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Manual for the

MEASUREMENT OF JUVENILE JUSTICE INDICATORS

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INTRODUCTION

Chapter 1

1.1 Background

The global number of children[1] deprived of liberty as a result of conflict with the law is estimated to be not less than one million. These children may encounter law enforcement authorities for a wide number of reasons. The committal of an offence, including political offences and offences specific to childhood is one reason for conflict with the law. More than this though, children may be arrested as a result of being found to be 'at risk of delinquency' or in an 'irregular situation'. They might even find themselves in detention as a result of law enforcement authorities acting improperly or arbitrarily. The root social causes that bring children into conflict with the law include poverty, broken homes, lack of education and employment opportunities, migration, drug or substance misuse, peer pressure, lack of parental guidance, violence, abuse and exploitation.

Government systems for responding to children in conflict with the law vary in name and approach according to the country context. Children may be dealt with through the formal justice or courts system, by the welfare system, or, for minor offences, by an administrative system. Such systems may function within the context of the adult criminal justice system, or may operate largely outside of the judicial system through committees, commissions or administrative panels. Wherever the system contains a degree of specialisation for children – whether the system is based on courts, the welfare system, or an administrative system – it is frequently known as a juvenile justice system. This manual therefore uses the term 'juvenile justice system' to refer to the laws, policies, guidelines, customary norms, systems, professionals, institutions and treatment specifically applicable to children in conflict with the law

In countries that do not have any degree of specialisation, children in conflict with the law are dealt with in largely the same way as adults. Both adult criminal justice systems and juvenile justice systems may frequently use deprivation of liberty as the primary sentencing option. Both may also fail to consider the needs and best interests of the child and to address the root causes of conflict with the law. Indeed, whilst a country may operate 'specialised procedures' for children in conflict with the law, an effective juvenile justice system requires that the varying needs of children be assessed, that children in conflict with the law are referred to appropriate services, and that they are offered care and assistance with reintegration into the community. Moreover, a juvenile justice system should operate a 'child-friendly' environment, using appropriate language and the minimum possible employment of physical restraints.

International Standards relating to children in the criminal justice system:

- The Convention on the Rights of the Child
- The United Nations Guidelines for the Prevention of Juvenile Delinquency
- United Nations Standard Minimum Rules for the Administration of Juvenile Justice
- The United Nations Rules for the Protection of Juveniles Deprived of their Liberty
- The United Nations Standard Minimum Rules for Non-custodial Measures
- The United Nations Guidelines for Action on Children in the Criminal Justice System
- The United Nations Basic Principles on the use of Restorative Justice Programmes in Criminal Matters
- The United Nations Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime

[1] Any reference to child(ren) in this manual is in accordance with the Convention on the Rights of the Child, i.e. every human being below the age of eighteen years.

Once in contact with a justice system that is unresponsive to the child's needs, children deprived of liberty are at a heightened risk of abuse, violence, exploitation, and health related concerns such as injury and HIV/AIDS infection. They also risk becoming further isolated from society, particularly where the child's welfare, education and reintegration are not integral to the formal justice system.

The situation of children in conflict with the law is unique in its number of applicable international standards, some of which are listed in the adjacent box. These standards have guided, and continue to guide, both the actions of governments and the work of organisations active in juvenile justice, including those members of the inter-agency coordination panel on juvenile justice. Reducing recourse to deprivation of liberty through the promotion of diversion programmes, restorative justice, and other alternatives is one frequent aim of members of the inter-agency panel.

1.2 The need for indicators

When government officials and the institutions making up the juvenile justice system do not have information either about the functioning of the system or the children who are in contact with it, abuse, violence and exploitation can occur with impunity, and the experience of the child is unlikely to be in his or her best interests.

A child may spend long periods deprived of liberty or be sentenced to a measure that is inappropriate for ensuring his or her welfare. A delay in a child's case before the courts may go unnoticed for months or even years. Government officials may find it difficult to assess the impact of new juvenile justice policies or guidelines. In short, a failure to carefully record and strategically make use of juvenile justice related information contributes to a failure to ensure the protection of the child in conflict with the law.

In the course of a global consultation on child protection indicators held in November 2003, participants discussed the development of a set of global indicators for juvenile justice. The meeting began with some sixty suggested indicators. Consideration and prioritisation reduced the list to fifteen indicators, five of which were identified as of core importance. These fifteen indicators have been refined through field-testing in a number of countries and are endorsed by the Inter-agency Coordination Panel on Juvenile Justice[2].

The purpose of this manual is to introduce the fifteen juvenile justice indicators and to make clear their utility. It explains how measuring the indicators can contribute to the protection of the child in conflict with the law through actions at both the local and the central level. It offers practical guidance, strategies and tools for information collection, information collation and calculation of the indicators.

> An **indicator** provides a common way of measuring and presenting information that reveals whether standards are being met.

The juvenile justice indicators provide a framework for measuring and presenting specific information about the situation of children in conflict with the law. This information concerns both *quantitative* values – such as the number of children in detention on a particular census date – and the existence of relevant *policy*. The indicators are not designed to provide complete information on all possible aspects of children in conflict with the law in a particular country. Rather, they represent a basic dataset and comparative tool that offers a starting point for the assessment, evaluation and service and policy development.

The utility of the juvenile justice indicators exists on a number of levels.

[2] The Panel was created by ECOSOC resolution 1997/30, to improve coordination and action among both UN agencies and international NGOs active in this area. Panel members are OHCHR, UNICEF, UNODC, UNDP, DPKO, Defence for Children International, Save the Children-UK, Terres des hommes, World Organisation Against Torture and Penal Reform International

- **A global 'baseline' definition.** Firstly, the indicators offer a clear global definition of 'baseline' information that every country should be able to produce. The availability of reliable and consistent information within and between countries is essential for planning and monitoring policies and programmes, national and global advocacy, and providing focus for the different actors involved. The use of standard indicators allows comparison of the situation in different countries.
- **Engagement of local actors.** A national juvenile justice information collection process that leads to measurement of the indicators engages local institutions such as police stations, magistrate's courts and places of detention in information collection. Requiring local level institutions to develop, collect and report information about individual children for whom they are responsible, contributes to the protection of those children by ensuring that they do not 'slip through the net' and by causing the institution to consider and review its treatment of the child. The reporting of information introduces a level of accountability for the information source.
- **Review of policy.** Measurement of the indicators also enables the existence of relevant policies to be assessed, both by local institutions and at the national level. The indicators may be used as a starting point for national assessment of how children in conflict with the law are dealt with, and for the identification of areas for improvement or reform. Where indicators are measured over time, the introduction of new laws, standards or policies may be monitored. In addition, the indicators are able to support State parties in adhering to international standards. In this respect, State parties to the United Nations Convention on the Rights of the Child are encouraged to use the indicators, where possible, in State party reporting to the United Nations Committee on the Rights of the Child.

The methodology described in this manual supports a country in starting and sustaining a national juvenile justice information collection process, leading to measurement of the indicators.

The guidance given in this manual focuses both on the need to measure indicators as quickly as possible, and on the need to build sustainable information systems for ongoing indicator measurement. The more rigorous a country is in the process of information collection and collation, the greater the usefulness of the indicator results.

Since the guidance given in this manual is generic in nature, the methodology and strategies suggested should be adopted to suit the national context in accordance with the availability of resources, the accessibility of information and the acceptability of the information collection process as a whole.

1.3 General principles

Five general principles apply to the national juvenile justice information collection process described in this manual:

A. Information collection strategies should focus on expeditious collection of information for at least the five core indicators. However, the methodology provided in this manual is not designed for a rapid 'one-off' collection of information. The eventual aim of the process is that information collection be integrated into the day-to-day operation and daily management of institutions and services connected with the formal country systems for children in conflict with the law, such as police stations, places of detention and courts or tribunals. In addition to being reported for calculation of the indicators, the same information should therefore be required and used by those institutions for day-to-day management of the system and for monitoring the protection of children in conflict with the law. As a result, the information collection strategy should, wherever possible, include a strong component of capacity building and the development of new information systems[3].

B. During the process of indicator measurement, countries are encouraged to adopt a consistent approach to definitions. Definitions that are likely to vary between different country contexts

[3] Those Member States that do not have the capacity to setup such systems may request the technical assistance of one of the agencies members of the inter-agency panel cited above.

are discussed in some depth on pages 26 to 28 of this manual. Appendix 1 contains a complete list of definitions used in this manual.

C. The need for accurate information and the requirement to ensure the protection of children in conflict with the law calls for the collection of information, wherever possible, at the level of the individual child. This is in preference to summary, group or 'total population' information. In addition, sufficient information should be collected to allow for disaggregation. This requires that details such as age, gender, ethnicity and category of charge be recorded for each individual child.

D. The national juvenile justice information collection process should focus on how the results of indicator measurement can be used at all levels. Countries are encouraged to review how the indicators will be employed both within local institutions, such as places of detention and courts, and at the national level in the review and formulation of legislation and policy concerning juvenile justice and the prevention of child involvement in crime.

E. The information collection process must be carried out to the highest ethical standards in order to protect and respect the rights of children. In particular, direct interview methods with children should only be used if the required information is not otherwise available by any other means. Where direct interviews are carried out, they are better held in groups rather than on an individual basis. The management team must also ensure that a policy is in place to control disclosure of personal and identifying information when data is passed to other individuals for collation and indicator calculation. The principle of confidentiality should be subject to the need to act to provide immediate protection to a child where necessary.

1.4 How the manual is organized

This manual has four chapters and six appendices. This introduction is Chapter 1. Chapter 2 introduces and provides information about each of the fifteen indicators, including why each is helpful to measure and how to measure it. Chapter 3 suggests a technique for mapping the particular juvenile justice system country context. This is important for guiding the development of an information collection strategy. Chapter 4 provides a methodology for collecting the information required for indicator measurement. It also discusses how the process might be managed and considers ways in which the indicators might be used at different levels.

In addition to a list of defined terms (Appendix 1), the appendices provide tools that can be used for information collection and policy analysis (Appendices 3, 4 and 5), guidance on the particular technique of sampling (Appendix 2), and suggestions for presentation of the results of indicator measurement (Appendix 6).

THE INDICATORS

Chapter 2

2.1 Introduction

This chapter introduces the fifteen juvenile justice indicators. All of the indicators have been chosen because they are feasible to measure and because doing so assists local and national officials to assess the extent to which juvenile justice systems for which they are responsible are in place and functioning. The indicators do this by providing information on what happens to children who come into conflict with the law, as well as by providing a means to assess the policy environment needed to ensure the protection of such children.

All fifteen indicators, together with their definitions, are listed in Table 2.1 below.

Table 2.1 – The fifteen juvenile justice indicators

	Indicator	Definition
	Quantitative Indicators	
1	**Children in conflict with the law**	▪ Number of children arrested during a 12 month period per 100,000 child population
2	**Children in detention (CORE)**	▪ Number of children in detention per 100,000 child population
3	**Children in pre-sentence detention (CORE)**	▪ Number of children in pre-sentence detention per 100,000 child population
4	**Duration of pre-sentence detention**	▪ Time spent in detention by children before sentencing
5	**Duration of sentenced detention**	▪ Time spent in detention by children after sentencing
6	**Child deaths in detention**	▪ Number of child deaths in detention during a 12 month period, per 1,000 children detained
7	**Separation from adults**	▪ Percentage of children in detention not wholly separated from adults
8	**Contact with parents and family**	▪ Percentage of children in detention who have been visited by, or visited, parents, guardian or an adult family member in the last 3 months
9	**Custodial sentencing (CORE)**	▪ Percentage of children sentenced receiving a custodial sentence
10	**Pre-sentence diversion (CORE)**	▪ Percentage of children diverted or sentenced who enter a pre-sentence diversion scheme
11	**Aftercare**	▪ Percentage of children released from detention receiving aftercare
	Policy Indicators	
12	**Regular independent inspections**	▪ Existence of a system guaranteeing regular independent inspection of places of detention ▪ Percentage of places of detention that have received an independent inspection visit in the last 12 months
13	**Complaints mechanism**	▪ Existence of a complaints system for children in detention ▪ Percentage of places of detention operating a complaints system
14	**Specialised juvenile justice system (CORE)**	▪ Existence of a specialised juvenile justice system
15	**Prevention**	▪ Existence of a national plan for the prevention of child involvement in crime

As Table 2.1 shows, the fifteen indicators fall into two categories: (1) Quantitative Indicators, and (2) Policy Indicators.

- The **Quantitative Indicators** are Indicators 1 to 11. These require the collection of numerical information about children in conflict with the law.
- The **Policy Indicators** are Indicators 12 to 15. These provide descriptive information about laws and policies. For some indicators this can be supplemented with quantitative information about implementation.

The Quantitative Indicators are concerned with measuring features of the juvenile justice system that can be expressed with numbers. In order to allow easy comparison between countries, and so that changes over time can be followed, many of the Quantitative Indicators measure percentages or numbers of children per 100,000 of the country's total child population. The Quantitative Indicators also measure lengths of time that children spend in contact with the system, and significant features of the child's experience in detention, such as whether he or she is separated from adults, whether visits are received from his or her parents, and whether he or she receives assistance with reintegration into the family upon release.

The Policy Indicators, on the other hand, assess whether four features that are particularly important for effective juvenile justice are enshrined in national law or policy. These include the degree of specialisation of the juvenile justice system and what a country does to prevent children from coming into conflict with the law. The Policy Indicators also examine two important safeguards for children in detention: firstly, whether such children are able to complain about their treatment or conditions of detention to an independent body, and secondly, whether a system of independent inspections of places of detention exists.

The way in which the Quantitative Indicators and Policy Indicators are measured is different. Quantitative Indicators are measured using a numerical calculation. Policy Indicators are measured using a system of levels, from 1 to 4.

- The way in which an indicator is measured will depend upon which of the categories it falls into. As the **Quantitative Indicators** (Indicators 1-11) concern numbers, these Indicators are measured using a simple numerical calculation. For each of these Indicators, the information boxes on pages 9 to 23 of this manual describe what information needs to be collected for the top half of the calculation (the numerator) and the bottom half (the denominator).
- The **Policy Indicators** (Indicators 12-15), on the other hand, are calculated from information that is not in a numerical form, such as information about laws and policies. In order to provide a way of measuring this information, the Policy Indicators use a system of levels, from 1 to 4. The policy analysis tools in Appendix 4 can be used to calculate what level the indicator should show. The levels are:
- Level 1 – [feature] does not exist in law or policy
- Level 2 – [feature] is only weakly protected by law or policy
- Level 3 – [feature] is moderately protected by law or policy
- Level 4 – [feature] is extremely well protected by law or policy

2.2 Information about the Indicators

The information boxes on pages 10 to 25 in this chapter set out basic information about each indicator. They include information such as what the indicator measures, why it is a useful measurement to make, and how to measure it.

Each indicator information box is set out in the format below.

Indicator 1: Name	
Definition	Definition of the indicator.
Priority	Normal or CORE There are five core indicators and ten normal priority indicators. It is the case that all fifteen juvenile justice indicators are important for the assessment of the situation of children in conflict with the law. However, in situations where a country is unable to measure all fifteen indicators, the core indicators are those that should be measured as a matter of priority. The core indicators are: **Indicator 2** (Children in detention); **Indicator 3** (Children in pre-sentence detention); **Indicator 9** (Custodial sentencing); **Indicator 10** (Pre-sentence diversion); and **Indicator 14** (Specialised juvenile justice system).
Numerator **Denominator**	This box sets out the relevant calculation that should be carried out in order to measure each of the Quantitative Indicators.
What it measures	This box describes what the indicator measures.
Why it is helpful to measure	This box describes why it is helpful to measure the indicator.
Applicable International Standards	This box contains international standards that are relevant to the indicator. The international instruments cited are: ➢ The Convention on the Rights of the Child ("*CRC*") ➢ The United Nations Guidelines for the Prevention of Juvenile Delinquency ("*PJD*") ➢ United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("*Beijing Rules*") ➢ The United Nations Rules for the Protection of Juveniles Deprived of their Liberty ("*JDL*") ➢ The United Nations Standard Minimum Rules for Non-custodial Measures ("*RNCM*") ➢ The United Nations Economic and Social Council Guidelines for Action on Children in the Criminal Justice System ("*Guidelines for Action*") ➢ The United Nations Basic Principles on the use of Restorative Justice Programmes in Criminal Matters ("*RJP*") ➢ The United Nations Guidelines in Matters involving Child Victims and Witnesses of Crime ("*CVWC*")
How to measure it	This box sets how to collect information for the indicator and how to use that information to produce the indicator measurement.
	After this basic guidance, two further important pieces of information are provided for each indicator. These are: (i) *where* information might be found for that indicator – '**information sources**', and (ii) *which* children the information will be about – the relevant '**child population**'. **Information sources** are usually single institutions or individuals that form part of the juvenile justice or adult criminal justice system. They are usually responsible for taking key decisions that affect children in conflict with the law, and they often have direct contact with such children. Information sources may include, for instance, individual local or district police stations, places of detention such as individual prisons or remand homes, and competent authorities such as magistrate's courts or juvenile courts. **Child populations** are particular groups of children that must be counted in order to measure a particular indicator. These could be for instance: '*all children in detention on a particular date*', or '*all children leaving detention during the course of 12 months*', depending upon which indicator was being measured. Sometimes, it may not be possible to count a whole relevant child population. When this is the case, it may be possible to take a *sample* from the relevant child population.
Disaggregation	The indicators are most able to provide assistance to country officials where information is available in a disaggregated form. This box provides suggested categories of disaggregation.
Tools	Finally, the information boxes provide links to information collection tools, policy analysis tools and Excel tools for assistance in measuring the indicators. The information collection tools and policy analysis tools are contained in Appendices 3 and 4. The information collection tools are designed to assist the collection of information for the Quantitative Indicators (Indicators 1 to 11). The policy analysis tools are designed to assist the collection of information for the Policy Indicators (Indicators 12 to 15). These tools may be particularly helpful where no existing information is available, requiring information for the indicators to be collected by the use of sampling, or where existing information is required to be further organised before collection.

Disaggregation

Disaggregation is extremely important for the purposes of maximising the usefulness of the juvenile justice indicators. This is due to the fact that disaggregation both reveals patterns that are not apparent from looking at the complete group as a whole, and allows the situation of particularly vulnerable sub-groups of children to be examined.

Information about the length of time spent in detention, for instance, is most meaningful when it is possible to see detention times separated by category of offence. This is because such information can then help officials determine whether detention is used as a disposition of last resort and for the minimum necessary period. Similarly, information about the separation of children from adults in detention by gender, for example, can allow officials to ensure that both boys and girls are protected from possible adverse influences and held in conditions that best cater to their individual needs.

Disaggregated information can be used at the local level, such as in an individual place of detention, to make certain that particularly vulnerable groups of children, such as girls or especially young children are dealt with in a way that is appropriate to their needs. At the national level, the disaggregation of information for indicators such as Indicator 1 (Children in conflict with the law) and Indicator 9 (Custodial sentencing) can inform the development of national policies, including plans for the prevention of conflict with the law amongst children or court sentencing guidelines. If the indicators show, for example, that a large number of young boys come into contact with the law and are sentenced to deprivation of liberty for relatively minor offences, then prevention and sentencing policies could be adapted to address the situation.

The suggested categories of disaggregation vary slightly, depending upon which indicator is being measured. Broadly speaking, however, the disaggregation categories listed in Table 2.2 below should be used where possible for each of the Quantitative Indicators. Additional categories of disaggregation may be added where appropriate to the country context, including disaggregation as to the type of place of detention, and whether or not children arrested or deprived of liberty received legal representation. Moreover, where categories of disaggregation, such as 'Ethnicity' are not appropriate in a particular national context, they may be excluded from information collection.

Table 2.2 – Disaggregation categories

Disaggregation category	Description
Gender	Female or Male.
Age	The point at which age is measured varies from indicator to indicator. It may, for example, be age at time of arrest, age at time of sentencing, or age on the census date. The relevant time point is stated for each indicator in the boxes on pages 10 to 25.
Ethnicity	Where appropriate to the particular country context, and provided that collection of such information does not raise specific protection concerns, information may be disaggregated according to ethnicity. Categories of ethnicity will need to be determined in each particular country context.
Category of offence	Suggested categories of offence are: 1 Serious offence against a person 2 Serious property offence 3 Theft 4 Public disorder offence 5 Drug-related offence 6 Political offence 7 Immigration/migration offence 8 Status offence 9 Other 10 'At risk of delinquency' 11 'Irregular situation' Definitions for each of these categories are provided in Appendix 1 to this manual. Categories of offence may be amended in order to suit the particular country context. In particular, countries may introduce both criminal and social categories as appropriate.
Type of detention institution	Countries may find it useful to disaggregate indicators by the type of institution where the child is held. Recommended categories – to be adjusted as needed based on country situations – include: • Police station/police cells

	• Juvenile detention facility • Juvenile rehabilitation facility/school • Prison (detention facility housing both children and adults, even if separated)
District of origin	Categories of district of origin should be based on the location of the child's last known primary residence. Disaggregation by district of origin might also include categories for children spending the majority of their time on the streets and children living in formal care, or for children originating from urban or rural districts.

