusers as their powers of analysis and clarity of thought / ability to see their own situation are diminished. The importance of this stage, however, is that the children – to the greatest possible extent within given circumstances - make educated choices for themselves, rather than having ‘choices’ made for them by others, no matter how well-intentioned. Children who are empowered are better able to protect themselves, assess and strengthen their own support networks, and take part in sensitization and collaboration efforts and other programmes needed for reform of the criminal justice system.

The previous sections of this paper have outlined:

- the importance of prevention strategies to break the revolving door cycle of street children’s experiences in the criminal justice system;

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- the concepts of a holistic, child rights-based approach to interventions;
- a focus on understanding and expanding children’s choices and empowering them to make those choices.

The following sections will examine theoretical and practical approaches to prevention strategies.

What is prevention?\(^8\)

Prevention attempts to “anticipate risk and put in place actions considered likely to reduce the likelihood of the onset of difficulties, rather than respond to needs only when such difficulties have clearly arisen.”\(^9\) In the context of street children in the criminal justice system, prevention can be considered in two stages:

1a) **Prevention of street migration** (i.e. preventing children from leaving their homes and communities of origin in the first place);
1b) **Prevention of first time and re-offending** (i.e. prevention of street children becoming involved in the criminal justice system once they are already on the streets).

The causes of girls and boys offending are wide ranging and complex, and include poverty, broken homes, lack of education and employment opportunities, peer pressure, exploitation by criminals and lack of parental guidance. These causes need to be tackled with a range of gender-sensitive social and economic interventions, including programmes for education, poverty reduction, skills development, psychosocial interventions, parental counselling and job creation.\(^10\) In addition to this background ‘developmental’ prevention work, there can also be programmes that are aimed towards more specific ‘risk’ situations, i.e. that are ‘responsive’ and aim to prevent events taking place that are particularly likely to happen, or to prevent re-occurrence of those which have already happened.

As previously outlined in the section on child rights, it is important to adopt a holistic approach in relation to prevention work: “Respect for all children’s rights [is] the best prevention of juvenile delinquency. […] The international framework has been an inspiration in some countries in attempts to introduce human rights in crime prevention policies. In these countries, prevention of juvenile delinquency is part of overall development policies rather than a very specialized and isolated activity”.\(^11\)

**Prevention of street migration and prevention of first time and re-offending**

1) Developmental prevention

   *Examples of national and international developmental protection*

   Broad development prevention at national and international level attempts to address the large scale, deep-seated reasons for the creation of social problems. Very little work has been done on monitoring and evaluating the impact of macro-economic and socio-economic policies on marginalised groups such as street

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children, or the specific links between improved macro socio-economic conditions and reduction in youth offending. Furthermore, this broad based form of prevention is difficult to implement and most often needs to be broken down into more manageable programmes such as national education policies and initiatives to reduce the harmful effects of rural to urban migration. An example of international level developmental prevention would be reform of unfair international trade rules to promote developing country economic growth.

**Examples of community level developmental prevention**

Based on the same concept as national and international prevention, but implemented at a local level, community level developmental prevention focuses on the factors that contribute to community poverty and breakdown and, in turn, high rates of street migration and/or youth offending. Obviously these are complex issues involving long term investment. However, the benefits of such programmes - which aim to strengthen protective factors and to minimise risk factors - can be seen in the following examples from Brazil and Ethiopia. Many street children projects are increasingly incorporating prevention into their scope of work. However, difficult decisions often need to be made in order to balance longer term prevention work with urgent and short-term survival and protection programmes for children already on the street and/or in the criminal justice system. In these situations, although there are no easy answers, collaboration is especially important at the local level between organisations with different specialisations.

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**CASE STUDY: Brazil: Experiences of prevention: Associação de Apoio à Criança em Risco (ACER), Children at Risk Foundation**

One NGO in Brazil, ACER, describes the shift in its work with children from direct street work in São Paulo in 1993, to responsive and developmental models of preventative work in the impoverished community of Eldorado (on the outskirts of São Paulo) in order to prevent children migrating to the streets in the first place. By 2000 ACER was no longer working directly with children living on the streets.

**Current goals, aims, objectives and philosophy:** To prevent children within the community of Eldorado from migrating to the street; to break the cycle of intergenerational family dysfunction which is a significant factor in precipitating this migration; to reduce the prevalence of violence within the community and particularly its effects on young people; to strengthen the ability of children and young people to form and maintain meaningful social relationships; and to increase their positive participation in the community. It does this through an educational methodology that develops children’s cognitive, emotional and social communication skills. ACER’s approach is child-centred – it prioritises the needs and rights of the child within the family, rather than the needs of the family as a whole, and works to advocate these needs and rights within the family and the community.

**Prevention work: what is it and how do you evaluate it?** The question of who is at the highest risk of moving to a life on the streets is critical to effective prevention work and ACER believes the key to success lies in accurately identifying, targeting and accessing high-risk children within the community. This is achieved through ACER’s strong, active and respected presence in the community and the ability of ACER educators to come into contact with children in a range of circumstances and situations.

**Challenges and Successes:** Acknowledging the challenges they face in this work, ACER is in the process of consolidating their existing work, looking at ways to reduce the case load of educators from a ratio of 1:50 to 1:20, and strengthening their methods for assessing the needs and progress of each child.

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they assist (based on dialogue with another NGO with extensive experience in the field of prevention of street migration - JUCONI Ecuador\(^\text{13}\)).

One of ACER’s major successes has been in reducing levels of violence within the family and home, between the police and young people, between rival drug dealers and generally on the street. ACER is seen as a safe place that young people from the community as a whole can access - family members of rival drug gangs use ACER without problems and there have never been any violent incidents at the fortnightly Sabadão, an event regularly attended by over 200 young people. By teaching and modelling a philosophy where children and young people are valued and respected and problems are resolved through dialogue and negotiation rather than violence ACER offers a real alternative to entrenched dysfunctional patterns of relating within the community.

**PROJECT EXAMPLE: Prevention Programme for Street Children in Addis Ababa, Ethiopia**

The prevention program focused on the community and socio-economic factors that result in families living on the streets. In order to address these causes Save the Children and Forum for Street Children, Ethiopia established a credit and savings scheme for mothers to establish income generation activities. They also provided school fees for specifically identified young people and supplied a tutorial support programme to help children with schoolwork. All of these activities were designed to prevent families from having to live on the street and to support community growth and empowerment.\(^\text{14}\)

2) **Responsive prevention**

Responsive prevention determines when children are most at risk and seeks to support them and provide them with alternatives, thus implementing the ‘choice’ strategy outlined in Chapter 2 (understanding and expanding choices and then empowering children to make those choices). In a subtle difference to ‘developmental prevention’, responsive programmes do not necessarily seek to address the root causes of the high-risk situation but rather to deal with that situation in a way that prevents the undesired outcome from coming to fruition. The most successful prevention programmes will therefore have some element of both developmental and responsive prevention in order to address both root as well as ‘branch’ causes.

The UN Guidelines on the Prevention of Juvenile Delinquency (Riyadh Guidelines) cover both of these types of prevention and encourage a positive emphasis on socio-economic support and upgrading quality of life rather than a ‘negative’ crime prevention approach. As outlined in Chapter 3, they cover virtually all social areas such as family, school, community, media, social policy, legislation and juvenile justice administration.

Examples of responsive prevention programmes are given below and include:

- A residential street children project (Romania);
- An under-5 early childhood development and family support programme which demonstrates the importance of early intervention with high-risk children (USA);
- A creative project to encourage school attendance and to prevent motor-related crime in relation to first time offending and re-offending (UK).

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\(^{13}\) *Junto con los Niños* (JUCONI) operates in Mexico and Ecuador. For further details of their prevention work, see [www.juconi.org](http://www.juconi.org) and CSC / UCC, *Prevention of Street Migration*, 1999.