Indicator 1: Children in conflict with the law	
Definition	Number of children arrested during a 12-month period per 100,000 child population.
Priority	Normal
Numerator **Denominator**	Number of children arrested during 12 month period Population of children / 100,000
What it measures	This indicator measures the proportion of all children who come into conflict with the law in a one year period.
Why it is helpful to measure	This information provides a useful indicator of the extent of child involvement in crime, and the extent to which arrest powers are used appropriately by law enforcement authorities with respect to children. Since the indicator calculation requires collection of information on the absolute numbers of children, it also provides data that can be used to develop and plan prevention and juvenile justice system services. For the purposes of both tracking trends and planning services, this indicator is of greatest use if the information is disaggregated according to factors such as the category of offence, age and ethnicity.
Applicable International Standards	▪ "[States Parties shall ensure that:]… No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;" *CRC, Article 37(b).* ▪ "The prevention of juvenile delinquency is an essential part of crime prevention in society. By engaging in lawful, socially useful activities and adopting a humanistic orientation towards society and outlook on life, young persons can develop non-criminogenic attitudes." *PJD, Article 1.*
How to measure it	This indicator requires that information is available from a completed 12-month period. The minimum information required for measurement of this indicator is the total number of children arrested within the country during the 12-month period. This figure may be available at a central level. However, where information sources at the local level (such as individual police stations) keep custody files or arrest logs, then information about individual arrested children should be obtained and collated to form the numerator. Information on individual arrested children can be collected in the form of a table with one line for each child specifying the child's identification number, gender, date of birth, ethnicity, category of offence and date of arrest.
	Information Sources Children may be arrested and taken into custody by the police, gendarmes, military police, regular military forces, paramilitary forces or state intelligence personnel. Information sources should be identified within each of these authorities where they are known to arrest children in the particular country context. These may be at the local level (such as a town police station), the district or regional level (such as a regional police headquarters), or at central level (such as a national police headquarters), depending upon whether or not sufficiently disaggregated information is collected and passed to higher levels in usable form. In addition, in systems where the police are obliged to bring a child before the public prosecutor within a very short time, information on the number of arrests might also be sought from the office of the public prosecutor. **Child Populations** The numerator population is all children in the country who were arrested within the 12 month period. Where it is not easy to collect information about the whole numerator population, the number of children arrested by a representative sample of police stations can be used to estimate the total value. Further guidance on sampling is given in Chapter 4 (Methodology) and Appendix 2 to this manual.
Disaggregation	Gender, Age at time of arrest, Ethnicity, District of origin, Category of offence, Security service arresting (in countries were several such services are arresting children) .
Tools	Information collection tool 1 may be used in sampling or for the organisation of existing information.

Indicator 2: Children in detention	
Definition	Number of children in detention per 100,000 child population.
Priority	**CORE**
Numerator **Denominator**	Number of children in detention Population of children / 100,000
What it measures	This indicator provides information on the number of children in detention in relation to the overall child population. This includes children detained pre-trial, pre-sentence and post-sentencing in any type of facility (including police custody).
Why it is helpful to measure	Children in detention are especially vulnerable to its negative influences, including loss of liberty and separation from the usual social environment and higher risks to be subjected to abuse. International standards clearly state that detention of children shall only be used as a measure of last resort. Measurement of the proportion of children in detention helps in monitoring progress towards reduction of the use of deprivation of liberty and informing policy change. In addition, countries can get further useful information about the appropriate use of detention by analysing what offence (if any) such children have or are accused of having committed. Finally, the collection of information on the number of children in detention is important for resource allocation and administrative purposes.
Applicable International Standards	▪ "[States Parties shall ensure that:]… No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;" *CRC, Article 37(b).* ▪ "The placement of a juvenile in an institution shall always be a disposition of last resort and for the minimum necessary period." *Beijing Rules, Article 19(1).* ▪ "Deprivation of the liberty of a juvenile should be a disposition of last resort and for the minimum necessary period and should be limited to exceptional cases." *JDL, Article 2.*
How to measure it	This indicator requires the collection of 'snapshot' information (information showing the situation on a specific date). The information required for measurement is the total number of children in detention. Where possible, this should be collected from information sources, such as places of detention, at the level of the individual child. This could be collected in the form of a table, with a separate line containing the details of each child in detention.
	Information sources Information for this indicator may be sought from three information sources: (1) places of detention; (2) competent authorities; and (3) offices of the public prosecutor. The primary information source is likely to be places of detention. A place of detention should keep records of all children deprived of liberty in that institution. This should apply to all institutions, including police stations with holding cells, remand homes, prisons and secure rehabilitation facilities. In some country contexts however, additional information sources may have to be sought. The decision to place a child in detention (other than for a child held in a police cell) is almost always made by a competent authority, such as a magistrate who commits a child to pre-sentence detention, or a district court that sentences a child to detention. These authorities may also therefore be useful information sources for this indicator. Finally, offices of the public prosecutor may also maintain and update files on the status of children in conflict with the law, including information regarding detention status. **Child Populations** The numerator population is all children in detention on a particular date, whether held pre-trial, pre-sentence or after sentencing. If possible, information should be collected from sufficient information sources to cover the whole numerator population. However, where this is not achievable, the number of children detained in a representative sample of places of detention can be used to estimate the actual numerator value. Further guidance on sampling is given in Chapter 4 (Methodology) and Appendix 2 to this manual.
Disaggregation	Gender, Age on census date, Ethnicity, District of origin, Category of offence, Detained pre-sentence or after sentencing, Type of detention institution.
Tools	Information collection tools 1 and 3 may be used in sampling or for the organisation of existing information. Where information systems are required to be developed or the capacity of existing systems strengthened, Excel tool 1 may be used.

Indicator 3: Children in pre-sentence detention	
Definition	Number of children in pre-sentence detention per 100,000 child population.
Priority	**CORE**
Numerator **Denominator**	Number of children in pre-sentence detention Population of children / 100,000
What it measures	This indicator measures only those children who are deprived of liberty before sentencing by a competent authority. This includes children who are awaiting trial and those who have been convicted but are detained whilst awaiting sentencing. It does not, however, include children awaiting the outcome of an appeal against a sentence. As such, this indicator measures a *sub-set* of Indicator 2.
Why it is helpful to measure	This indicator is an extremely important measurement to make. Numerous countries do not keep track of the number of children in pre-sentence detention. This is despite the fact that, in many, the majority of children deprived of liberty are either awaiting or undergoing a final decision on their case[4]. Moreover, it may often be the case that only a small minority of these children are finally sentenced to detention, and many may be acquitted altogether. International standards specify that detention pending trial shall be used only as a measure of last resort. Information about these children is therefore essential in order to ensure that pre-sentence detention is used appropriately. As with Indicator 2, this indicator will be most valuable where information is available in a disaggregated form, including category of offence (if any), gender, age and ethnicity.
Applicable International Standards	▪ "Detention pending trial shall be used only as a measure of last resort and for the shortest possible period of time." *Beijing Rules, Article 13(1).* ▪ "Whenever possible, detention pending trial shall be replaced by alternative measures, such as close supervision, intensive care or placement with a family or in an educational setting or home." *Beijing Rules, Article 13(2).* ▪ "Each case shall from the outset be handled expeditiously, without any unnecessary delay." *Beijing Rules, Article 20(1)*. ▪ "Pre-trial detention shall be used as a means of last resort in criminal proceedings, with due regard for the investigation of the alleged offence and for the protection of society and the victim." *RNCM, Article 6(1).*
How to measure it	This indicator requires the collection of 'snapshot' information (information showing the situation on a specific date). The information required is the total number of children in pre-sentence detention. As this indicator is a sub-set of Indicator 2, information for this indicator can, in practice, be collected as a disaggregation category of Indicator 2 (children in detention). This requires that information sources that provide information on individual detained children are able to identify whether each child is in pre-sentence detention or is detained after sentencing.
	Information sources The information sources for this indicator will be the same as for Indicator 2. **Child Populations** The numerator population is all children held in pre-sentence detention on a particular date. As with Indicator 2, sampling of information sources can be used to estimate the actual numerator value where it is not possible to collect information about the whole numerator population. Further guidance on sampling is given in Chapter 4 (Methodology) and Appendix 2 to this manual.
Disaggregation	Gender, Age on census date, Ethnicity, District of origin, Category of offence.
Tools	Information collection tools 1 and 3 may be used in sampling or for the organisation of existing information. Where information systems are required to be developed or the capacity of existing systems strengthened, Excel tool 1 may be used.

[4] Cappelaere. G., Grandjean, A., Naqvi, Y. *Children Deprived of Liberty. Rights and Realities*. DCI Holland, 2005. p.280

Indicator 4: Duration of pre-sentence detention	
Definition	Time spent in detention by children before sentencing.
Priority	Normal
Numerator **Denominator**	Children leaving pre-sentence detention during a specified period (usually 12 months) should be divided into the time categories below, according to the total time that they spent in pre-sentence detention. ▪ < 1 month ▪ 1 month to < 3 months ▪ 3 months to < 6 months ▪ 6 months to < 12 months ▪ 12 months to < 24 months ▪ 24 months to < 60 months ▪ > 60 months This calculation should then be used for each time category: $\frac{\text{Number of children in the time category}}{\text{Total number of children for whom information is available / 100}}$
What it measures	This indicator measures the length of time spent in detention by children before they are sentenced. It does this using the seven time categories above.
Why it is helpful to measure	As long as it is used in accordance with the principle of last resort, valid justifications for detaining children before sentencing may be that alternatives to detention would be insufficient to ensure the presence of the child at court, or to prevent a child from re-offending. However, if it is shown that children are held in pre-sentence detention for a period equal to, or even longer, than the length of custodial sentences it suggests that pre-sentence detention may not be used for such purposes, but rather as a punishment in and of itself.
Applicable International Standards	▪ "Detention pending trial shall be used only as a measure of last resort and for the shortest possible period of time." *Beijing Rules, Article 13(1).* ▪ "Whenever possible, detention pending trial shall be replaced by alternative measures, such as close supervision, intensive care or placement with a family or in an educational setting or home." *Beijing Rules, Article 13(2).* ▪ "Each case shall from the outset be handled expeditiously, without any unnecessary delay." *Beijing Rules, Article 20(1).*
How to measure it	This indicator requires that information is available from a completed 12 month period. The information that should be collected is the length of time spent in pre-sentence detention by each child who has completed pre-sentence detention during the 12 month period. This information may be recorded by an information source as a distinct piece of data. Alternatively, it may need to be calculated from the start and end dates of the child's period of pre-sentence detention. Where a child has been held in different places of detention before sentencing, care must be taken to make certain that time spent in *each* place of detention is included. Information on individual children completing pre-sentence detention can be collected in the form of a table with one line for each child, specifying the child's gender, date of birth, ethnicity, category of offence, and start and end dates of pre-sentence detention.
	Information sources Information sources for this indicator are places of pre-sentence detention (such as police station cells, prisons, remand homes and educational or rehabilitation institutions), competent authorities and the office of the public prosecutor. Local magistrates or local or district offices of the public prosecutor are usually responsible for the decision to hold a child in pre-sentence detention and, as a result, may also have information concerning the length of time spent in pre-sentence detention by individual children. **Child Populations** The relevant child population from which information is collected for the numerator is all children who have completed pre-sentence detention during the specified period. Information can also be collected by the use of sampling. Sample groups of children who have completed pre-sentence detention can be taken from a number of different places of detention and the information collected used to estimate the value for the population as a whole. Further guidance on sampling is given in Chapter 4 (Methodology) and Appendix 2 to this manual.
Disaggregation	Gender, Age at time of arrest, Ethnicity, District of origin, Category of offence
Tools	Information collection tools 2 and 3 may be used in sampling or for the organisation of existing information. Where information systems are required to be developed or the capacity of existing systems strengthened, Excel tools 1 and 2 may be used.

Indicator 5: Duration of sentenced detention	
Definition	Time spent in detention by children after sentencing.
Priority	Normal
Numerator **Denominator**	Children leaving sentenced detention during a specified period should be divided into the time categories below, according to the total time that they spent in detention after sentencing. ▪ < 1 month ▪ 1 month to < 3 months ▪ 3 months to < 6 months ▪ 6 months to < 12 months ▪ 12 months to < 24 months ▪ 24 months to < 60 months ▪ > 60 months This calculation should then be used for each time category: $\frac{\text{Number of children in the time category}}{\text{Total number of children for whom information is available / 100}}$
What it measures	This indicator measures the length of time spent in detention by children after they have been sentenced. It does this using the seven time categories above. The indicator measures *actual* time spent in detention by children. It does not measure the length of sentences pronounced by a competent authority, which, in many instances, may be either longer or shorter than the period of deprivation of liberty in practice.
Why it is helpful to measure	Just as pre-sentence detention should be used as a measure of last resort, so sentenced detention should always be a disposition of last resort and for the minimum necessary period. This indicator is most able to assess whether these principles are observed when the information can be disaggregated by category of offence. High numbers of children spending less than one year in sentenced detention for instance, may indicate that deprivation of liberty is used in place of non-custodial measures for comparatively minor offences. High numbers of children spending more than two years in sentenced detention may indicate a breach of the principle of detention for the minimum necessary period.
Applicable International Standards	▪ "[States Parties shall ensure that:]… No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;" *CRC, Article 37(b).* ▪ "The placement of a juvenile in an institution shall always be a disposition of last resort and for the minimum necessary period." *Beijing Rules, Article 19(1).* ▪ "Deprivation of the liberty of a juvenile should be a disposition of last resort and for the minimum necessary period and should be limited to exceptional cases." *JDL, Article 2.*
How to measure it	The guidance given for Indicator 4 also applies to this indicator. This indicator requires that information is available from a completed 12 month period. The information that should be collected is the length of time spent in sentenced detention by each child who has completed sentenced detention during the 12 month period.
	Information sources The information sources for this indicator will be the same as for Indicator 4. **Child Populations** The relevant child population from which information is collected for the numerator is all children who have completed a period of sentenced detention during the specified period. Information can also be collected by the use of sampling. Sample groups of children who have completed a period of sentenced detention can be taken from a number of different places of detention and the information collected used to estimate the value for the population as a whole. Further guidance on sampling is given in Chapter 4 (Methodology) and Appendix 2 to this manual.
Disaggregation	Gender, Age at time of arrest, Ethnicity, District of origin, Category of offence
Tools	Information collection tools 2 and 3 may be used in sampling or for the organisation of existing information. Where information systems are required to be developed or the capacity of existing systems strengthened, Excel tools 1 and 2 may be used.

Indicator 6: Child deaths in detention	
Definition	Number of child deaths in detention during a 12 month period, per 1,000 children detained.
Priority	Normal
Numerator **Denominator**	Number of child deaths in detention during the 12 month period Number of children in detention (total) / 1000
What it measures	By measuring the number of child deaths in detention during a 12 month period, this indicator provides a useful measure of the treatment of children during deprivation of liberty and reveals the most critical child protection matters.
Why it is helpful to measure	Children deprived of liberty have the right to be detained in a facility that upholds their safety and promotes their physical and mental well-being, including through the provision of adequate medical care where necessary. Children in detention should not be subjected to abuse, violence or exploitation. Nonetheless, child deaths in detention may be caused by, amongst others, illness (including HIV/AIDS related infections), lack of appropriate food, alcohol or drug intoxication, violence from other detainees or staff, suicide, or accidental death. All of these causes raise severe child protection or related concerns, such that a high number of child deaths in detention indicate that the protective environment for detained children is markedly insufficient.
Applicable International Standards	▪ "States Parties recognize that every child has the inherent right to life." *CRC, Article 6(1)*. ▪ "[States Parties shall ensure that:] No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age." *CRC, Article 37(a)*. ▪ "Every juvenile shall receive adequate medical care, both preventative and remedial…" *JDL, Article 49.* ▪ "Juvenile detention facilities should adopt specialized drug abuse prevention and rehabilitation programmes administered by qualified personnel." *JDL, Article 53.* ▪ "The director of the detention facility should notify immediately the family or guardian of the juvenile concerned, or other designated person, in case of death, illness requiring transfer of the juvenile to an outside medical facility, or a condition requiring clinical care within the detention facility for more than 48 hours." *JDL, Article 56.* ▪ "Instruments of restraint and force can only be used in exceptional cases, where all other control methods have been exhausted and failed, and only as explicitly authorized and specified by law and regulation. They should not cause humiliation or degradation, and should be used restrictively and only for the shortest possible period of time. " *JDL, Article 64*.
How to measure it	This indicator requires that information is available from a completed 12 month period. The information required to be collected is the number of child deaths that have occurred amongst detained children during the period of 12 months. Deaths amongst children detained both pre-sentence and after sentencing should be counted. Information sources should ensure that information is provided in respect of every child death in the place of detention during the specified period.
	Information sources Information sources for this indicator are all institutions identified as places of detention. **Child Populations** The relevant numerator population is all children who have died in detention during the specified 12 month period. The relevant denominator population is the total number of children in detention on a specified date. In order to minimise the work involved in measuring the indicators, it is possible to use the '*total number of children in detention*' value collected for Indicator 2 (Children in detention) for the denominator. As the number of child deaths in detention is not likely to be a very high number, it is not appropriate to collect information for this indicator by sampling. Rather, information about the whole relevant population should be collected. This requires that information sources are able to provide information about child deaths for every place of detention in the country.
Disaggregation	Gender, Age at time of death, Ethnicity, District of origin, Detained pre-sentence or after sentencing, Cause of death, Type of institution where child was detained.
Tools	Information collection tools 1 and 3 may be used for the organisation of existing information. Where information systems are required to be developed or the capacity of existing systems strengthened, Excel tool 1 may be used.

Indicator 7: Separation from adults	
Definition	Percentage of children in detention not wholly separated from adults.
Priority	Normal
Numerator **Denominator**	Number of children in detention not wholly separated from adults Number of children in detention (total) / 100
What it measures	This indicator measures the percentage of children in detention who are not completely separated from adults. It does this by counting all children detained in either of conditions (1) or (2) below. Children in different places of detention may experience different degrees of separation from adults. These may be described as follows: (1) There is no formal separation of adults and children. Children are held in the same rooms, wards or cells as adults. (2) Children are held in separate rooms or cells from adults but share facilities such as exercise, washing or dining areas with adults. (3) Children are held in a separate section from adults and have separate facilities. Children may or may not be both out of sight and out of earshot of detained adults. (4) The institution is for children only.
Why it is helpful to measure	The principle of separation from adults has two purposes: to protect children from exploitation, abuse and negative influences by adults, and to ensure that the detention of children is effected in facilities that cater to their special needs.
Applicable International Standards	▪ "Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interests not to do so…" *CRC, Article 37(c)*. ▪ "Juveniles in institutions shall be kept separate from adults and shall be detained in a separate institution or in a separate part of an institution also holding adults." *Beijing Rules, Article 26(2)*.
How to measure it	This indicator requires the collection of 'snapshot' information (information showing the situation on a specific date). The information required is the total number of children in detention who are not completely separated from adults. Where possible, this should be collected from information sources at the level of the individual child. Information could be collected in the form of a table, with a separate line containing the details of each child in detention and whether or not they are completely separated from adults. Both children detained pre-sentence and after sentencing should be included. In practice, information for this indicator can be collected as a disaggregation category during the collection of information for Indicator 2 (Children in detention).
	Information sources Information sources for this indicator are all institutions identified as places of detention. **Child Populations** The numerator population is all children in detention who are not wholly separated from adults on the specific date chosen. The denominator population is the total number of children in detention on the specified date. As information for this indicator is likely to be gathered at the same time as for Indicator 2 (Children in detention), it is possible to use the '*total number of children in detention*' value collected for Indicator 2 (Children in detention) for the denominator. It is possible to collect information for this indicator by sampling. Sample groups of children who are deprived of liberty can be taken from a number of different places of detention and the information collected used to estimate the value for the population as a whole. Further guidance on sampling is given in Chapter 4 (Methodology) and Appendix 2 to this manual.
Disaggregation	Gender, Age on census date, Ethnicity, District of origin, Detained pre- or post-sentence, Category of separation, District of detention, type of detention institution
Tools	Information collection tools 1 and 3 may be used in sampling or for the organisation of existing information. Where information systems are required to be developed or the capacity of existing systems strengthened, Excel tool 1 may be used.