\(^{14}\) *Ibid.*
**PROJECT EXAMPLE: Reducing Numbers of Children in Conflict with the Law – Cluj-Napoca Residential Centre, Romania**

**Problem:** The efforts made by local authorities in Cluj district to reform the child rights protection system and assist street children have proved to be insufficient due to a lack of funding, coherent policy and the absence of any real collaboration between the actors involved. This has led to large numbers of children on the street, whose poverty and lack of identity documentation brings them into constant conflict with the local law enforcement agents.

**Solution:** To try to solve the ballooning street children problem in Cluj-Napoca, the Prison Fellowship Romania Foundation initiated a project called “the Residential Centre for Street Children”. The centre itself is a building given to the Foundation rent free for 20 years by the local council, and now operates as a busy hostel for street-working and street-living children to use.

**Specific objectives of the centre:** The centre offers shelter to up to 50 children permanently living on the street, and prepares them for social and familial reintegration through building their self-identity and confidence. It provides material support and assistance to potential foster families, and works to change the attitude of the community of Cluj towards homeless children.

**Lessons learned:** A year and a half after the centre opened, the fluctuating movement of children in and out of the centre had noticeably reduced, with most of the initial beneficiaries successfully integrating into the programme rather than returning to the street. However, there were naturally difficulties in reintegrating those children who had never attended school into the formal educational system. Restoring relationships with family members where desired has also been difficult, but there are some positive and encouraging results, with many of the identified families declaring themselves available to assume responsibility for raising their children after they finish the programme (2 years of residence in the centre). The range of activities in the residential centre (shows, community work, sports contests, painting etc.) have also all helped to sensitize the local community to become more sympathetic to street children and to their difficulties.

**PROJECT EXAMPLE: Early intervention: the Perry Programme – Detroit, USA**

This longitudinal study proves that prevention of offending can be achieved through intensive investment in vulnerable children at a very early age (preferably under 5). The Perry Programme offers highly structured pre-school activities for children in a deprived community near Detroit. In addition to the centre-based educational programme, family support visits are also made. Children in this programme were monitored from the 1970s to the 1990s up until the age of twenty-seven and were found to be a fifth less likely to have suffered repeat arrests (five times or more) than a carefully matched control group. Although this type of support is expensive, it is expected to pay back $7 for every $1 invested.

Example of a responsive prevention programme specific to the prevention of first time offending and re-offending:

**PROJECT EXAMPLE: Ilderton Motor Project (IMP), School Outreach Programme, London, UK**


16 As part of the CSC International Workshop on Street Children and Juvenile Justice (14-18 July 2003), a group of 12 overseas visitors from CSC’s juvenile justice project partner countries - Romania, Nicaragua, Nigeria, Kenya, Pakistan.
**Aims:** To reduce the incidence of motor vehicle crime such as joy riding, vehicle theft, and vandalism (which account for a high number of offences involving street-involved youth in the UK) by creatively capitalising on the enthusiasm young people have for motor vehicles in a programme that enables young people to be exposed to mechanics and responsibilities that go along with motor vehicles while also providing a reason to stay in school.

**Project description:** The IMP School Outreach Programme is targeted at young people who have an interest in motor vehicles and have difficulty succeeding in school. Once a week, young people attend a motor vehicle training course that is incorporated into their school curriculum. Participation in the programme is contingent on attendance in regular classes and as a result children stay in school largely because they want to and are interested in the motor vehicle course. In addition to preventing first-time offending, participation in IMP programmes can also be stipulated as a sentencing option for children referred by Youth Offending Teams (YOTs) as part of the formal justice system, with a view to reducing re-offending. In addition to the School Outreach Programme, IMP also runs the following programmes: Basic Motorbike Training; Schools Crime Awareness Programme – targets younger children ages 8-12 with a focus on crime prevention and dealing with transitional issues between primary and secondary schools (to prevent drop-out / truancy); Creative Arts Programme – a ‘short burst programme’ lasting an average of 8 hours e.g. recycling old car tyres into plant holders for donation to the community (e.g. retirement homes); Intensive Supervision and Surveillance Programme –Saturday programme targeted at persistent offenders who are not in a custodial setting.