Indicator 8: Contact with parents and family	
Definition	Percentage of children in detention who have been visited by, or visited, parents, guardian or an adult family member in the last 3 months.
Priority	Normal
Numerator **Denominator**	Number of children in detention receiving or making at least one visit in the last 3 months Number of children in detention (total) / 100
What it measures	This indicator measures implementation of the child's right to regular direct contact with his or her parents and to maintain contact with his or her family through visits.
Why it is helpful to measure	The child's right to regular direct contact with his or her parents and to maintain contact with his or her family can be seriously challenged during deprivation of liberty. Denial of contact between a detained child and his or her parents and family has a number of serious adverse consequences. Regular contact is of particular importance with respect to the reintegration of the child back into his or her family following release, and the well being and psychological health of the child during the period of detention.
Applicable International Standards	▪ "States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests." *CRC, Article 9(3)*. ▪ "[States Parties shall ensure that:]… shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;" *CRC, Article 37(c)*. ▪ "In the interest and well-being of the institutionalised juvenile, the parents or guardian shall have a right of access." *Beijing Rules, Article 26(5)*. ▪ "Detention facilities for juveniles should be decentralized and of such size as to facilitate access and contact between the juveniles and their families." *JDL, Article 30*. ▪ "Every juvenile should have the right to receive regular and frequent visits, in principle once a week and not less than once a month, in circumstances that respect the need of the juvenile for privacy, contact and unrestricted communication with the family and the defence counsel." *JDL, Article 60*. ▪ "Juveniles should be allowed to… leave detention facilities for a visit to their home and family…" *JDL, Article 59.*
How to measure it	This indicator requires that information is available from a completed 3 month period. The information that should be collected is the number of children in detention who have received a visit during the 3 month period. Where possible, this should be collected from information sources at the level of the individual child. Where information sources do not record visits, careful consideration may be given to direct interviews with detained children. This information collection method should only be used as a last resort however and in accordance with appropriate ethical safeguards. In practice, information for this indicator can be collected at the same time and from the same population of children as are counted for Indicator 2 (Children in detention). A table listing each child in detention, for example, can be marked to show which children have received a visit in the last 3 months. Both children detained pre-sentence and after sentencing should be included.
	Information sources Information sources for this indicator are all institutions identified as places of detention. **Child Populations** The numerator population is the total number of children in detention who have received a visit from, or visited, their parents or an adult family member during the last 3 months. The denominator population is the total number of children in detention on the specified date. As information for this indicator is likely to be gathered at the same time as for Indicator 2 (Children in detention), it is possible to use the '*total number of children in detention*' value collected for Indicator 2 (Children in detention) for the denominator. Sampling of information sources may be appropriate for this indicator. Sample groups of children who are deprived of liberty can be taken from a number of different places of detention and the information collected used to estimate the value for the population as a whole. Further guidance on sampling is given in Chapter 4 (Methodology) and Appendix 2 to this manual.
Disaggregation	Gender, Age on census date, Ethnicity, District of origin, Detained pre- or post-sentence, Type of detention institution.
Tools	Information collection tools 1 and 3 may be used in sampling or for the organisation of existing information. Where information systems are required to be developed or the capacity of existing systems strengthened, Excel tool 1 may be used.

Indicator 9: Custodial sentencing	
Definition	Percentage of sentenced children receiving a custodial sentence.
Priority	**CORE**
Numerator **Denominator**	Number of children sentenced to deprivation of liberty during a 12 month period Number of children sentenced during the 12 month period / 100
What it measures	This indicator measures the number of children sentenced to deprivation of liberty during a 12 month period as a proportion of those children sentenced to any measure during the 12 month period.
Why it is helpful to measure	The 'last resort' principle as applied to sentencing means that deprivation of liberty should not be imposed unless the objectives of the measure – principally ensuring the child's welfare in the case of juveniles – could not, in the opinion of the judge, be achieved in a non-custodial setting. As with many other indicators, the indicator is most able to assess the situation where disaggregated information is available, particularly information regarding the category of offence. A high proportion of custodial sentencing for non-violent or non-persistent offences for example, would strongly suggest a violation of the 'last resort' principle.
Applicable International Standards	▪ "The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time." *CRC, Article 37*. ▪ "Restrictions on the personal liberty of the juvenile shall be imposed only after careful consideration and shall be limited to the possible minimum." *Beijing Rules, Article 17(1)(b)*. ▪ "Deprivation of personal liberty shall not be imposed unless the juvenile is adjudicated of a serious act involving violence against another person or of persistence in committing other serious offences and unless there is no other appropriate response." *Beijing Rules, Article 17(1)(c)*. ▪ "A large variety of disposition measures shall be made available to the competent authority, allowing for flexibility so as to avoid institutionalisation to the greatest extent possible." *Beijing Rules, Article 18(1)*.
How to measure it	This indicator requires that information is available from a completed 12 month period. The indicator measures the *effect* of the sentence and not the sentence *itself*. A competent authority may, for instance, sentence a child to attendance at an open rehabilitation school. If the institution does not exist in practice, then the child may instead be committed to a place of detention. Hence, the information that should be collected is the number of children that received a sentence that *resulted* in their committal to a place of detention during the 12 month period. This will require some knowledge of the practical implementation of sentences handed down by a competent authority in the particular country context. To accurately assess the significance of this value, it is also necessary to measure the total number of children sentenced to *any* measure during the same period. It is this value that forms the bottom half of the calculation. Expressed in this way, the indicator, in turn, provides an indication of the extent to which the 'last resort' principle is respected.
	Information sources Information sources for this indicator are the competent authorities responsible for sentencing children. These are likely to be components of the criminal or juvenile justice system and may include: magistrate or 'justice of the peace' courts, youth magistrates, district courts, juvenile courts, tribunals, administrative or welfare boards, or child protection committees or councils. Some countries systems may already have an information system which collects data from relevant courts. **Child Populations** The numerator population consists of those children sentenced by a competent authority during a 12 month period, resulting in the committal of the child to a place of detention. The denominator population consists of all children sentenced to any measure during the 12 month period. Sampling of information sources may be appropriate for this indicator. A representative sample of competent authorities can be taken, and the proportion of children sentenced to detention by those competent authorities used to estimate the value for the relevant population as a whole. Further guidance on sampling is given in Chapter 4 (Methodology) and Appendix 2 to this manual.
Disaggregation	Gender, Age at time of sentence, Ethnicity, District of origin, Category of offence.
Tools	Information collection tool 2 may be used in sampling or for the organisation of existing information. Where information systems are required to be developed or the capacity of existing systems strengthened, Excel tool 2 may be used.

Indicator 10: Pre-sentence diversion	
Definition	Percentage of children diverted or sentenced who enter a pre-sentence diversion scheme.
Priority	**CORE**
Numerator **Denominator**	Number of children entering a pre-sentence diversion scheme during a 12 month period Number of children diverted or sentenced during the 12 month period / 100
What it measures	This indicator measures the number of children diverted before reaching a formal hearing, as a proportion of all children either diverted or sentenced.
Why it is helpful to measure	The use of diversion seeks to resolve the case of a child in conflict with the law without recourse to a formal hearing before the relevant competent authority. International guidelines recommend that consideration should be given, wherever appropriate, to dealing with children in conflict with the law without resorting to a formal hearing before the competent authority. Diversion may range from an informal police caution to a reconciliation scheme between victim and accused run by social or welfare services. A key principle of diversion is that the child and/or his or her parents or guardian must consent to the diversion of the child's case. Typically, this also means that the child accepts responsibility for the offence. Diversion may involve recourse to solutions based on the principle of restorative justice.
Applicable International Standards	▪ "[States parties shall seek to promote…] Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected." *CRC, Article 40(3)(b)*. ▪ "Consideration shall be given, wherever appropriate, to dealing with juvenile offenders without resorting to formal trial by the competent authority…" *Beijing Rules, Article 11(1)*. ▪ "The police, the prosecution or other agencies dealing with juvenile cases shall be empowered to dispose of such cases, at their discretion, without recourse to formal hearings..." *Beijing Rules, Article 11(2)*. ▪ "Any diversion involving referral to appropriate community or other services shall require the consent of the juvenile, or her or his parents or guardian..." *Beijing Rules, Article 11(3)*. ▪ "Restorative processes should be used only where there is sufficient evidence to charge the offender and with the free and voluntary consent of the victim and the offender… Agreements should be arrived at voluntarily and should contain only reasonable and proportionate obligations." *RJP, Article 7*.
How to measure it	This indicator requires that information is available from a completed 12 month period. The information that should be collected is the number of children who have entered a pre-sentence diversion scheme during the 12 month period. Pre-sentence diversion schemes used to avoid a formal hearing will need to be identified in each local context. To accurately assess the significance of this value, however, it is also necessary to measure the total number of children diverted or sentenced to any measure during the 12 month period. This value – which represents all children admitting responsibility or being found to have responsibility for an offence by a competent authority – forms the bottom half of the calculation. Expressed in this way the indicator provides an indication of the extent to which diversion is used to avoid formal contact with the juvenile justice system.
	Information sources The information sources for this indicator are the persons or authorities responsible for deciding that a child's case shall be disposed of by diversion. These may include: ➢ the arresting authority (police, gendarmes or military police); ➢ a public prosecutor or district attorney; or ➢ a magistrate, investigating judge or juvenile judge. Other authorities, such as social or welfare services, may be involved in the *implementation* of the diversion scheme. It is, however, recommended that information sources are first identified within the regular justice system, *out of which* children may be diverted. **Child Populations** The numerator population for this indicator is all children who have entered a pre-sentence diversion scheme during a 12-month period. Provided that the 12 month periods are the same, the value of '*all children sentenced to any measure'* from Indicator 10 (Custodial sentencing) can be added to the total number of children diverted in order to form the denominator population. Sampling may be appropriate for this indicator. However, particular care is required in the selection of sample information sources, in order to ensure that sample information is representative of both total children diverted and total children sentenced.

Disaggregation	Gender, Age at time of diversion, Ethnicity, District of origin, Category of offence, Type of diversion programme.
Tools	Information collection tools 1 and 2 may be used for assistance in information collection.

Indicator 11: Aftercare	
Definition	Percentage of children released from detention receiving aftercare.
Priority	Normal
Numerator **Denominator**	Number of children released during a 12 month period receiving structured aftercare Number of children released during the 12 month period / 100
What it measures	This indicator measures the percentage of children released from detention who benefit from a structured aftercare programme.
Why it is helpful to measure	International standards specify that all children leaving detention should benefit from arrangements designed to assist them in returning to society, family life, education or employment after release. Such guidance and structural support is an important step towards successful reintegration into society and the prevention of re-offending.
Applicable International Standards	▪ "All juveniles should benefit from arrangements designed to assist them in returning to society, family life, education or employment after release. Procedures, including early release, and special courses should be devised to this end." *JDL, Article 79.* ▪ "Competent authorities should provide or ensure services to assist juveniles in re-establishing themselves in society and to lessen prejudice against such juveniles. These services should ensure, to the extent possible, that the juvenile is provided with suitable residence, employment, clothing, and sufficient means to maintain himself or herself upon release in order to facilitate successful reintegration. " *JDL, Article 80*. ▪ "Efforts shall be made to provide semi-institutional arrangements, such as half-way houses, educational homes, day-time training centres and other such appropriate arrangements that may assist juveniles in their proper reintegration into society." *Beijing Rules, Article 29(1)*.
How to measure it	This indicator requires that information is available from a completed 12 month period. In order to measure this indicator, it is necessary to know both which children have been released from detention during the 12 month period, and which of those children were registered for *structured* aftercare. Structured aftercare means that: ➢ the child's needs are assessed on release and he or she is referred to particular aftercare services; or ➢ the child's progress and/or needs after release are monitored for a continuing period of time; or ➢ the child enters a formal educational, vocational or training scheme for children who have been detained that continues for a period of time; or ➢ the child temporarily enters a 'half-way' house or other semi-institutional arrangement. Where places of detention do not register children for structured aftercare, information will need to be collected both from places of detention and from the providers of aftercare. A list of children who left detention during the 12 month period should then be cross-checked against the children registered for aftercare during that same period.
	Information sources The information sources for this indicator are places of detention and the persons or authorities that *register* a child for structured aftercare. Although these may be the same, it is also possible that registration for aftercare is the duty of local social workers, probation officers or child welfare officers. The institutions or authorities responsible for ensuring aftercare are likely to be extremely varied. It is therefore important that mapping of the aftercare system (see Chapter 3 (Mapping the system) of this manual) is carried out before this indicator can be successfully measured. **Child Populations** The numerator population is all children who have been released from detention during a 12 month period and received structured aftercare. Provided that the 12 month periods are the same, the value for '*all children leaving detention*' calculated for Indicators 4 and 5 (Duration of detention) can be used for the denominator population. Information for this indicator can be collected by the use of sampling. Sample groups of children who have completed pre-sentence detention can be taken from a number of different places of detention and the information collected used to estimate the value for the population as a whole. Further guidance on sampling is given in Chapter 4 (Methodology) and Appendix 2 to this manual.
Disaggregation	Gender, Age at time of release, Ethnicity, District of origin, Category of aftercare.
Tools	Information collection tool 3 may be used for assistance in information collection.

Indicator 12: Regular independent inspections	
Definition	Existence of a system guaranteeing regular independent inspection of places of detention.
Priority	Normal
Numerator **Denominator**	Number of places of detention that have received an inspection visit in the last 12 months Number of places of detention (total) / 100
What it measures	This indicator assesses the extent to which the principle that places of detention should receive regular inspection visits from qualified independent persons is codified in law or policy. The indicator is a Policy Indicator but may also be measured in a quantitative form using the calculation above.
Why it is helpful to measure	A child in detention is deprived of his or her family environment and hence is in a particularly vulnerable situation. As a result, the state has an obligation to ensure special protection and assistance (see *CRC, Article 20*). Monitoring of places of detention through inspection visits is an extremely important way for the state to ensure that such protection and assistance is provided in practice. This is because when places of detention receive inspection visits, a mechanism exists for scrutiny, leading to review and improvement of conditions of detention.
Applicable International Standards	▪ "Qualified inspectors or an equivalent duly constructed authority not belonging to the administration of the facility should be empowered to conduct inspections on a regular basis… and should enjoy full guarantees of independence in the exercise of this function." *JDL, Article 72.* ▪ "After completing the inspection, the inspector should be required to submit a report on the findings. The report should include an evaluation of the compliance of the detention facilities with the present rules and relevant provisions of national law, and recommendations regarding any steps considered necessary to ensure compliance with them." *JDL, Article 74*.
How to measure it	As a Policy Indicator, this indicator asks whether a *system* is in place for guaranteeing regular independent visits. It is not concerned with the *actual* number of visits taking place. Information sources at central government level (such as within ministries of justice, interior or social welfare) should confirm the existence of a visits system and the structure of the system. Typically, inspection systems guarantee inspections either from: ➢ the competent authority (a magistrate or juvenile panel, for example) or a body acting on its behalf (such as social or probation services); or ➢ persons appointed by a central government authority (such as a prisons commission, inspector of prisons, visiting committee or expert panel). In order to qualify for this indicator, the system should, at a minimum, specify that inspections are regular, independent (they are not carried out by staff of the institution for example), and that one of the purposes of visits is to evaluate compliance with rules and standards. The indicator should then be expressed using one of the four Levels below: Level 1 – System for regular independent inspections does not exist in law or policy Level 2 – System exists but is only weakly protected by law or policy Level 3 – System exists and is moderately protected by law or policy Level 4 – System exists and is extremely well protected by law or policy
	Information sources Information for this indicator may be gathered from country legislation, governmental ministries such as ministries of justice, interior, home affairs or penal management, and existing literature and reports at the central level, together with information sources at the local level such as local police stations, places of detention and magistrate or district courts **Child populations** Where the indicator is measured in quantitative form, the numerator population is all places of detention in the country that have received an inspection visit in the last 12 months. The denominator population is all places of detention in the country. Sampling from a representative group of places of detention can be used to estimate the overall proportion of places of detention that have received an inspection visit.
Tools	Policy analysis tool 1 may be used for the collection of information for this indicator. Use of this tools allows scoring according to the levels above. Information collection tool 3 may be used for the quantitative form of this indicator.

Indicator 13: Complaints mechanisms	
Definition	Existence of a complaints system for children in detention.
Priority	Normal
Numerator **Denominator**	Number of places of detention that operate a complaints system Number of places of detention (total) / 100
What it measures	This indicator assesses the extent to which the principle that children in detention should have the right to present a complaint concerning any violation of their rights whilst deprived of liberty is codified in law or policy. The indicator is a Policy Indicator but may also be measured in a quantitative form using the calculation above.
Why it is helpful to measure	When children in detention do not have the right to complain about the treatment that they receive, violations of their rights can occur in silence and those responsible may escape with impunity. Where complaints systems do exist, they should ensure that the complaint is dealt with seriously and that action is taken if a violation of the rights of the child is found.
Applicable International Standards	▪ "Every juvenile should have the opportunity of making requests or complaints to the director of the detention facility and to his or her authorized representative." *JDL, Article 75*. ▪ "Every juvenile should have the right to make a request or complaint, without censorship as to substance, to the central administration, the judicial authority or other proper authorities through approved channels, and to be informed of the response without delay." *JDL, Article 76*. ▪ "Efforts should be made to establish an independent office (ombudsman) to receive and investigate complaints made by juveniles deprived of their liberty…" *JDL, Article 77*.
How to measure it	As a Policy Indicator, this indicator asks whether a complaints system for children in detention exists and is protected by law or policy. In different country contexts, an inspection system may be provided for in law or through government policy. Information sources at central government level (such as ombudspersons, or within ministries of justice, interior or penal management) should confirm the existence of a complaints system and the structure of the system. Typical complaints mechanisms may allow complaints to be made to: ➢ the director of the place of detention; or ➢ outside authorities, such as a magistrate, inspectors, an ombudsman or even a governmental body (such as a ministry of justice). In order to qualify for this indicator the complaints system does not need to be a written system. The indicator should be expressed using one of the four Levels below: ▪ Level 1 – System for complaints does not exist in law or policy ▪ Level 2 – System exists but is only weakly protected by law or policy ▪ Level 3 – System exists and is moderately protected by law or policy ▪ Level 4 – System exists and is extremely well protected by law or policy
	Information sources Information for this indicator may be gathered from country legislation, governmental ministries such as ministries of justice, interior, home affairs or penal management, ombudspersons, and existing literature and reports at the central level, together with information sources at the local level such as local police stations, places of detention and magistrate or district courts. It will be important to look at whether complaints are actually made and recorded and whether any follow-up action has been taken in order to assess the efficiency of the system. **Child populations** Where the indicator is measured in quantitative form, the numerator population is all places of detention in the country that operate a complaints system. The denominator is all places of detention in the country. Sampling from a representative group of places of detention can be used to estimate the overall proportion of places of detention that operate a complaints system.
Tools	Policy analysis tool 2 may be used for the collection of information for this indicator. Use of this tool allows scoring according to the levels above. Information collection tools 1 and 3 may be used for the quantitative form of this indicator.