**Strengths:**
- The project targets specific, high-incidence offences (related to motor vehicles) through creative programmes that pro-actively engage, rather than prohibit, individual young people in their area of interest. It confronts the specific context of negative, anti-social behaviour (car crime) and turns it into a vehicle for teaching responsibility, decision-making and other life skills.
- The young people themselves are involved in deciding and imposing sanctions for misdemeanours committed by peers in the programme.

**Challenges:**
- The completion rate for those who start the programme is only 44%. The main reasons identified for drop out are: transfer of pending court cases to another jurisdiction; participants go back to school or move away from the area; lack of commitment.
- 90% of the young people referred by YOTs work with a minimum of 2 organisations intended to give as much holistic support as possible e.g. different groups for mediation, drugs and sentencing programme. However, it has been queried as to whether this is really effective or whether the separation of services results in a duplication of efforts and a non-holistic approach which fails to address the specific needs of the child as a whole.
- Parents are invited to attend but there is no direct outreach programme to parents nor incorporation of them into the services.
- Stigma against those with a criminal record hinders job placement and reintegration into the community necessitating community sensitisation and local involvement in the project.

and the Philippines – conducted a field visit to IMP. All participants found the visit useful and many said that they had picked up ideas to take back to their own countries and projects. For example, based on the IMP experience: one participant from the Philippines will be introducing a safety briefing and quiz into his own NGO’s mechanics project; and one of the participants from Pakistan indicated an interest in exploring the possibilities of working with local mechanics to establish a mentoring / vocational training / apprenticeship scheme for the street children he works with.
Challenges of Prevention Work

Evaluation statistics: One of the main challenges in any prevention programme is the difficulty in producing tangible evaluation statistics – i.e. the difficulty in proving that a programme prevented something from happening. This, combined with the need for a longer term perspective in which to see visible results, impacts on political will and funding to support such programmes. In a context of limited resources and multiple problems, there is a natural tendency to throw money and effort at the most visible and immediate challenges, often at the expense of prevention work.

Extensive inter-agency cooperation and collaboration: This is illustrated by the Ilderton Motor Project example above which expressed concern about the fragmentation of services for vulnerable children, as well as the following observation from Romania that “The lack of coordination of services provided by non-governmental organisations made their interventions overlap or, by granting supplies in the streets, even favoured the phenomenon.”17

Shifting urban communities: In relation to developing effective crime prevention strategies in Africa, for example, “The challenge […] will be to develop a crime prevention strategy that draws on the limited funds available but capitalises on the strengths of urban communities. Strategies will need to be multi-faceted and to take into account the role of all key agencies in society including the state, NGOs […], churches, community associations and the media. They will also need to aim for a closer and more detailed understanding of the problem in each community and identify agencies that are best placed to offer improved opportunities to the young. […] Although academics, lawyers and other interested parties are making some headway in theoretical discussions about crime prevention in urban Africa, practical policies are still a long way from being implemented.”18

Need for much greater involvement of children and young people themselves in the design and implementation of prevention programmes to ensure that they are appropriate, effective, stakeholder-owed and sustainable.19

Resources: Lack of human and financial resources is commonly cited as an obstacle to implementing prevention programmes. However, bearing in mind the huge psycho-social and financial costs and human rights violations involved in maintaining the current detention-based justice system, it must no longer be a case of accepting arguments about resources: ‘can’t afford to’? More like ‘can’t afford not to’. Governments and civil society must work together to ensure effective targeting of resources at this often neglected level of prevention.

**Recommendations for prevention strategies**

(Recommendations from the street children themselves involved in the CSC Street Children and Juvenile Justice Project are shown in *italics*).