Indicator 14: Specialised juvenile justice system	
Definition	Existence of a specialised juvenile justice system.
Priority	**CORE**
What it measures	This indicator measures whether a specialised juvenile justice system exists for children in conflict with the law. It assesses implementation of the obligation of states to promote the establishment of laws, procedures, authorities and institutions specifically for children in conflict with the law.
Why it is helpful to measure	CRC, Article 40 requires states to establish a separate system of juvenile justice for children. However, there is no one definitive juvenile justice system and the term signifies different realities and systems in different countries.[5] At a minimum, however, states must set a minimum age of criminal responsibility, provide measures, where appropriate, for children in conflict with the law without resorting to judicial proceedings, and provide a variety of alternatives to institutional care (see *CRC, Article 40(3) and (4)*). Whatever the degree of specialisation, a juvenile justice system should at least have regard to these requirements.
Applicable International Standards	▪ "States parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law…" *CRC, Article 40(3)*. ▪ "Efforts shall be made to establish, in each national jurisdiction, a set of laws, rules, and provisions specifically available to offenders and institutions and bodies entrusted with the functions of the administration of juvenile justice and designed: (a) To meet the varying needs of juvenile offenders, while protecting their basic rights; (b) To meet the needs of society; (c) To implement the following rules thoroughly and fairly." *Beijing Rules, Article 2(3)*. ▪ "…There should be a comprehensive child-centred juvenile justice process;" *Guidelines for Action, Article 14(a)*. ▪ "…special strategies are required for child victims and witnesses who are particularly vulnerable to recurring victimization or offending." *CVWC, Article 38*. ▪ "States should establish juvenile courts with primary jurisdiction over juveniles who commit criminal acts and special procedures should be designed to take into account the specific needs of children. As an alternative, regular courts should incorporate such procedures, as appropriate." *Guidelines for Action, Article 14(d)*.
How to measure it	As a Policy Indicator, this indicator asks whether a specialised juvenile justice system exists and is protected by national law or policies. Legislation and government policies, standards and guidelines should be checked for specialisation concerning children in conflict with the law. Information sources at central government level should confirm the existence of a specialised juvenile system and the structure of the system. Typically, specialisation for children in conflict with the law may occur within: ➢ *the law* (such as a criminal or penal law, criminal procedure law, social welfare law or specific juvenile justice law); ➢ *policies, guidelines or norms* (such as court sentencing guidelines, or police practice codes); ➢ *the systems and institutions involved* (such as courts and or places of detention); and ➢ *treatment of the child* (such as the involvement of parents during proceedings). Such specialisation may deal with areas such as: when a child commits a criminal offence, the courts or tribunals that a child may be faced with, the rights of the child, diversion, arrangements for detention, and arrangements for ensuring the welfare of the child. In addition, a juvenile justice system should be sensitive to the particular needs of children and operate a 'child-friendly' environment. The indicator should be expressed using one of the four Levels below: ▪ Level 1 – Specialised juvenile justice system does not exist in law or policy ▪ Level 2 – System exists but is only weakly protected by law or policy ▪ Level 3 – System exists and is moderately protected by law or policy ▪ Level 4 – System exists and is extremely well protected by law or policy
	Information sources Information for this indicator may be gathered from country legislation, governmental ministries such as ministries of justice, interior, home affairs or penal management, and existing literature and reports at the central level, together with information sources at the local level such as local police stations, places of detention and magistrate or district courts.
Tools	Policy analysis tool 3 may be used for this indicator. Use of this tool allows scoring according to the levels above.

Indicator 15: Prevention	
Definition	Existence of a national plan for the prevention of child involvement in crime.
Priority	Normal
What it measures	This indicator measures whether the state has a plan for the prevention of child involvement in crime. It assesses implementation of the principle that states should institute comprehensive plans for the prevention of child involvement in crime.
Why it is helpful to measure	Detention, non-custodial measures, or even diversion, will not solve the problem of children in conflict with the law alone. Problems must be dealt with where they occur, whether in the family, the social environment or school, and as far as possible in collaboration with children. The successful prevention of crimes by children requires efforts on the part of the entire society to ensure the harmonious development of children, with respect for and promotion of their personality from early childhood.
Applicable International Standards	▪ "Member States shall endeavour to develop conditions that will ensure for the juvenile a meaningful life in the community, which, during that period in life when she or he is most susceptible to deviant behaviour, will foster a process of personal development and education that is as free from crime and delinquency as possible." *Beijing Rules, Article 1(2)*. ▪ "Comprehensive prevention plans should be instituted at every level of Government and include the following: (a) In-depth analyses of the problem and inventories of programmes,… (b) Well-defined responsibilities for the qualified agencies, institutions and personnel involved in preventative efforts; (c) Mechanisms for the appropriate coordination of prevention efforts… (d) Policies, programmes and strategies based on prognostic studies to be continuously monitored and carefully evaluated… (e) Methods for effectively reducing the opportunity to commit delinquent acts; (f) Community involvement through a wide range of services and programmes; (g) Close interdisciplinary cooperation… (h) Youth participation in delinquency prevention policies and processes… (i) Specialized personnel at all levels." *PJD, Article 9*.
How to measure it	As a Policy Indicator, this indicator asks whether a plan exists for prevention of child delinquency. Plans for preventing children from coming into conflict are normally formulated at the central government level. Legislation and government policies, standards and guidelines should be checked for the existence of a plan for the prevention of conflict with the law amongst children. Information sources at central government level should confirm the existence of a plan and the structure of the plan. Typically, a prevention plan may include programmes or policies for: ➢ supporting families in bringing up children; ➢ the development of community-based networks for vulnerable children; ➢ supporting flexible working patterns for parents and services for low income families; ➢ employment or vocational training opportunities for children; ➢ abolition of corporal punishment and reduction of domestic violence; ➢ prevention of drug, alcohol and substance abuse by children; ➢ educational opportunities that offer an alternative or addition to regular schooling; ➢ sport and cultural activities for children; or ➢ dissemination of information on children's rights. To qualify for this indicator, a prevention plan should, as a minimum, exist in law or government policy, and contain mechanisms for its implementation and coordination. The indicator should be expressed using one of the four Levels below: ▪ Level 1 – No plan for the prevention of conflict with the law amongst children exists in law or policy ▪ Level 2 – Plan exists but is only weakly protected by law or policy ▪ Level 3 – Plan exists and is moderately protected by law or policy ▪ Level 4 – Plan exists and is extremely well protected by law or policy
	Information sources Information for this indicator may be gathered from country legislation, governmental ministries such as ministries of planning, justice or social welfare and existing literature and reports at the central level, together with information sources at the local level such as local police stations, places of detention and magistrate or district courts.
Tools	Policy analysis tool 4 may be used for this indicator. Use of this tool allows scoring according to the levels above.

2.3 Consistency of measurement

An important use of the juvenile justice indicators is to enable comparability of results across countries, regions and globally. In order to achieve this, a consistent approach to definitions and measurement should, as far as possible, be adopted in each country that carries out the national juvenile justice information collection process.

This section briefly considers two issues that relate to consistency: (A) **Who** should be included; and (B) **What** is deprivation of liberty.

A. Who should be included

In conflict with the law?

Not every single child found to be in contact with the juvenile justice or adult criminal justice system should automatically be counted when measuring the indicators. The key point is that each indicator should only count those children **in conflict with the law**.

The question is, however, what does this mean in practice? It is usually the case for example, that children found in places of detention are there for many different reasons.

Children in some countries may, for example, be sent to a place of detention by a social worker because he or she is without his or her primary carer and is in need of care and protection. A street child may be arrested by the police and detained in order to 'keep him off the streets for a while'. A child's family may even simply take him or her to the local prison due to an allegedly troublesome nature. Indeed, a large majority of children are often in detention because of underlying welfare issues that manifest themselves as 'delinquent ' behaviour. Which of these children are 'in conflict with the law'?

The laws and policies that control whether a child is formally 'in conflict with the law' will vary depending upon the country context. Situations that should usually be included, however, are:

- Children who have committed or are accused of having committed an offence
- Children considered to be 'at risk of delinquency' and/or considered to be in danger by virtue of their behaviour
- Children found in an 'irregular situation', or considered to be in danger from the environment in which they live
- Children arrested by law enforcement authorities acting for improper reasons
- Children detained in relation to an application to claim asylum by the child or his or her family

The grey area arises around children 'at risk of delinquency', children in an 'irregular situation' and child detained in relation to an application to claim asylum.

Children falling into such categories – such as children spending the majority of their time on the streets – may or may not technically commit an offence under the national law in question. Either way, these children may find themselves in a place of detention as a result of being arrested by the police. From the point of view of the protection of the child, such situations or behaviour ideally should not be criminalized by the creation of a specific offence in national law, nor treated as criminal in practice. Rather, children in such situations should be regarded as in need of care and protection and subject to the concern of a social or welfare officer.

The difficulty is, however, that in many countries, the juvenile justice or adult criminal justice system, and the child protection or social welfare system meet at the institutional 'place of detention' level. Hence, a place of detention may contain children who have arrived there either by a system of child protection or social services, or by the juvenile justice or adult criminal justice system.

For the purposes of the indicators, a child who has arrived in a place of detention **mainly by way of the juvenile justice or adult criminal justice system** should usually be counted when measuring the indicators. This should be the case even if the child has been arrested seemingly inappropriately as a result of being found to be 'at risk of delinquency' or in an 'irregular situation'. Children deprived of liberty who have not passed through the juvenile justice or adult criminal justice system should not be included in the indicator calculations.

However, when obtaining information for the indicators, countries may wish to collect information on those children present in the same places of detention as a result of 'care and protection' or social welfare proceedings (outside of the juvenile justice system). If found in the same places of detention as children in conflict with the law, it is likely that these children may be more appropriately cared for elsewhere. Such children, however, should not strictly form part of the indicator figures.

The age of children

In accordance with the CRC, this manual is about measuring the situation of persons in conflict with the law who are under the age of 18 years.

It is important to be aware of three main issues that may arise in this respect:

Issues relating to age

- Young persons whose age is not known
- Children under the age of criminal responsibility or 'administrative responsibility'
- Older children dealt with by the adult criminal justice or administrative system

Young persons whose age is not known

In many countries, a lack of birth registration makes the identification of young persons who are actually under the age of 18 years extremely difficult. Often, children themselves will not know their own age and will have no real way of finding out.

When measuring the indicators, information sources such as police stations, courts and places of detention should strongly be encouraged to consider, without fail, the age of young persons with whom they have contact, and how this is to be determined. Methods of finding out the age of young persons include making contact with parents, a social inquiry report and medical examination.

Children under the age of criminal responsibility

The age of criminal responsibility is the age at which children are deemed by the national law in question to be capable of committing an offence. Under *CRC Article 40(3)(a)*, it is an obligation of States parties to seek to establish such a minimum age. Research shows that the age of criminal responsibility can range from 7 to 18. Many countries have more than one age of criminal responsibility depending upon the category of offence committed. In addition, countries that make use of an administrative system for minor offences may define the age at which a child can be subject to administrative sanctions.

As a general rule, where children under the age of criminal or administrative responsibility are nevertheless dealt with by the juvenile justice system or adult criminal justice system in a similar way as if they were over the age of criminal responsibility, such children should be counted for the purposes of the indicators.

Where the age of criminal responsibility is especially high, such as 17 or 18, it is possible that the country juvenile justice system is mainly welfare orientated. Under such a system, children are not described as having committed an offence, as all such behaviour of children is viewed as a welfare, social or educational issue. Nonetheless, these types of systems may still sentence children to deprivation of liberty at institutions such as closed educational establishments. Where the juvenile justice system does operate in such a way, those children who are under the formal age of criminal responsibility but who have had contact with the relevant competent authority (other than solely due to a requirement for care and protection) should be counted for the purposes of the applicable indicators.

Where the age of criminal responsibility is lower, it is more likely that the country systems make use of magistrates and courts for children. Again, however, children who are below the age of criminal responsibility should be counted if they are arrested, sentenced or detained by the system in a similar way as if an offence had been committed.

The only children below the age of criminal or administrative responsibility who should not generally be counted for the purposes of the indicators are very young children who, although they may have contact with some common elements of the juvenile justice system, are in fact the subject of genuine care or social welfare proceedings and small children who are detained together with their mothers.

Older children dealt with by the adult criminal justice system

Many juvenile justice systems specify that older children, such as those over the age of 16 years, must be dealt with by the adult criminal justice system. Where such children are aged less than 18 years, information regarding them should still be collected when measuring the indicators.

In some countries young adults are also dealt with by the juvenile justice system or by specific measures. While they should not be included in the measurement under this manual, the methods and tools contained herein could also be used to collect information about such groups (typically 18-21 year olds).

B. What is deprivation of liberty?

Many of the indicators measure information about children deprived of liberty. Children in conflict with the law may be deprived of liberty in obvious places of detention such as police cells, detention centres, reformatory schools, and even adult prisons. Children may also, however, be held in a range of institutions with minimum or no security measures. These may include educational or rehabilitation establishments, remand homes, and reformatory schools. The question is, in which of these institutions are children defined as being 'deprived of liberty'?

The definition used by this manual for deprivation of liberty is:

> **Deprivation of liberty**
>
> A child is "deprived of liberty" where he or she is placed in any form of detention or imprisonment in a public or private setting, from which the child is not permitted, by order of any competent authority, to leave at will.

A child may therefore be *physically* able to leave an institution due to a lack of, or minimum, security measures. However, if this would be in breach of the order of a competent authority, then the child should still be considered as 'deprived of liberty'.

A child may be held in an institution only at particular times, such as at night time, during the weekend, or during school vacations, and be free to leave at other times. Such measures may be considered a *restriction* of liberty.

Whether restrictions of liberty amount to a deprivation of liberty will need to be determined in each local context.

As a rule of thumb, if the period of restriction is also reinforced with physical security measures, or lasts for more than two consecutive days, then such measures may amount to a deprivation of liberty.

It should also be apparent that not all children in one place of detention – such as a reformatory school - might necessarily be deprived of liberty. If children are subject to different court orders, or experience different liberty restrictions, then some may cross the threshold for deprivation of liberty, whereas others might not.

> **Places of detention**
>
> Institutions in which children may be deprived of liberty may include:
>
> - Police stations
> - Detention centres
> - Prisons (including adult prisons)
> - Closed remand homes
> - Work or boot camps
> - Penitentiary colonies
> - Closed specialised schools
> - Reformatory schools
> - Educational or rehabilitation establishments
> - Military camps or prisons
> - Immigrant centers
> - Secure youth hostels
>
> This list is by no means exhaustive.

This situation however, is likely to be quite rare and, for the purposes of measuring the indicators, it should usually be the case that once an individual institution has been identified as depriving children of liberty, all children within that institution may be counted.

MAPPING THE SYSTEM

Chapter 3

3.1 Introduction

The success of the indicator process will depend to a very large extent upon a thorough understanding of the country system that deals with children in conflict with the law.

Chapter 2 of this manual has already provided some context for understanding a juvenile justice system, though discussion on issues of measurement consistency, namely: (A) which children should be included when measuring the indicators; and (B) what constitutes deprivation of liberty for children.

Generic understandings are not, however, enough to enable collection of information for the indicators to begin. Rather, what is required is the production of a comprehensive 'map' of the relevant system in any particular country context.

Generation of this map should be the first stage in any national juvenile justice information collection process. The map produced should be used to guide and inform the process as a whole. The mapping of the system can also prove a useful tool when considering juvenile justice reform nationally or when assessing needs for technical assistance programming in this area.

3.2 What is the purpose of the map?

The map is not an end in itself. Instead, it is a means of creating and presenting a picture of the context in which information for the indicators will be collected. The system map should particularly lead to two key results: (A) the identification of relevant information sources; and (B) the identification of relevant child populations. The concepts of 'information source' and 'child population' were introduced in Chapter 2 (The indicators) on page 7 and are used in each of the information boxes on pages 10 to 25 of this manual.

It will be recalled that information sources are single institutions or individuals responsible for taking key decisions that affect children in conflict with the law. They may include, for instance, individual local or district police stations, places of detention such as individual prisons or remand homes, and competent authorities such as magistrate's courts or juvenile courts. Information sources may also be classified according to whether they are found at the local, district, regional or central level. Identifying individuals that can act as information sources within a relevant body or institution can be particularly valuable for ensuring consistency and quality of information.

The system map is a means of creating and presenting a *picture* of the context in which information for the indicators will be collected. It allows the identification of:

A. information sources; and
B. child populations.

Child populations are particular groups of children that must be counted in order to measure a particular indicator. These could be for instance: 'all children in detention on a particular date', or 'all children leaving detention during the course of 12 months', depending upon which indicator was being measured. Sometimes, it may not be possible to count a whole child population. In which case, for some indicators, it may be possible to take a *sample* from the child population. The use of sampling is discussed in Chapter 4 (Methodology) and in Appendix 2 to this manual.

3.3 What should the map contain?

A system map that successfully identifies all relevant information sources and child populations in any country context is likely to paint a picture of three aspects of the juvenile justice and/or adult criminal justice system: (i) Laws, (ii) Systems, and (iii) the Connections between these.

In order to identify information sources and child populations, the **system map** is likely to describe:

- The applicable **Laws** for children in conflict with the law, including relevant criminal and penal laws, criminal procedural codes, specific juvenile justice laws, child protection or welfare laws, relevant government policies, circulars, or directives, and local by-laws.
- The **Systems** used for dealing with children in conflict with the law, including which bodies or institutions are responsible for the five areas of:
  - **A.** Arrest or initial contact with the system
  - **B.** Prosecution/investigation
  - **C.** Decision on cases (competent authorities)
  - **D.** Deprivation of liberty
  - **E.** Child welfare/non-custodial measures
- The **Connections** between the Systems, such as, for example, the way in which a child is passed from A to B above, or the way in which E interacts with C.

The way in which children in conflict with the law should be treated according to a country's legal framework may be very different to the experience of the child in conflict with the law in practice. Nonetheless, this does not mean that it is irrelevant to gather information on the laws and policies concerning such children when it comes to mapping the system. Even if particular sections of the law (such as maximum detention times in police station cells) are not always observed in practice, the law generally does provide the broad framework and rules for the operation of the main bodies, authorities and institutions that are responsible for children in conflict with the law.

Thus, the law should provide, for instance, for matters such as: the definition of a 'child', the minimum age of criminal responsibility[6], whether the possibility of diversion exists, and whether children in conflict with the law are dealt with largely within the context of the adult criminal justice system, by specialised police procedures and a separate juvenile court, or by a welfare-based committee approach. Such laws are usually promulgated by the legislature of the country (or, sometimes, by the executive), and tend to deal with the four areas of: (i) what constitutes an offence (the criminal or penal law, administrative or local law), (ii) how persons who have committed an offence are dealt with (the criminal and administrative procedure law), (iii) the implementation of sentences (the penal sanctions law), and (iv) social services for persons in conflict with the law (the social welfare law). Of course, this pattern may not necessarily be followed in every country context. Specific provisions for children, if they exist, may be written into laws for the adult criminal justice system or, in some countries, into a separate juvenile justice law that sits alongside the adult criminal law and criminal procedure law.

A desk review of applicable laws should aim at least to identify the legal provisions on:

- Who is a child under the national law;
- The age of criminal responsibility;
- Whether specific offences have been created only for children;
- Whether specific criminal procedures have been provided for children;
- The possibility of pre-sentence diversion;
- Who is responsible for investigating whether a child has committed an offence and initiating proceedings;
- Who is responsible for deciding whether a child shall be held in pre-sentence detention;

- The competent authorities responsible for making a final decision on the case of a child in conflict with the law;
- The measures to which a child may be sentenced (both deprivation of liberty and non-custodial measures);
- Who is responsible for supervision of measures to which the child is sentenced; and
- The role of social or welfare services when a child is arrested or brought before a competent authority.

It should be noted that a thorough review of the laws and policies that relate to the operation of a country's juvenile justice system may go a long way towards providing sufficient information for the measurement of the Policy Indicator: Indicator 14 (Specialised juvenile justice system). Policy Analysis Tool 3 in Appendix 4 to this manual is designed for assessing the existence of a specialised juvenile justice system and may also be useful in the process of mapping the system.

Systems

In some countries, children in conflict with the law are dealt with through the regular adult criminal justice system. In effect, these children are not treated any differently from adults, and may pass through regular police, magistrates, courts and prisons.

Other countries, however, do operate specialised legislation, policies, standards, systems, and institutions for children - a juvenile justice system. In countries where such a specialised system exists, it may function as a part of the regular adult criminal justice system, but with specialised institutions or specialised procedures particularly for children, such as youth courts or juvenile liaison police. In certain countries however, the juvenile system functions largely outside the judicial system, operating through committees, commissions or administrative panels. In others, the juvenile justice system is a mixture both of administrative and judicial procedures. In many countries while specialisation is provided for in law it is only partially applied (i.e. juvenile court only set up in the capital).

A useful approach to identifying and categorising systems that deal with children in conflict with the law is to look for bodies and institutions that play a role in each of the five categories of: (A) arrest/initial contact, (B) prosecution/investigation, (C) decision on cases, (D) deprivation of liberty, and (E) child welfare/non-custodial measures.

Table 3.1 below gives example of the different bodies and institutions that may play a role in each of the categories.