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Government</th>
<th>Police</th>
<th>Lawyers &amp; Judiciary</th>
<th>Social Welfare</th>
<th>Probation &amp; Correction</th>
<th>Community</th>
<th>Media</th>
<th>Academics</th>
<th>UN</th>
<th>Donors</th>
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</thead>
<tbody>
<tr>
<td>Advocate awareness and implementation of the UN Convention on the Rights of the Child</td>
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<tr>
<td>Rigorously examine states' progress towards respecting the rights of children in conflict with the law and encourage a single-minded focus on rehabilitation and re-integration, not criminalisation, for all children up to the age of 18</td>
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<tr>
<td>Devise a methodology to analyze the child protection system at local levels in order to assess risk and protective factors and build better prevention strategies and programmes</td>
<td>X</td>
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<tr>
<td>Organize / institutionalize community-based Councils for the Protection of Children in each city / town / village</td>
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<td>Train residents / leaders as community child support advocates against child abuse</td>
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<tr>
<td>Programmes should be regularly monitored to ensure that prevention strategies reflect the changing situations of street children and crime</td>
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<td>Children should be sensitised on their rights and how to redress abuse, and encouraged to speak up when they are abused</td>
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<td>Child helpline telephone numbers should be developed and made accessible to children in distress</td>
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<td>Poverty reduction to be addressed through employment generation for families and family-friendly small-funds management training and micro-lending programmes. / Increased government and donor support for poverty alleviation programmes that incorporate investment in community social capital (including psychosocial support) as well as economic capital</td>
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<tr>
<td>Government should provide free and compulsory quality education or vocational skills training to children who have no family and help poor parents with financial support</td>
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<td>Government should make the provision of welfare and social security support top priority in the communities</td>
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<tr>
<td>Political and financial support for the widespread implementation at community level of participatory parenting and teaching skills programmes that address the emotional consequences of violence and non-</td>
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</tbody>
</table>

20 Taken from Wernham, M., *An Outside Chance: Street Children and Juvenile Justice – an International Perspective*, Consortium for Street Children, May 2004, pp. 151-152. Please note that these recommendations refer to prevention strategies only. More general recommendations are also available.
<table>
<thead>
<tr>
<th>Communication</th>
<th>X</th>
<th>X</th>
<th>X</th>
<th>X</th>
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</thead>
<tbody>
<tr>
<td>Domesticate and enforce international law and policies in the local legal system outlawing archaic and harmful child-rearing practices in order to stem child abuse which drives children into the streets. Hold parents, teachers and other caregivers responsible for cruelty to children in the home, school, etc. Protect children from cruelty and torture by parents and teacher</td>
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<td>Children at risk should be identified as early as possible and receive special attention</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Provision of adequate counselling to families as a preventive measure to curtail inflow of children into the street; / Employ more child guidance-counsellors at all levels of education to provide first hand counselling services to children in schools</td>
<td>X</td>
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<tr>
<td>Encourage child-friendly alternatives such as fostering and adoption in appropriate cases for children who have no family. Provide children who lack accommodation with shelter, and particularly if they do not wish to live with step-parents</td>
<td>X</td>
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<tr>
<td>Recreation facilities and support centers should be provided in communities for prevention of youth crime</td>
<td>X</td>
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<tr>
<td>The police need to build stronger relationships with local communities</td>
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<td>Incorporation into primary school curricula of life skills education which includes non-violent conflict resolution techniques such as peer mediation</td>
<td>X</td>
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<tr>
<td>State welfare departments and local governments should establish street outreaches through which they can monitor and prevent the entry of children into the streets</td>
<td>X</td>
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<tr>
<td>NGOs, civil society organisation and voluntary bodies should build the capacity of children through training to reach other street children through peer influence and counselling. Children should participate in peer counselling programmes designed particularly for children already on the street.</td>
<td>X</td>
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<tr>
<td>Protect children from harmful employment, prostitution, neglect and abuses of all kinds.</td>
<td>X</td>
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</tbody>
</table>
Conclusion

“I wish that our community and government would love us and guide us and not be ashamed of us.”