Table 3.1 – Example bodies, authorities and institutions by category

(A) – Arrest/Initial Contact	
▪ Police ▪ Military ▪ Intelligence/security forces ▪ Military police	▪ Social worker ▪ Community court ▪ Village chief
(B) – Prosecution/Investigation	
▪ Public prosecutor ▪ District attorney ▪ Attorney General ▪ Investigating judge	▪ Child welfare officer ▪ Social worker ▪ Reporter
(C) – Decision on cases (competent authorities)	
▪ Magistrate ▪ Juvenile judge ▪ District court ▪ Court of first instance ▪ Criminal court ▪ Family court/judge ▪ Higher court	▪ Child welfare committee ▪ Juvenile board ▪ Child protection panel
(D) – Deprivation of liberty	
▪ Juvenile detention centre ▪ Adult prison ▪ Closed remand homes ▪ Work or boot camps ▪ Penitentiary colonies ▪ Military camp or prison	▪ Reformatory school ▪ Rehabilitation establishment ▪ Secure youth hostel

(E) – Child welfare/non-custodial measures	
▪ Social services ▪ Probation services ▪ Diversion schemes ▪ Guardianship authority	▪ Welfare services ▪ Formal care services

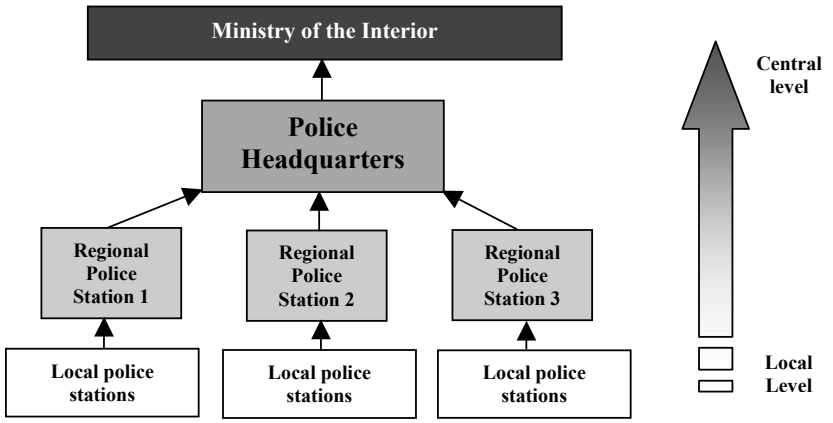
Very generally, bodies or institutions that are associated with a judicially based system are in the left hand column of Table 3.1, whilst those that may be more associated with a welfare-based system are in the right hand column. It is perfectly possible, however, that a mixture of such bodies and institutions are present in a particular country context. Further, not all of these bodies or institutions will be present in every country. Table 3.1 should therefore be understood as providing examples for each category.

No matter whether the system is administratively based, judicially based, or a mixture of both, it should, however, be possible to identify the body or bodies responsible for the final decision on a child's case in the full range of circumstances where children come into conflict with the law. This body/bodies is referred to in this manual as the 'competent authority'. The final decision taken by the competent authority is either sentencing of the child, or acquittal and release.

The **competent authority** is the part of the juvenile justice or adult criminal justice system that is responsible for making procedural or disposition decisions regarding a child's case.

In identifying the bodies and institutions that form part of the juvenile justice or adult criminal justice system, it is also helpful to define the structure of each body or institution, in terms of local, district, regional and national levels. A country police service for example may be organised as follows:

Figure 3.1 – Example institution organisational structure



An understanding of the different levels at which a body or institution operates is important for the identification of specific information sources. The measurement of many of the Quantitative Indicators is most accurate when information is collected from information sources at the local level. Policy Indicators, on the other hand, may require information collection from sources both at the central and local level.

Connections

Knowledge of the relevant Laws and Systems alone is not sufficient to provide an understanding of what happens to a child in conflict with the law. What is required is an appreciation of the connections between those laws and systems. In effect, this is to ask; what 'route' might a child take through the juvenile justice or adult criminal justice system?

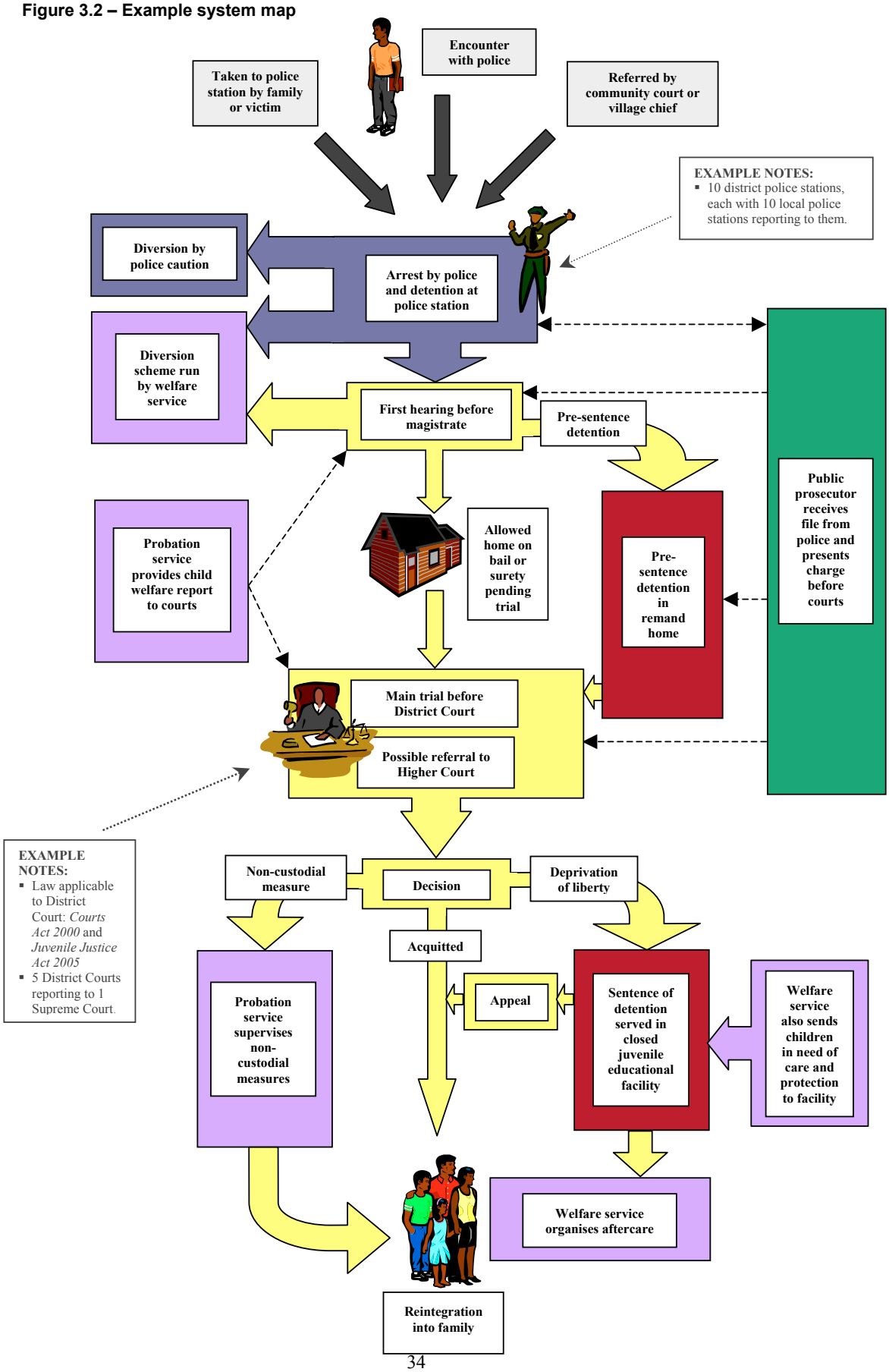
Indeed, completion of the system map requires a child-centered approach that starts with the individual child in conflict with the law and works forwards in time: With which bodies or institutions does a child in conflict with the law first come into contact? Where is he or she initially held? Who has authority to extend an initial period of investigation? To where may the child be passed next?

Identification of bodies or institutions should begin with those with which the child first comes into contact, and move forwards and outwards to identify how, and via which route, the child may come into contact with other relevant systems, such as the court system or the system for deprivation of liberty.

Such connections may be drawn on a block arrow diagram that forms the basis of the system map. Such a map begins with the child and charts his or her possible routes through the particular country system. Information about applicable laws and the different levels on which each body or institution may operate can also be added to the map for additional detail.

Figure 4.2 below provides an example of such a system map. The map uses the same colours as on page 31 of this manual to identify the different systems A – E. This example shows a juvenile justice system that operates within the judicial context. It may equally well however, have been a juvenile justice system operating within the welfare context. The same principles of identification of Laws, Systems and Connections would apply.

Figure 3.2 – Example system map

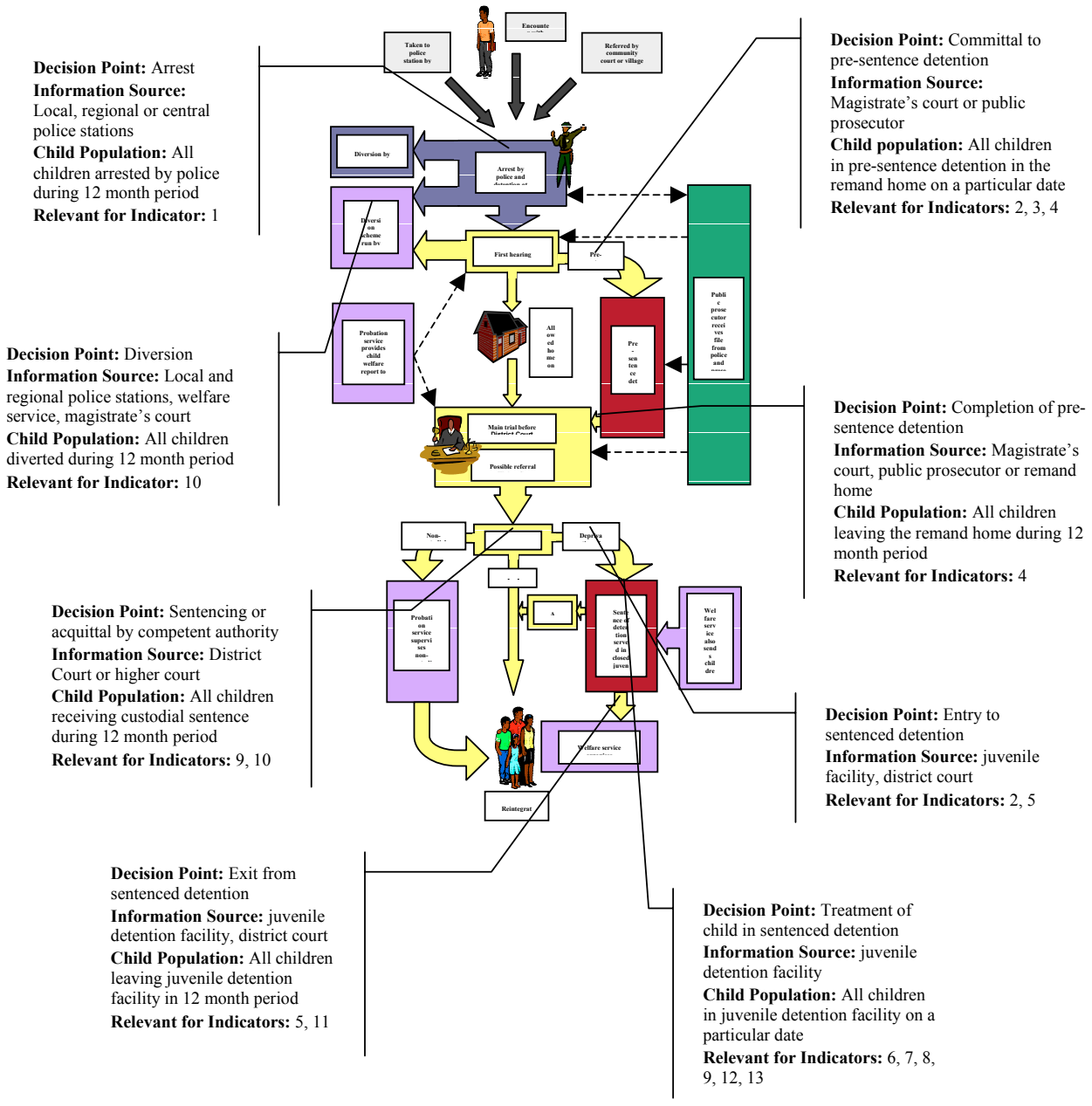


3.4 Information sources and child populations

Once such a system map has been produced, it can easily be used to identify key information sources and to mark those child populations that will be used for measuring the indicators.

Figure 3.3 below shows example information sources and child populations for the system map on the preceding page. The information sources are closely linked to key decision points in the child's journey through the juvenile justice system. As discussed at the start of this chapter, the mapping exercise should allow the identification of specific information sources, including where possible, named individuals within an organization or institution. The format in Figure 3.3 can be used as a basis for the identification of decision points, information sources and child populations in any particular country context.

Figure 3.3 – Example information sources and child populations



When marking information sources and child populations on the system map it is also useful to be aware of which information sources might be relevant for each indicator. The boxes on pages 10 to 25 in Chapter 2 (The indicators) of this manual provide such guidance for every indicator in turn. In addition, Table 3.2 below summarizes possible information sources and the relevant child population for each indicator in turn.

Table 3.2 – Possible information sources and child populations for the fifteen juvenile justice indicators

	Indicator	Information sources	Relevant child population
	Quantitative Indicators		
1	**Children in conflict with the law**	▪ Police stations, gendarme, military, paramilitary ▪ Public prosecutor	▪ All children arrested within a 12 month period
2	**Children in detention**	▪ Places of detention ▪ Competent authorities, public prosecutor	▪ All children detained on a specified date
3	**Children in pre-sentence detention**	▪ Places of detention ▪ Competent authorities, public prosecutor	▪ All children detained pre-sentence on a specified date
4	**Duration of pre-sentence detention**	▪ Places of detention ▪ Competent authorities, public prosecutor	▪ All children completing a period of pre-sentence detention within a specified period
5	**Duration of sentenced detention**	▪ Places of detention ▪ Competent authorities, public prosecutor	▪ All children completing a period of sentenced detention within a specified period
6	**Child deaths in detention**	▪ Places of detention	▪ All child deaths in detention during a 12 month period
7	**Separation from adults**	▪ Places of detention	▪ All children detained on a specified date
8	**Contacts with parents and family**	▪ Places of detention	▪ All children detained on a specified date
9	**Custodial sentencing**	▪ Competent authorities	▪ All children sentenced by a competent authority during a 12 month period
10	**Pre-sentence diversion**	▪ Police, gendarme, military, paramilitary ▪ Public prosecutors, district attorney ▪ Competent authorities	▪ All children diverted during a 12 month period
11	**Aftercare**	▪ Places of detention ▪ Social workers, probation officers	▪ All children released from detention during a 12 month period
	Policy Indicators		
12	**Regular independent inspections**	▪ Analysis of laws and policies, central government ministries ▪ Places of detention, competent authorities	▪ (All places of detention)
13	**Complaints mechanism**	▪ Analysis of laws and policies, central government ministries ▪ Places of detention	▪ (All places of detention)
14	**Specialised juvenile justice system**	▪ Analysis of laws and policies, central government ministries ▪ Police stations, places of detention, competent authorities	▪ Not applicable
15	**Prevention**	▪ Analysis of laws and policies, central government ministries ▪ Police stations, magistrates, social workers, probation officers	▪ Not applicable

METHODOLOGY

Chapter 4

4.1 Introduction

Chapter 2 of this manual introduced the fifteen juvenile justice indicators. Chapter 3 provided guidance on mapping the juvenile justice or adult criminal justice system for the purposes of identifying specific information sources and relevant child populations.

The aim of this chapter is to offer some practical suggestions for methods that might be used to collect the information required for calculation of the indicators.

Two key approaches are described: (A) the use and development of 'information systems'; and (B) the use of sampling. Each approach will be described in some detail in this chapter. This chapter also introduces the use of tools for collecting information for the indicators, and provides ideas for using and presenting the indicators effectively.

The two approaches to collecting information for the indicators are:

A. 'Information systems'; and
B. Use of sampling

It starts, however, with some important points regarding the information process leading to national measurement of the juvenile justice indicators.

4.2 The information process

The juvenile justice indicators are all about information. Whenever children come into conflict with the law and are dealt with by the juvenile justice or adult criminal justice system, information is created.

This information may not always be systematically recorded or written down, but it nonetheless exists. It exists in the fact that children in conflict with the law or children deprived of liberty can – if the will is there – actually be counted, and that the fate of such children is determined by a controlled system or procedure. A system where it is the job of an individual or an institution to know where a child in conflict with the law is being held, or at what stage in proceedings he or she is at.

The aim of the information process therefore is to capture the inherent information and to present this information in the standard form of the indicators.

This information process may be broken down into the following stages:

A. Collection of information – at the level of the smallest possible organisational unit for the Quantitative Indicators, and at central level for the Policy Indicators;
B. Collation of information – at the district, regional or central level; and
C. Calculation of the indicators – at the central level.

The box shows that the three stages of (A) collection, (B) collation and (C) calculation are often carried out at different levels of the juvenile justice or adult criminal justice system – local, village, district, regional and national.

One reason for this is that, particularly for the Quantitative Indicators, a more accurate measurement is obtained if raw information is collected at the level of the *individual child*. Compared with collecting raw information in the form of aggregated or summary or 'total population' information, information about individual children contains significantly more detail, allows greater flexibility in information analysis, and

allows information quality to be verified as the details of each child making up the total may be viewed. All of these factors lead to increased accuracy of information for calculation of the indicators.

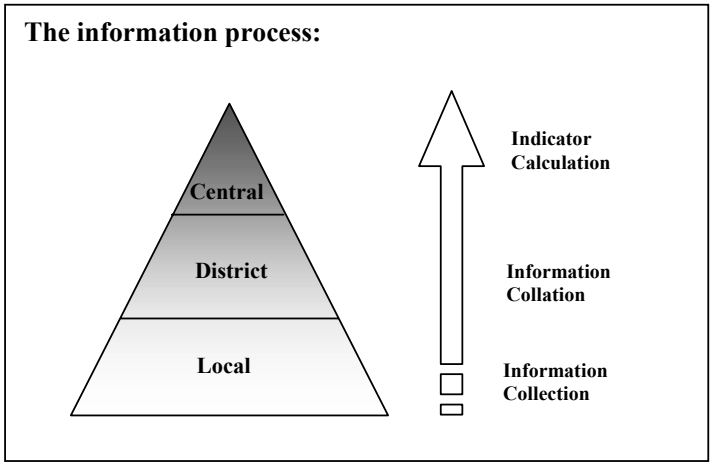
In addition, as discussed in Chapter 1 (Introduction), and in Section 4.4 of this chapter below, the process itself of collecting information about individual children, together with the use of that information by the bodies and authorities involved, contributes significantly to decreasing the risk that children in conflict with the law will be exposed to abuse, violence or exploitation, and to ensuring that each child is treated in a way that is in his or her best interests. It also allows assessment of specific problem areas in the system, such as for example regional disparities, delays in the processing of cases at a certain stage of the procedure etc.

In order to achieve this, collection of information should, wherever possible, be from information sources that have as much contact as possible with individual children, whilst not being so numerous as to make information collection impractical.

Where information is collected regarding individual children from a number of information sources at the local level (such as individual magistrate's courts or juvenile detention facilities) there is a need for this raw information to be collated or drawn together. This is often best done at a higher level, such as the district or regional level.

Finally, all collated information may be used for calculating the indicators at a level within central government. Section 4.5 below provides some suggestions as to the management and coordination of the information process in this respect.

Figure 4.1

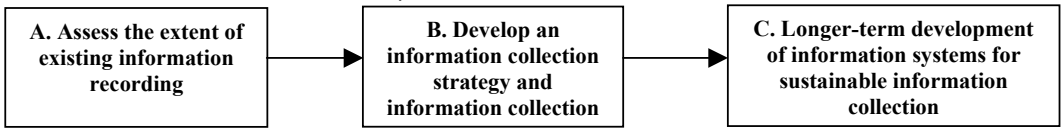


As discussed in Chapter 1 (Introduction), this process should not be a one off event. Underlying the information process are the dual aims of measuring those indicators that can be measured as quickly as possible, whilst building a sustainable system for future sustainable information collection and indicator measurement, which can also be used as a case management system thus shortening delays and improving treatment of children in conflict with the law.

4.3 Information collection

This section describes a suggested process for information collection. It uses two different methodological approaches to measurement of the indicators: (A) the use and development of '**information systems**'; and (B) the use of **sampling**. Each of these methodologies will be described in detail in the sections below.

In overview, the information collection process is:



A. Assessing the extent of existing information recording

The first step in information collection is to assess the extent to which information sources already make record accurate information about individual children in conflict with the law.

As soon as a child comes into contact with the juvenile justice or adult criminal justice system, information is created. When this information is written down or entered into some other permanent record, such as a computer file, on a systematic basis, the body or institution that records the information may be said to operate an 'information system'.

> **Information systems** are internal methods or structures that enable bodies or institutions that deal with children in conflict with the law to systematically record, update and retain information about those children.

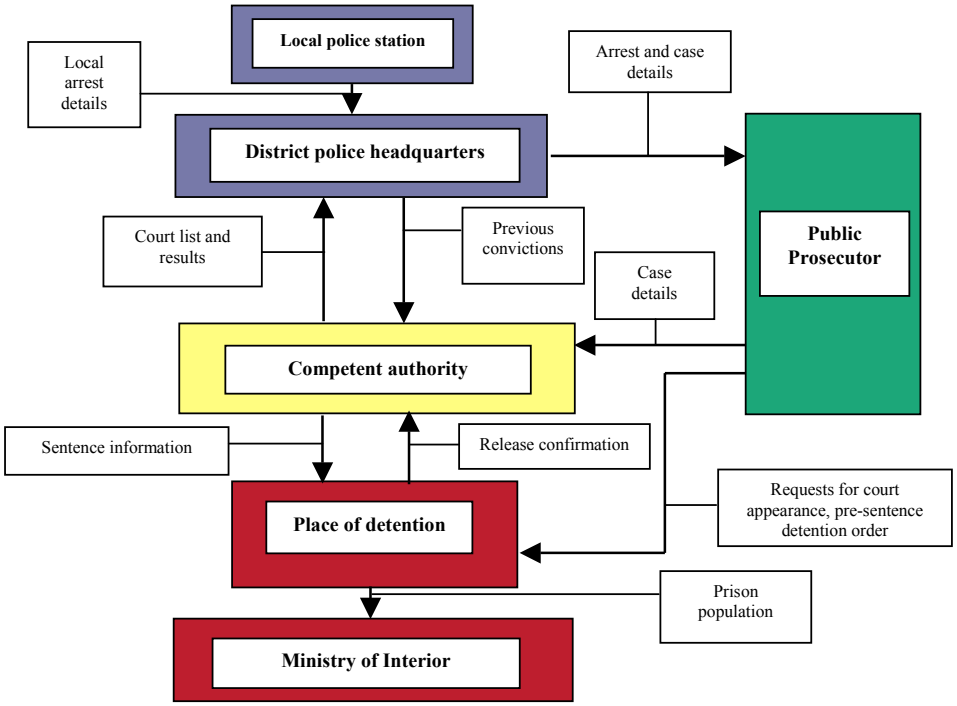
Information *sources* identified during the mapping exercise (see Chapter 3 (Mapping the system)) may or may not operate an information *system*. That is to say, information sources may or may not systematically *record* information about children in conflict with the law to which they have access.

Where information systems are in place, they may range from a simple manual log-book recording the entry and exit of children into and from a single place of detention, to a computer system used to record information from many different authorities, such as the police, public prosecutors or competent authorities.

It is not only the recording of information by individual bodies and institutions involved in the juvenile justice or adult criminal justice system that is important however. Equally of significance is the flow of information between individual information systems. The police or law enforcement authorities for instance may pass details of the arrest of a child to the public prosecutor. The public prosecutor will likely pass a copy of his file to the competent authority, whilst a court may inform the place of detention of the length of a child's sentence. In addition, within one body or institution, such as the police service, information systems at the local level (such as village police stations) may report to an information system at a higher level (such as a district police station).

Figure 4.2 below shows how information may flow between information systems used by different bodies and institutions.

Figure 4.2 – Example information flows



In all likelihood, within any particular country context the extent to which information systems are operated by different information sources will vary. Moreover, where information systems are in operation, it may also be the case that the *quality* of information recorded varies between such systems. The quality of information is dependent upon both its *accurateness* and *completeness*. A local police station, for example, may record the details of every young person that they arrest, but the wrong date of birth might be noted down in over seventy percent of cases. Such information would not be of high quality due to its inaccuracy and would produce an incorrect figure for the total number of children arrested.

When assessing the extent and quality of information recording by information sources, it is helpful to bear in mind exactly what information will be required for calculation of the indicators. In particular, it should be borne in mind that for many of the indicators, information on past events is required. Specifically, for Indicators 1, 4, 5, 6, 9, 10 and 11 information is required in respect of a completed 12 month period. If information sources do not keep records for this length of time then these indicators cannot be measured immediately.

For ease of reference, Table 4.1 below summarises the minimum information that must be recorded by an information system in order to provide enough information for calculation of the Quantitative Indicators. This Table can be used as a guide when assessing the extent and quality of information recorded in practice by information systems.

Table 4.1 – Minimum information that must be available for successful indicator measurement

Information Source	Indicator	Information required to be recorded by an information system for successful indicator measurement
Police or law enforcement authority	**1: Children in conflict with the law**	Individual record of every child arrested during a 12 month period
	10: Pre-sentence diversion	Individual record of each child entering a diversion scheme during a 12 month period
Place of detention	**2: Children in detention**	Individual record of every child in detention on the date of measurement
	3: Children in pre-sentence detention	Individual record of every child in pre-sentence detention on the date of measurement
	4: Duration of pre-sentence detention	Individual record of the date of commencement and date of completion of pre-sentence detention for each child completing pre-sentence detention during a 12 month period
	5: Duration of sentenced detention	Individual record of the date of commencement and date of completion of sentenced detention for each child completing sentenced detention during a 12 month period
	6: Child deaths in detention	Individual record of each child death in detention during a 12 month period
	7: Separation from adults	Records of the cell or room location of each adult and child held in detention on the date of measurement
	8: Contact with parents and family	Individual record of each visit by parents, guardian or adult family member during a 3 month period
Competent authority	**9: Custodial sentencing**	Individual record of each child sentenced to detention during a 12 month period
	10: Pre-sentence diversion	Individual record of each child entering a diversion scheme during a 12 month period
Social welfare service	**11: Aftercare**	Individual record of each child registered for structured aftercare during a 12 month period

Using Table 4.1 above as a guide, each information source can be assessed to determine the extent of information recording. This assessment could lead to the classification of each information source according to the scale in Table 4.2 below.

Table 4.2 – Classification of information sources according to the extent of information recorded

Scale	Description of extent of information recording
A	Information is recorded systematically by the information source and is of high quality. Sufficient information is available for calculation of all of the indicators relevant to the information source.
B	Information is recorded systematically and is of high quality, but sufficient information is only available for calculation of some of the indicators relevant to the information source.
C	An information system is in place and information is recorded, but it is either not recorded systematically or is not of high quality. The information cannot really be used for calculation of the indicators.
D	No information system is in place and information is not recorded systematically.

Once information sources have been classified according to the extent to which they systematically record accurate information, it is next possible to start developing an information collection strategy.

B. Developing an information collection strategy

As noted at the start of this section, two information collection methods are suggested for the Quantitative Indicators: (i) the use and development of information systems; and (ii) sampling.

An information collection strategy should describe which method or combination of methods will be used to collect and collate information for calculation of the Quantitative Indicators.

It will be recalled (from Section 4.2 above) that in order to ensure the greatest degree of accuracy for calculation of the Quantitative Indicators, raw information should ideally be collected at the level of the individual child from an information source at or near to the local level.

How can each of the information collection methods be used to achieve this?

(i) Information collection using information systems

Where assessment (see Paragraph A above) reveals that information is already recorded systematically by information sources and is of high quality, then this recorded information may be collated directly from information sources and used for calculating the Quantitative Indicators. In accordance with Table 4.1 above, this would require, for example, that places of detention systematically record the entry and exit of each individual child, and that competent authorities maintain a file for each child and record details of charge and sentence passed.

> The principle behind collection of information for the indicators through **information systems** – and the aim of upgrading or redeveloping information systems – is that, wherever possible, the *whole relevant child population should be covered by the*

In other words, wherever possible, information sources should be carefully chosen to ensure that, together, the recorded information that they have available covers all children in the relevant population. If places of detention do keep records of detained child for instance, then the aim should be to choose sufficient information sources in order to have available a record for every child detained in the country. Where this is not possible, sampling may be used to estimate the value for the whole population. This method is discussed below.

If, as part of information flow within the information system, local information sources report disaggregated information to a higher level (such as the district or central level), then it may be possible to choose information sources at this higher level. This would allow the whole relevant population to be

covered by fewer information sources. Information about child arrests by 20 local police stations might be obtained, for instance, from the single district police station to which they report. Care should be taken, however, that the higher-level information source (the district police station in this example) is able to provide disaggregated information about individual children and not simply sum totals of children.

To help with this, the system map should be used to identify exactly which information sources, at what level, should be chosen, in order to ensure that when the information is put together, details are available about every child in the population of interest. This list of information sources is likely to vary for each indicator.

In each country context, thought must also be given to how information will be retrieved and collated from information systems. Where high quality information is systematically recorded and retained, information sources may easily be able to send copies of their information in paper or electronic form to the regional or central level for collation and calculation of the indicators.

It may often be the case, however, that although sufficient information is recorded to allow calculation of a particular indicator, this information is disorganized or is stored in a form that cannot easily be sent to a higher level,. In this situation, a number of short term options may be available:

- The information collection tools in Appendix 3 to this manual could be sent to information sources for completion using information contained in the existing records, and the completed tools returned for collation of information; or
- Training could be provided to information sources on the organization of records, and reorganized and/or assembled information subsequently sent to the higher level.

In the longer term, the upgrading or redevelopment of such information systems might be planned. This option is discussed on page 46 of this manual.

(ii) Information collection using sampling

In a particular country context it may be possible to obtain existing written or recorded information about *every* child or place of detention about which information is required. Countries with advanced information systems, for example, may ensure the careful recording of details about every child who comes into conflict with the law.

Where this is not the case, however, and if time does not allow for the development of efficient information systems, certain information may be gathered from *part* of the whole population only. In other words, a sample may be taken.

> **Sampling** is the collection of information from part of the whole population. Information about that part is used to make inferences about the population as a whole.
>
> Sampling may be used because no information is recorded, or because information about the whole population is incomplete.

Sampling should be used for the collection of information where the information necessary for the calculation of a particular indicator is not available for the whole relevant population. This may be because information is not recorded by information sources, or because the relevant information is only recorded by some information sources, is not recorded systematically, or is not of high quality.

Exactly what the 'whole population' is will vary depending upon which indicator is being measured. Table 3.2 on page 36 of this manual lists the relevant total populations for each indicator. In some instances the total population will be '*all children in detention on a particular date*'. In other instances, it will be '*all children who have left detention during a 12 month period*'. For indicators 12 and 13, the total population is '*all places of detention in a country*', rather than a population of children in conflict with the law themselves.

Since, in general, sampling will be used where no or partial information is recorded, a systematic method of gathering data from the sample will be required. Two possible methods of collecting information from information sources making up the sample are:

- A survey using self-administered questionnaires; and/or
- A survey using face-to face interviews

Questionnaires and interviews can be based on, or use, the information collection tools contained in Appendix 3 to this manual. There are three information collection tools:

(1) for use with information sources within the police or law enforcement authorities;

(2) for use with information sources within competent authorities; and

(3) for use with information sources within places of detention.

Questionnaires based on the information collection tools can be designed and sent to the information sources making up the sample, to be completed by the information source and returned. Alternatively, information sources making up the sample may be interviewed face-to-face in order to complete the relevant information collection tool.

Each of these techniques has benefits and drawbacks. Questionnaires sent to and completed by information sources are cheaper and easier to administer, but may not be completed in full or may be returned with inconsistent entries. Interviews with information sources ensure complete and consistent answers, but require money and resources in order to finance and support individuals who must travel to information sources to carry out the interview.

Where no information is recorded by information sources, a face-to-face interview may be particularly appropriate. This is because the information source can be guided through the type of information that is required, and a first hand assessment of the situation can be carried out – children in a place of detention for example can be physically counted and their details recorded.

Alternatively, sampling might be used because only some information sources systematically record high quality information. Where these information sources make up the sample, it may be possible to use self-administered questionnaires, or even to receive recorded information directly from the information systems of those information sources.

Appendix 2 to this manual provides guidance on how information might be collected for each of the indicators by sampling. This includes guidance on the selection of appropriate sample sizes, sampling techniques, the estimation of the population value from the sample value, and the calculation of confidence limits. Sampling is, however, a complex process. Wherever possible, the advice of a qualified local statistician should therefore be sought on the matters of sampling technique and design.

Choosing the most appropriate information collection strategy

Three factors are important in developing an information collection strategy:

The **information collection strategy** is dependent upon:

A. The extent to which information sources **already systematically record** accurate information;

B. Whether **development of new** information systems is possible within a reasonable timeframe;

C. Whether **sampling** of information sources can be carried out in **practice**.

As discussed in Section 4.2 above, the systematic collection of information about *individual* children by the bodies and authorities that deal directly with them has a number of advantages. It contributes to increased accuracy of information, is an important factor in significantly decreasing the risk that children in conflict with the law will be exposed to abuse, violence or exploitation, and helps ensure that each child is treated in a way that is in his or her best interests.

As a result, it is recommended that, wherever possible, the information collection strategy should encourage information sources to use and develop information systems that are able to record and retain details about individual children with which the information source has contact at the local level.

Of course, the assessment of information systems described in Paragraph A above may well show that information about individual children is not systematically recorded by information sources. In which case, the information collection strategy will need to include either the development of new information systems, the sampling of information sources, or both. The flowchart in Figure 4.3 below offers guidance for deciding how information should be collected in any particular country context.

Figure 4.3 – Information collection strategies

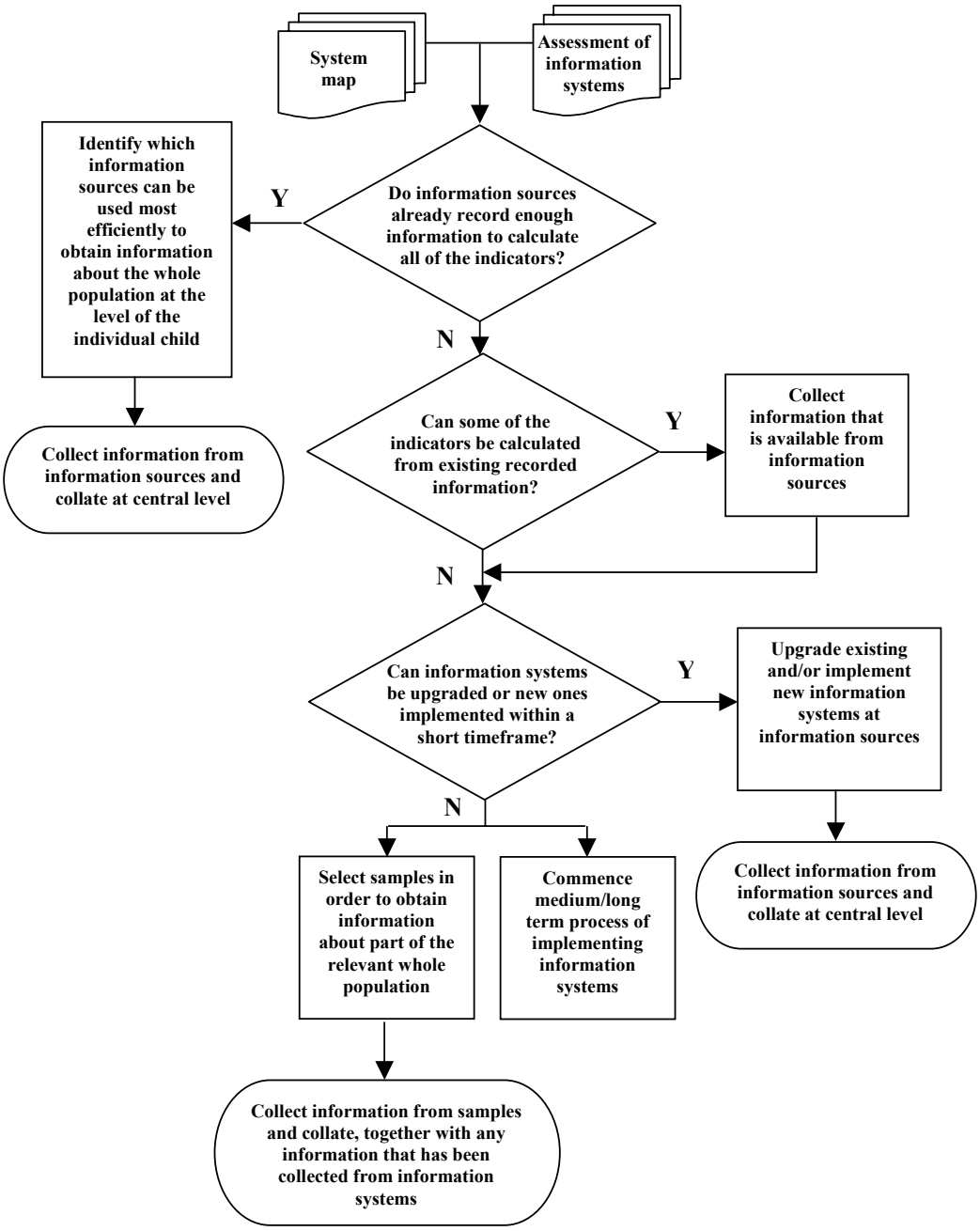


Figure 4.3 shows that, wherever possible, information for the indicators should be gathered from information systems that cover the whole relevant population. Where this is not possible, sampling of information sources can be used as an alternate method of information collection.

In particular, Figure 4.3 demonstrates that information may be gathered through a combination of methods, and that sampling can be used to obtain information in the short term, whilst information systems are developed in the longer term.
By way of example, Figure 4.4 below provides an illustrative information collection strategy for the Quantitative Indicators.

Figure 4.4 – An example information collection strategy

The diagram below shows an example country scenario. The juvenile justice system has been mapped and an assessment of the existing information systems has been carried out. Government officials plan how information will be collected.

EXAMPLE

From the system map:

Police stations	Courts	Places of detention
▪ Local police stations keep arrest log books and record the arrest of each child. These records are available for a 12 month period.	▪ Local courts keep records of sentences passed. Local courts send these records to the responsible district court.	▪ All places of detention have a record of the number of children detained at any one time.
▪ All Police stations have records of the number of children detained in cells at any one time but only some retain these records for 12 months.	▪ District courts keep records received and have records available for a completed 12 month period.	▪ However, only around 20% of places of detention have records detailing the entry and exit of each child during a whole 12 month period.
▪ Police officers may divert children with a formal warning. However, diversion records are not kept.		▪ Places of detention record and keep details of child deaths in custody. However, they do not record details of family visits, the degree of separation from adults or aftercare.

Information that can be collected from information systems:

- The number of children arrested during a 12 month period (Indicator 1).
- The number of children held in detention (Indicator 2). This will require information about children in police station cells and children in places of detention
- The number of child deaths in detention (Indicator 6).
- The percentage of children receiving a custodial sentence (Indicator 9).

Information that can be collected by sampling:

- The length of time spent in pre-sentence and sentenced detention (Indicators 3 and 4). The sample will need to be made up from both police stations and places of detention that have records for detained children over a completed 12 month period.
- The number of children not wholly separated from adults (Indicator 7).

Information that will require the longer term development of information systems:

- The percentage of children who have been visited by parents, guardian or an adult family member in the last 3 months (Indicator 8). Places of detention should start recording visits.
- The percentage of children diverted (Indicator 10). Police officers will need to start recording details of children who receive a formal warning.
- The percentage of children receiving aftercare (Indicator 11). Places of detention will need to start recording when a child is registered for structured aftercare.

An important point shown by Figure 4.4 is that where records have not been systematically maintained, it may be extremely difficult to obtain information on *past events*, even by sampling. As noted previously, Indicators 1, 4, 5, 6, 9, 10 and 11 require information recorded over the course of a completed 12 month period. If information sources do not have recorded information on children with whom they have had contact over such a period, it is unlikely that those same information sources will be able to recall that information if questioned or interviewed as part of a sample.

In such circumstances, the only way to collect information for indicators that concern past events may be to ensure that new information systems are implemented and used in the longer term to provide information for the indicators. The development of new information systems is discussed in Paragraph C below.

The Policy Indicators

The discussion in this chapter has so far focused almost entirely upon information collection for the Quantitative Indicators. An information collection strategy is also required, however, for measurement of the Policy Indicators.