“I hope they would listen to our views and concerns.”

There is no doubt that action is urgently needed to ‘put justice back into the justice system.’ As has been demonstrated throughout this paper, a focus on prevention strategies is essential in order to break the revolving door cycle of street children’s experiences in the criminal justice system. Such strategies should be based on the concepts of a holistic, child rights-based approach to interventions and a focus on understanding and expanding children’s choices and empowering them to make those choices.

This paper started with a reference to one of the murals painted in the Juvenile Court in Nairobi: ‘Justice in the best interests of the child’. If this is our vision, then it is fitting to end with the message displayed on the opposite wall of the Juvenile Court in Nairobi: ‘Child protection is everybody’s business.’ Experience and common sense dictates the need for all sectors of society to work together to combat the multiple challenges currently faced by street children in criminal justice systems. Change is possible. In the words of the Consortium for Street Children vision statement:

“The Consortium for Street Children believes in collective action as a force for change: To protect children at risk, to promote their human rights and to prevent future generations from suffering the same lack of choices that presently force children onto the street. We believe that it is possible to achieve better lives for street children and we believe that the way to do this is through the children themselves. By working together to implement crucial societal changes we can ensure that street children have a better option: the chance to shape their own lives in the manner of their choosing.”

21 Child participants quoted in UP CIDS PST, Painted Gray Faces, Behind Bars and in the Streets: Street Children and Juvenile Justice System in the Philippines, Quezon City, UP CIDS PST and CSC, 2003, p.142.
22 Child participants quoted in UP CIDS PST, Painted Gray Faces, Behind Bars and in the Streets: Street Children and Juvenile Justice System in the Philippines, Quezon City, UP CIDS PST and CSC, 2003, p.17.
For information

Much of the material for this paper is taken from the CSC publication An Outside Chance: Street Children and Juvenile Justice – an International Perspective, Consortium for Street Children, May 2004.

This publication aims to provide a comprehensive overview of the causes and consequences of street children’s involvement in criminal justice systems in a wide range of countries. It is based on the findings from a two-year research and advocacy project by the Consortium for Street Children with partners in Kenya, Nicaragua, Nigeria, Pakistan, the Philippines and Romania, along with information and case studies from other countries. It is the first time that information on street children and juvenile justice has been compiled into such a comprehensive publication. It builds on the experiences of a wide range of individuals and organisations internationally, drawing together both theory and practice into an innovative framework for overall reform.

It is aimed at anyone with an interest in these issues and in particular: policy-makers in relevant government departments; personnel working in the various branches of the justice system; NGO practitioners working with street children and/or on juvenile justice issues; academics; human rights lobbyists; public and private donors; and actors in the UN and regional human rights systems.

It includes:
- Descriptions - in the children’s own words - of the treatment they receive at different stages of the criminal justice system;
- A framework of overarching concepts and recommended approaches to reform;
- An introduction to international human rights standards and guidelines on how to use them;
- Practical examples of projects and approaches from around the world;
- Specific recommendations for improvement, including recommendations from children themselves, targeted at different actors in the system.

It is available to download in Word or PDF from CSC’s website at: http://www.streetchildren.org.uk/resources/details/?type=publication&publication=18
A summary of the book is also available, along with a summary of the recommendations.

Street Children and Juvenile Justice – country reports for Kenya, Nicaragua, Nigeria, Pakistan, the Philippines and Romania are also available on CSC’s website in both Word and pdf versions. A summary of the recommendations from each report is also available.
See http://www.streetchildren.org.uk/resources/details/?type=publication&publication=13

CSC’s follow-up project (July 2004 – February 2005) on evaluating the effectiveness of police training in relation to child protection will result in a practical toolkit compiling experiences and lessons learned from around the world, along with sample training activities and materials. The toolkit will be available early in 2005. See www.streetchildren.org.uk for more details.