Measurement of the Policy Indicators should begin with a detailed review of legislation and government policies, standards and guidelines. Each of which should be checked for coverage of the policy features measured by the Policy Indicators. Namely:

- the existence of a system guaranteeing regular independent inspection of places of detention (Indicator 12);
- the existence of a complaints system for children in detention (Indicator 13);
- the existence of a specialised juvenile justice system (Indicator 14); and
- the existence of a national plan for the prevention of conflict with the law amongst children (Indicator 15).

A large amount of this information may already have been collected during the mapping of the country system. Where it is required to be supplemented for actual indicator measurement, relevant information sources include country legislation, governmental ministries such as ministries of justice, interior, home affairs or penal management, and existing literature and reports. Information regarding policies or guidelines may also be available at lower levels, such as regional court offices or regional police headquarters.

Information from laws and policies can be collated and analyzed using the four policy analysis tools contained in Appendix 4 to this manual. These tools enable each of the Policy Indicators to be expressed in terms of one of the four levels below:

- Level 1 – [feature] does not exist in law or policy
- Level 2 – [feature] is only weakly protected by law or policy
- Level 3 – [feature] is moderately protected by law or policy
- Level 4 – [feature] is extremely well protected by law or policy

Further information regarding use of the policy analysis tools is contained on the first page of Appendix 4 to this manual.

C. Development of information systems

As discussed in Paragraph B above, in a country context where information systems are not well developed, it may be possible to achieve short-term measurement of some of the indicators (particularly those that measure ‘snapshot’ information) through sampling of information sources via questionnaire or interview-based surveys.

Such an approach, however, is not sustainable for the purposes of ongoing measurement of the indicators. Furthermore criminal justice systems need a functioning case-management and information system to achieve greater efficiency and respect for the human rights of all involved. Given these realities, countries are encouraged to consider supporting the longer-term development of information systems.

From the child protection point of view, the implementation of information systems within bodies or institutions such as places of detention or competent authorities contributes significantly to decreasing the risk that children in conflict with the law will be exposed to abuse, violence or exploitation, and to ensuring that each child is treated in a way that is in his or her best interests. This is because information systems enable more efficient administration and overview of bodies or institutions making up the juvenile justice or adult criminal justice system, assist in planning of resources, and help ensure that individual children are not 'lost' within the system.

The development of information systems for juvenile justice, particularly computerized information systems, requires considerable thought however. Attention must be paid to who the users of such systems will be, to what uses the recorded information will be put, who will submit information to the system, what information will be submitted, and who will receive information from the system. In addition, the development of computerized information systems can be costly and will require additional funding beyond that allocated for the national juvenile justice information collection process. As such, an in depth discussion of the development of information systems for juvenile justice is beyond the scope of this manual[7]. It is important to note that the computerization of information systems is not a guarantee for the efficiency of such systems per se. An efficient paper filing or card system might be preferable to a computerized system if no resources are available for setting up, maintaining and updating such a system and if resources are scarce .

Nonetheless, information systems for juvenile justice should have a number of minimum features in common. In particular, information systems should be capable of systematically recording a certain minimum set of information about children in conflict with the law. This minimum information should be sufficient to allow measurement of the fifteen juvenile justice indicators.

Using the juvenile justice indicators as a guide, Table 4.3 below summarizes the minimum information that might be recorded by an information system at a law enforcement authority, a competent authority, a public prosecutor's office, and at places of detention.

This information is expressed in terms of information items that should be recorded and retained for each individual child in conflict with the law. Indeed, Table 4.3 suggests recording pieces of information about each child that enable him or her both to be followed through the system and dealt with in a way that is most appropriate to his or her needs. The systematic recording of such individual information should greatly assist in meeting the need for day-to-day management of bodies and institutions dealing with children in conflict with the law, the protection needs of such children, and the demand for information and statistics necessary for calculation of the indicators.

In addition, the Excel spreadsheets contained in Appendix 5 to this manual can be used as the basis of a simple computerized information system at the level of individual police stations, competent authorities and places of detention. Use of the spreadsheets as a management tool is able to generate sufficient information for calculation of the indicators. The spreadsheets may be used as provided, or for the further development of an information system. The operation of the spreadsheets together with hardware requirements, is discussed in Appendix 5.

Table 4.3 – Minimum information that should be recorded by new information systems

Information source	Example minimum information that should be recorded by newly developed information systems	Notes
Police or law enforcement authority	**For each child arrested:** ▪ Name, identification number, date of birth, gender and ethnicity, address and details of parents or guardian and legal representative ▪ Date of arrest and reason for arrest ▪ Details of charge (where relevant) ▪ Details of diversion (where relevant) **For each child detained:** ▪ Room/cell location and degree of separation from adults ▪ Date of visits from parents, guardian or adult family members ▪ Details and dates of hearings before a competent authority to consider the issue of release	It is helpful if a unique code is assigned to each child's file. The competent authority and any subsequent place of detention can also use the same code in order to improve information flows between different bodies and institutions.
Competent authority or public prosecutor	**For each child within the jurisdiction of the competent authority:** ▪ Registration of the case, including the assignment of a case identification number and the opening of a file folder to contain all relevant documents for that case ▪ Basic details about the child, including name, date of birth, gender, ethnicity, address and details of parents or guardian and legal representative ▪ Date of arrest and details of charge ▪ Status of case (for example: pending first hearing, pending sentencing or under appeal) including details of whether the child is held in pre-sentence detention, updated upon any change ▪ List of case actions, such as filing of evidence, charge sheets, pleadings or social inquiry reports, including dates of such actions ▪ List of hearings with dates ▪ List of judicial actions, such as diversion, judgments or orders, including dates ▪ Details of the implementation of measures after judgment, including (where applicable) details of supervision of the sentence by the competent authority ▪ Details of the end of measures and case closure	A comprehensive case record for each child ensures control of a case. There is a close connection between effective record management and fairness, transparency and accountability in competent authorities. In order to prevent children from waiting for a very long period of time to have their case heard, case records should show clearly the status of the case and dates of actions and hearings.
Place of Detention	**As each child enters the place of detention:** ▪ Name, identification number, date of birth, gender and ethnicity, address and details of parents or guardian and legal representative ▪ Date of entry to the place of detention ▪ Date of arrest ▪ The situation of the child prior to entry into the place of detention (for example: arrest, held in another place of detention, or bail) ▪ Category of offence/reason for detention including details of sentence where applicable and expected date of release ▪ Details of the assessment of the child's needs made on entry to the place of detention, including medical examination results **Situation of each child in detention:** ▪ Whether detained pre-sentence or after sentencing, including the date of any change of status ▪ Room/cell location and degree of separation from adults ▪ Date of visits from parents, guardian or adult family members **As each child leaves the place of detention:** ▪ Date of leaving detention ▪ Reason for leaving detention (for example: sentencing, completion of sentence, release on parole) ▪ Registration for structured aftercare where applicable **General information:** ▪ Date and details of independent inspection visits carried out ▪ Record of complaints made and outcome	Information should be recorded for every individual child entering the place of detention and updated as appropriate. The information system may consist of a manual log book, an individual paper file for each child, or a computer database with a record for each child. Care should be taken to record personal details accurately.

4.4 Management of the process

As discussed throughout this chapter, any national juvenile justice information collection process should aim to achieve both:

- prompt measurement of those indicators that can be easily measured using existing information systems and/or sampling; and
- where possible, the creation of a sustainable juvenile justice information system that is able to provide information on an ongoing basis for continuing indicator measurement.

As such, the national juvenile justice information collection process is not intended to be a 'one-off' event. Rather, repeated measurement of the indicators at frequent intervals should be used at the national level to inform the development of policies, particularly in relation to the prevention of juvenile delinquency, as evidence on which to base legislative reform, and for the effective allocation of resources.

This process requires very careful planning and management, and is most likely to succeed when led from the highest levels of national government with broad involvement from key players in the juvenile justice or adult criminal justice system. To this end, it is recommended that a government-led management team coordinate the process.

The Management team may contain representatives of:

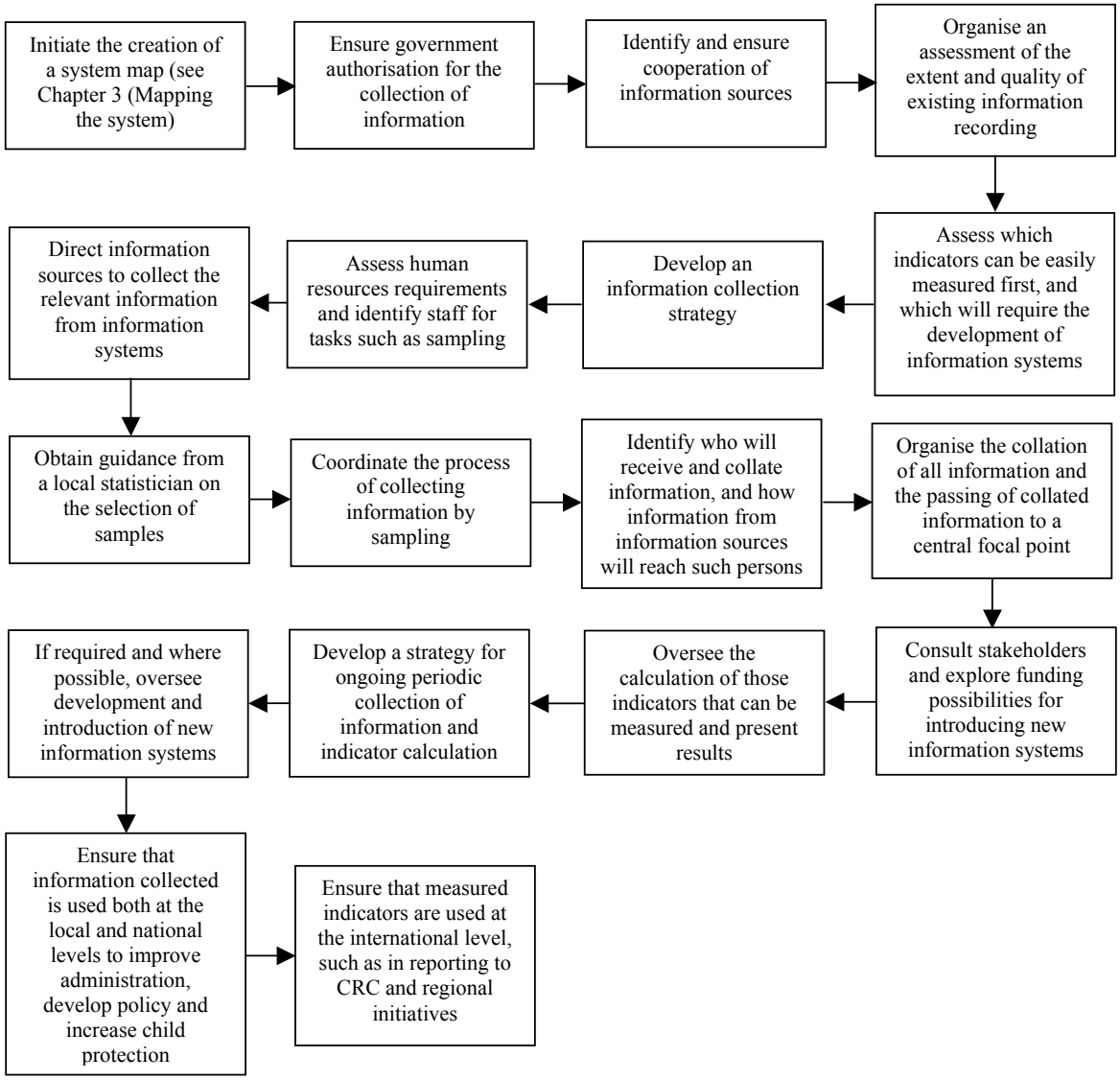
- Relevant government ministries, such as ministries of justice, interior, or social affairs
- The government statistics department or records office
- Bodies or institutions making up the juvenile justice or adult criminal justice system, such as senior law enforcement officers, judges, directors of places of detention, and probation or child welfare officers
- Local or national branches of international non-governmental organisations, in particular those members of the inter-agency coordination panel on juvenile justice: Casa Alianza, Defence for Children International, Penal Reform International, Save the Children, Terre des hommes, and the World Organisation Against Torture
- Country offices of the United Nations system, such as the United Nations Children's Fund, the United Nations Development Programme, the United Nations Office on Drugs and Crime, the Office of the UN High Commissioner for Human Rights, or a mission of the United Nations Department for Peacekeeping Operations
- Local experts on the national juvenile justice or adult criminal justice system, such as legal or child welfare academics, research institutes involved in this area and ombudspersons.

Government representatives on the management team will need to be at a sufficiently senior level to authorise actions required for the information collection process. These will necessarily include actions such as the release of existing information stored by information sources, and the collection of new information, including where needed, through visits to bodies and institutions such as places of detention or courts for the purposes of sampling.

The management team may split the physical tasks of information collection, collation and indicator calculation amongst its members. It may choose, on the other hand, to employ local consultants to carry out portions of the work, at least for the first time that the indicators are measured.

Figure 4.5 below provides a broad outline of typical tasks that the management team may need to carry out as part of the national juvenile justice information collection process.

Figure 4.5 – Typical tasks of the management team



The management team will require a good grasp of the country system map, the identity of information sources, and any existing information flows between and within information systems in order to plan the efficient flow of information from the local level to the central level.

Where information systems are used, the management team may direct that information from information sources be collated at a number of levels before reaching a central focal point at national level. Local police stations, for example, may report information to regional police offices, which in turn may report to a central police headquarters. The central police headquarters might then report that information to the central focal point. In this way, information is passed 'up the chain', until it reaches the central level. In addition, the management team may wish to direct that each level is responsible for checking the quality of the information it receives from the lower level. Where information is collected by sampling, responsibility for collecting information may also be delegated to lower levels. Alternatively, an information collection team working directly for the management team may carry out the sampling process and report straight to the central level.

No matter how information is collated, it is recommended that all information is drawn together and the indicators calculated by a central focal point that is a member of, or reports directly to, the management team. This will allow the team to closely follow the progress of indicator measurement. A good candidate for the central focal point may be an individual, or individuals, within the government statistics department or central records office. The focal point is likely to be responsible for checking the overall quality and completeness of information received from information systems and through sampling, and for calculation of the indicators. Calculation of the indicators should take into account where information has been acquired from sampling in order to ensure that the degree of accuracy, as expressed by confidence limits, is taken into account (see Appendix 2 to this manual).

4.5 Presentation and use of the indicators

The use of a standard format for presentation of the fifteen juvenile justice indicators greatly increases their usefulness for measuring trends over time. Where information is shown in the same way each time, changes in a situation can be more easily identified, allowing policies and practice to be amended in response, where necessary. A standard format also makes comparison of the indicators between countries, and at the international level, substantially easier.

In order to make the results of indicator measurement as useful as possible to bodies, institutions and individuals involved in juvenile justice, the indicators should be presented in as simple a way as possible. Representation of the indicators using graphs and figures is one way of doing this. Appendix 6 provides a suggested presentation format for the indicators as a whole and for where disaggregation is available for individual indicators.

Once indicators have been calculated and presented, the management team should ensure that they are used appropriately at a number of levels. For maximum impact, these should include local institutional level, national governmental level and the international level. It is important to bear in mind, however, that the usefulness of the indicators is strongly linked to an understanding of the particular country context. A large number of factors will affect, for instance, the number of children in detention at any one time (Indicator 2). These may include levels of child involvement in crime, the definition in law of offences and the recommended sentences, underlying attitudes of courts and the capacity of places of detention. The indicator figure must be interpreted in light of such factors, and changes in policy and practice should be informed both by the absolute indicator figure, and the underlying contributing factors. Expected uses of the indicators at different levels are as follows:

Institutional/local level. For individual institutions such as places of detention, the process of collecting information about individual children should lead to a review of information recording and closer monitoring of the situation of individual children. Information about the conditions of detention, including the degree to which children are separated from adults, and the level of contact with parents and family, should lead places of detention to review those aspects which they can control and to make changes where necessary. Where child deaths have occurred in a place of detention, the institution should carefully examine the reasons for this and ensure that, where possible, these are fully addressed. Recording of the length of time that individual children have spent in detention should prompt competent authorities and/or places of detention to implement procedures for checking that children are considered for release from detention at the earliest possible opportunity.

National/governmental level. The management team should aim to acquire an in-depth understanding of the factors that contribute to the value measured for each indicator. The indicator values, and the list of contributing factors, should be used to initiate a process of identifying areas for improvement or reform, in both policy and practice. Where the Policy Indicators indicate that features are not well protected in law, government officials should consider codifying policies in the form of new national legislation. Where policies or laws exist but do not appear to be well implemented, national institution-building and capacity-building programmes for professionals, local level bodies or institutions might be explored. Particular attention should be paid to ensuring that the least possible use is made of deprivation of liberty, and that, wherever appropriate, children in conflict with the law are dealt with though diversion programmes. The effect of new polices or practices can be effectively monitored by measuring the indicators at regular intervals over time. It is however clear that juvenile justice reform is a process that requires long-term efforts. In many cases countries might consider requesting technical

assistance from a UN agency or non-governmental organisation. Such assistance should be sustainable and aimed at building national capacity and ownership in the long-term.

International level. Where a country has reporting obligations to United Nations treaty bodies, such as the United Nations Committee on the Rights of the Child, the indicators should be used in the State party's report to demonstrate compliance with relevant articles of the Convention on the Rights of the Child. The indicators can also be used when reporting to other UN , international and regional bodies for research or monitoring purposes, for example the United Nations Surveys on Crime Trends and the Operations of Criminal Justice Systems.

DEFINITIONS[8]

Appendix 1

TERM	DESCRIPTION
acquitted	A child is acquitted where he or she is found not guilty of an offence by a competent authority.
administrative detention	A child is held in administrative detention where he or she is held specifically under the power or order of the executive branch of government and is not subject to the usual juvenile justice or adult criminal justice system procedure.
adult criminal justice system	The adult criminal justice system consists of the laws, procedures, professionals, authorities and institutions that apply to witnesses and victims, and to adults alleged as, accused of, or recognized as having committed a criminal offence.
aftercare	Means the arrangements in place that are designed to assist children released from detention in returning to society, family life, education or employment after release.
arrest	A child is arrested where he or she is placed under the custody of the police, military, intelligence or other security forces because of actual, perceived or alleged conflict with the law.
at risk of delinquency	Although it may not be an offence under the law in question, children may come into contact with the juvenile justice or adult criminal justice system as a result of being considered to be in danger by virtue of their behaviour, or, through association, by the behaviour of others.
category of offence	Means the categories of offence listed in Table 2.2 on page 9 of this manual and as defined in this definitions section. Although the categories of 'at risk of delinquency' and 'irregular situation' may not strictly be offences under the national law in question, they are included in Table 2.2 due to their frequent occurrence.
charged	A child is charged with an offence where the police, a law enforcement authority, the public prosecutor or a competent authority formally accuses him or her of having committed a specific offence.
child	A child is any person below the age of eighteen years.
child population	A child population is a particular group of children, such as '*all children in detention on a particular date*', that must be counted in order to measure a particular indicator.
competent authority	The competent authority is the part of the juvenile justice or adult criminal justice system that is responsible for making procedural or disposition decisions regarding a child's case.
complaints mechanism	A complaints mechanism is any system that allows a child deprived of liberty to bring any aspect of the treatment that child has received, including violations of his or her rights, to the attention of the authority responsible for the place of detention, or any other official body established for such purpose.
conflict with the law	A child is in conflict with the law where he or she has committed or has been accused of having committed an offence. Depending upon the local context, children may also be in conflict with the law where they are dealt with by the juvenile justice or adult criminal justice system for reason of being considered to be in danger by virtue of their behaviour or the environment in which they live.
convicted	A child is convicted where he or she is found guilty of having committed an offence by the decision of a competent authority.
customary norms	Means widespread consistent norms in the state in question, including long standing tribal or indigenous rules that may be known by a large part of the population.
deprivation of liberty / detained	A child is deprived of liberty where he or she is placed in any form of detention or imprisonment in a public or private setting, from which the child is not permitted, by order of any competent authority, to leave at will.
diversion	A child is diverted where he or she is in conflict with the law but has their case resolved through alternatives, without recourse to the usual formal hearing before the relevant competent authority. To benefit from diversion, the child and/or his or her parents or guardian must consent to the diversion of the child's case. Diversion may involve measures based on the principles of restorative justice.

drug-related offence	Drug-related offence may be understood to mean intentional acts that involve the cultivation, production, manufacture, extraction, preparation, offering for sale, distribution, purchase, sale, delivery on any terms whatsoever, brokerage, dispatch, dispatch in transit, transport, importation, exportation and possession of internationally controlled drugs.
information source	Information sources are single institutions or individuals that form part of the juvenile justice or adult criminal justice system. They are usually responsible for taking key decisions that affect children in conflict with the law, and they often have direct contact with such children. Information sources supply information for measurement of the juvenile justice indicators.
immigration/migration offence	An immigration/migration offence is an offence relating to the legality of the entry and/or continued presence of the child and/or his or her family in the country in question, or to the legality of the current place of residence of the child and/or his or her family following internal displacement.
information systems	Information systems are internal methods or structures that enable bodies or institutions that deal with children in conflict with the law to systematically record, update and retain information about those children.
irregular situation	Although it may not be an offence under the law in question, children may come into contact with the juvenile justice or adult criminal justice system as a result of being considered to be in danger from the environment in which they live.
juvenile justice system	The juvenile justice system consists of the laws, policies, guidelines, customary norms, systems, professionals, institutions and treatment specifically applicable to children in conflict with the law
laws	Means all national legislation in force pertaining to children in conflict with the law, including criminal laws, criminal procedure laws, penal sanctions laws and juvenile justice laws, together with decisions of competent authorities and courts or tribunals having binding legal effect.
non-custodial measure	A non-custodial measure is a measure to which a child may be sentenced by a competent authority that does not include deprivation of liberty.
offence	A child commits an offence where he or she commits any act punishable by the law by virtue of the legal system in question.
place of detention	A place of detention is any public or private facility where a child is deprived of liberty.
policies	Means all national policy instruments pertaining to children in conflict with the law, including executive orders and ministerial documents.
pre-sentence detention	A child is held in pre-sentence detention where he or she is deprived of liberty and is awaiting a final decision on his or her case from a competent authority.
prevention	Prevention involves the active creation of an environment that deters children from conflict with the law. Such an environment should ensure for the child a meaningful life in the community and foster a process of personal development and education that is as free from crime as possible.
probation	Probation is a non-custodial measure involving the monitoring and supervision of a child whilst he or she remains in the community. A competent authority, the public prosecutor, the social welfare service or a probation officer usually supervises probation. Probation may be employed as a measure on its own, or following a custodial sentence.
probation officer	A probation officer is the government official responsible for supervising a period of probation. He or she is often in charge of conducting an assessment of the child and referring him or her to appropriate counselling, education and reintegration programmes.
public disorder offence	A public disorder offence is an offence involving a breach of the peace or causing a public nuisance.
restorative justice programme	A programme which uses any process in which the victim and the offender, and, where appropriate, any other individuals or community members affected by a crime, participate together actively in the resolution of matters arising from the crime, generally with the help of a facilitator. Restorative processes may include mediation, conciliation, conferencing and sentencing circles.
sampling	Sampling is the collection of information from part of the whole population. Information about that part is used to make inferences about the whole population.
sentence	A competent authority passes a sentence when – notwithstanding any right of appeal – it makes a final decision about a child's case and rules that the child shall be subject to certain measures.
serious offence against a person	A serious person offence can be homicide, non-intentional homicide,

	kidnapping, rape, sexual assault or abuse, assault or an attempt to carry out any of these acts.
serious property offences	A serious property offence can be burglary, robbery or arson, or an attempt to carry out any of these acts. Burglary is the unlawful entry into someone else's premises with the intention to commit a crime. Robbery is the theft of property from a person, overcoming resistance by force or the threat of force.
status offence	A status offence is an act or behaviour that is only punishable if the person committing it is aged under eighteen, or is believed to be aged under eighteen.
system map	The system map is a map of the juvenile justice or adult criminal justice system in a particular country that shows the relevant laws, systems and the connections between them.
theft	Theft is the removal of property without the consent of the owner. Theft excludes burglary and housebreaking.

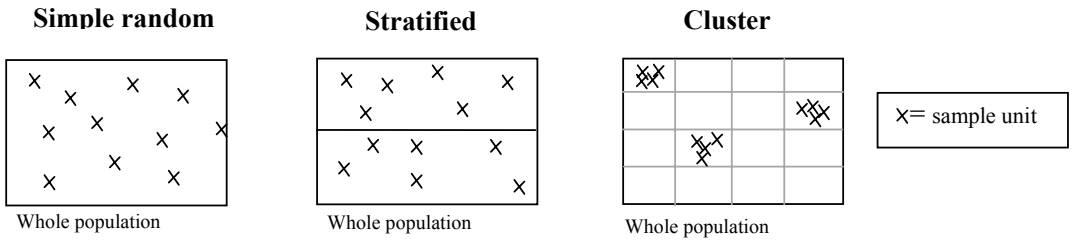
SAMPLING TECHNIQUES

Appendix 2

1. Types of sampling

Three types of sampling are particularly relevant when collecting information for the juvenile justice indicators.

Figure A2.1 – Types of sampling



Simple random sampling involves sampling items (or units) at random from the whole population.

Stratified sampling requires that the whole population is split into a number of smaller populations or 'strata' (two, in Figure A2.1), and simple random sampling is carried out in each strata. This has the effect of increasing the accuracy of the result. For instance, urban police stations (that arrest large numbers of children) may make up one strata, whilst rural police stations (that arrest only a few children) may constitute a second strata.

Cluster sampling describes a sample that is made of units that are grouped together rather than taken randomly from throughout the entire population. Clusters may consist, for instance, of groups of children where each group is held in a different place of detention. Together, all of the clusters make up the complete sample.

2. Confidence limits

When information is gathered from a sample, it is only possible to *estimate* the result for the total population. In other words, it is not possible to be 100% certain that the result obtained for the sample is exactly representative of the total population.

A sample can, however, be used to generate a *range* within which it is possible to be *reasonably confident* that the true population figure lies. This is done through the statistical calculation of confidence limits. Confidence limits are based on the *standard error* of a sample, which is a measurement of how much individual values deviate from the average.

For example, if '95% confidence limits' are used, it can be said that there is only a 5% chance that the true population value lies outside of the range that is encompassed.

> **Confidence limits** show the range within which it is possible to have a reasonable degree of confidence that the true population value lies.
>
> **Example**: In a sample of 100 children from a population of 500 detained children, 37% were found to have received a visit from their parents in the previous 3 months. The standard error of the sample was calculated to be 0.0434.
>
> Using a value from statistical tables (1.96), we can say that the 95% confidence limit for the population proportion is 37% +/- (1.96 x 0.0434) = 37% +/- 9.
>
> In other words, there is only a 5% chance that the actual population proportion of detained children who have received a visit from their parents in the previous 3 months is outside the range of 28% (37% - 9) to 46% (37% + 9).

3. What is being measured

When sampling in order to estimate true values for the indicators, it is important to be aware of exactly what is being measured. There are two possibilities. Some indicators measure a *population total*. Others measure a population *proportion*.

For example, Indicator 2 measures the *total number* of children in detention in a country. Indicator 3, on the other hand, measures the *proportion* of children leaving detention during a 12 month period who fall into a particular 'time spent in detention' category.

It is also necessary to consider the nature of the population that is being measured. The subject of 'child populations' is discussed in the manual on pages 32 and 33. For ease of reference however, Table A2.1 below shows the total population (from which a sample will be taken) for each indicator, together with what is being measured.

Table A2.1 – The total population and what is measured for each indicator

Indicator		Total population	What is measured
Quantitative Indicators			
1	**Children in conflict with the law**	▪ All children arrested in the country within a 12 month period	▪ **The population total**
2	**Children in detention**	▪ All children in the country detained on a specified date	▪ **The population total**
3	**Children in pre-sentence detention**	▪ All children in the country detained pre-sentence on a specified date	▪ **The population total**
4	**Duration of pre-sentence detention**	▪ All children completing a period of pre-sentence detention within a specified period	▪ **A population proportion** (those children within the population falling within a particular detention-time category)
5	**Duration of sentenced detention**	▪ All children completing a period of sentenced detention within a specified period	▪ **A population proportion** (those children within the population falling within a particular detention-time category)
6	**Child deaths in detention**	▪ All child deaths in detention during a 12 month period	▪ The population total
7	**Separation from adults**	▪ All children detained on a specified date	▪ **A population proportion** (those children within the population not wholly separated from adults)
8	**Contacts with parents and family**	▪ All children detained on a specified date	▪ **A population proportion** (those children within the population who have received a visit in the previous 3 months)
9	**Custodial sentencing**	▪ All children sentenced by a competent authority during a 12 month period	▪ **A population proportion** (those children within the population who receive a custodial sentence)
10	**Pre-sentence diversion**	▪ All children diverted during a 12 month period	▪ **A population total**
11	**Aftercare**	▪ All children released from detention during a 12 month period	▪ **A population proportion** (those children within the population who receive structured aftercare)
Policy/Implementation Indicators that can also be measured in a quantitative form			
12	**Regular independent inspections**	▪ All places of detention in the country on a specified date	▪ **A population proportion** (those places of detention within the population that have received a visit in the previous 12 months)
13	**Complaints mechanism**	▪ All places of detention in the country on a specified date	▪ **A population proportion** (those places of detention within the population that operate a complaints procedure)

Indicator 6 (Child deaths in detention) is the only indicator that is not recommended for measurement by sampling. This is because the number of child deaths in detention is likely to be very small and correspondingly extremely difficult to estimate to a reasonable degree of accuracy by sampling.

4. Estimation of sample size when sampling for a population proportion

The size of a sample taken is connected to the degree of precision required for the estimation of the true population value.

For those indicators that measure a *population proportion*, the sample size, *n*, can be calculated from the degree of precision required, the *estimated* proportion present in the population, and the total population number, *N*, by the use of a mathematical equation.

Equation A2.1 – For use with simple random sampling for proportions

This equation is: $n = \frac{n_0}{1 + \frac{n_0}{N}}$ where $n_0 = \frac{(1.96)^2 pq}{(0.05)^2}$ for a 5% limit of error with 95% confidence.

p = the estimated proportion present in the population (expressed as a fraction) and *q* = (1 - *p*).

According to this equation, the sample is required to be largest where *p* is nearest to 50% (0.5) of the total population. In other words, if 50% of children in detention on a particular date have received a visit from an adult family member in the last 3 months, then a larger sample will be required in order to estimate the true population proportion to the same degree of accuracy as where, say, 20% or 80% of children in detention had received a visit in the last three months.
Hence, in the absence of any information that suggests an estimate for *p*, it is safest to use a value of 0.5 for *p* (although this will, of course, require a sample size that may be larger than necessary). Table A2.2 below provides sample sizes calculated using Equation A2.1 for different values of *N* and *p*.

Table A2.2 – Sample sizes required when simple random sampling for a population proportion

	Total population number (N)													
Estimated proportion in population (p)	**100**	**200**	**300**	**400**	**500**	**600**	**700**	**800**	**1000**	**1500**	**2000**	**3000**	**4000**	**>4000**
0.05	66	99	119	132	109	113	116	118	122	127	129	132	134	138
0.1	66	99	119	132	109	113	116	118	122	127	129	132	134	138
0.15	66	99	119	132	141	148	153	158	164	173	179	184	187	196
0.2	71	111	135	153	165	175	182	188	198	211	219	227	232	246
0.25	74	118	147	168	183	195	204	212	224	242	252	263	269	288
0.3	77	124	156	179	196	210	221	230	244	266	278	291	299	323
0.35	78	127	162	187	206	221	233	243	259	284	298	313	322	350
0.4	79	130	166	192	212	229	242	253	270	296	312	329	338	369
0.45	79	131	168	195	216	233	247	258	276	304	320	338	347	380
0.5	80	132	169	196	217	234	248	260	278	306	322	341	351	384
0.55	79	131	168	195	216	233	247	258	276	304	320	338	347	380
0.6	79	130	166	192	212	229	242	253	270	296	312	329	338	369
0.65	78	127	162	187	206	221	233	243	259	284	298	313	322	350
0.7	77	124	156	179	196	210	221	230	244	266	278	291	299	323
0.75	74	118	147	168	183	195	204	212	224	242	252	263	269	288
0.8	71	111	135	153	165	175	182	188	198	211	219	227	232	246
0.85	66	99	119	132	141	148	153	158	164	173	179	184	187	196
0.9	58	82	95	103	109	113	116	118	122	127	129	132	134	138
0.95	42	54	59	62	64	65	66	67	68	70	70	71	72	73

Thus, for a population of 600 children in detention with an estimated 20% being not wholly separated from adults, a sample size of **175** would be required to estimate the true population proportion +/- 5% with 95% confidence.

As noted above, where an estimate for *p* is unavailable, a value of 0.5 should be used and sample size found accordingly.

The above technique is for use where an indicator measures a population *proportion*. The calculation of sample size for indicators that measure the population *total* is discussed in Section 6 below.

It must also be remembered that the table above is to be used for the calculation of sample size when *simple random sampling*, either alone, or when sampling *within* one strata. If cluster sampling is used, the situation is a little more complex.

5. The choice of sample

The sampling techniques and mathematical equations contained in this appendix are, strictly speaking, for use with *random* sampling. That is, individual sample units (e.g. children) or clusters of units, should be chosen truly randomly from the whole relevant population.

It may be the case, however, that as part of an information collection strategy, the units making up a sample may not be truly random. This could be the case, for example, where only certain places of detention record information about the children for which they are responsible, and it would be expedient to collect information from just these places of detention as a 'sample' of the whole population. Caution must be exercised in such cases to ensure that the sample is in fact representative of the whole population. The fact of recording information is likely to be linked, for instance, to good management of the place of detention. Children held in such places of detention may receive more visits on average than children held in other places of detention, or may even spend a shorter average period of time in detention.

As long as the management team is satisfied that the sample is representative with respect to the indicator being measured, then the techniques and calculations contained in this Appendix may still be used. Guidance should be sought, however, from a local statistician wherever a sample is chosen other than on a truly random basis.

6. Choice of sample technique

This section provides guidance as to which sampling technique might be most suitable for each of the indicators measurable by sampling. The appropriate calculations for estimating the population value and calculating confidence limits vary for each technique, and these are also provided.

(A) INDICATORS 1, 2 and 3 – Measuring population totals

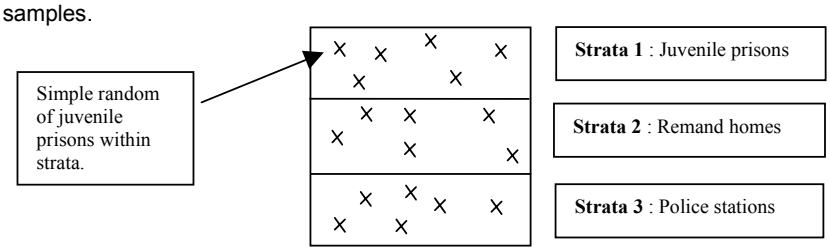
Indicators 1, 2 and 3 measure population totals. Indicator 1 requires that information is available from a completed 12 month period, whilst Indicators 2 and 3 are 'snapshot' indicators.

The technique described below can be used for Indicator 1, 2 or 3. It assumes that the information sources sampled are police stations (for Indicator 1) and places of detention, including police stations (for Indicators 2 and 3).

The total population of arrested or detained children is held within the total number of police stations and places of detention in a country. The difficulty to be overcome is that, within a country as a whole, individual police stations and places of detention arrest and detain (respectively) vastly different numbers of children. A juvenile prison for example may hold 400 children. The cells in a police station, on the other hand, may hold only 2 or 3 children. Assume that a simple random sample of places of detention is carried out to survey how many children are held in each place of detention selected. The risk is that the simple random sample of places of detention will produce an estimate of the total population of child detainees that has such large confidence limits as to make it virtually worthless (due to the fact that the number of children held in each place of detention is so varied).

The answer is to use stratified sampling. In stratified sampling, the population as a whole is divided into sub-groups, and simple random sampling is carried out within each sub-group. When sampling for Indicators 2 for instance, three strata (sub-groups) might be defined. Places of detention which hold large numbers of children (such as juvenile prisons) could make up one strata, places of detention which

hold fewer children (such as remand homes) could make up a second strata, whilst places of detention that hold very few children (such as police stations) may constitute the third strata. Each strata would then be sampled separately. If the *total number* of places of detention in each strata is known then the total population of children in detention can be estimated (with confidence limits) from the separate strata samples.



By way of example, Box A2.1 below shows how this technique might be used for Indicator 1.

Box A2.1 – Stratified random sampling for Indicator 1

Example:

Children in a large country can be arrested by a law enforcement authority operating from 200 police stations. 130 (N_1) police stations are rural and 70 (N_2) are urban. On average, urban police stations arrest six or seven times as many children as rural police stations. Hence rural and urban police stations are chosen as two separate strata.

Not all police stations systematically record details of the children that they arrest. However, 20 police stations in total are identified that do have recorded information available for the previous 12 months. These police stations are considered representative of the population of police stations. They consist of 10 rural police stations (n_1) and 10 urban police stations (n_2).

	Rural police stations	Urban police stations
Number of children arrested during 12 month period	3	34
	7	50
	12	44
	6	51
	2	30
	5	39
	8	35
	8	48
	10	56
	7	49
Strata total	68	436
Estimated population total = $\Sigma x_1(\frac{N_1}{n_1}) + \Sigma x_2(\frac{N_2}{n_2})$	3936	
Strata s^2 = $\frac{1}{n-1}[\Sigma x^2 - \frac{(\Sigma x)^2}{n}]$	9.067	74.489
Population standard error = $\sqrt{[\frac{N_1(N_1-n_1)(s^2_1)}{n_1} + \frac{N_2(N_2-n_2)(s^2_2)}{n_2}]}$	295.8	
90% Confidence limits = Total +/- 1.64 x standard error	3478 < **3936** < 4421	

In other words, after sampling and completion of this calculation, we can be 90% sure that the total number of children arrested in the country as a whole during 12 months is between 3478 and 4421.

The size of error limits in stratified sampling can be reduced by careful choice of the sample size for each strata. In Box A2.1 above, a sample of 10 was taken from each strata, as these were the information sources that had recorded information available. However, where true random sampling within each strata can take place, then more thought can be given to the sample size for each.

As a rule of thumb, a larger sample should be taken within a particular strata if: (i) the stratum is larger, (ii) the stratum is more variable internally, or (iii) sampling is cheaper in the stratum.

In particular, much can be done to improve accuracy if an estimate of the variance, s^2, (the internal variability) of strata, and an approximate idea of the total population, are available. These may be derived from a small pilot survey, older data on the population of interest, or a mathematical estimator. $s^2 = 0.083h^2$, for example, is often used for estimating the variance within a stratum, where h is equal to the range within that stratum.

Where an estimate of s^2 for each stratum, and an approximation of the population total are available, Equation A2.2 below can be used to find the ideal total sample size, and the individual sample size for each strata:

Equation A2.2

Total sample size, $n = \frac{(\Sigma N_h s_h)^2}{V + \Sigma N_h s_h^2}$

Where N_h = The total population of each strata, s_h = the estimated standard error for each strata, and V = the required overall variance.

Box A2.2 shows how Equation A2.2 is used in practice:

Box A2.2 – Calculation of sample size for measuring Indicator 2 by stratified sampling

Example:

Children in a large country can be detained in either juvenile prisons, detention centres, remand homes or police cells. There are 3 juvenile prisons, 8 detention centres, 5 remand homes and 50 police stations with cells. The management team decide that each will be sampled in its own strata, as the number of children held in each is quite different.

The management team estimate s^2 (the variance) for each strata using $s^2 = 0.083h^2$. This equation can be used when the number of children held in each type of place of detention is relatively constant. The management team find, for example, that the smallest detention centre holds 40 children, whilst the largest holds 54. The value of s^2 for the detention centre strata is therefore estimated as $0.083 \times (54-40)^2 = 16.27$. Accordingly, $s_{detention\ centre} = \sqrt{16.27} = 4.03$. The same technique is used for each other strata.

Two years ago, the total population of detained children was known to be around 900. The management team want to estimate the current total population to within 5%. The value of V (the required overall variance) is therefore calculated using the value from 2 years ago: $(0.05 \times 900)^2 = 2025$.

The management team carry out the calculations below:

Strata	N_h	s_h	$N_h s_h$	$N_h(s_h^2)$	n_h
1 Juvenile prisons	3	14.40	43.2	622.08	**3**
2 Detention centres	8	4.03	32.24	129.93	**2**
3 Remand homes	5	3.46	17.3	59.86	**1**
4 Police stations	50	2.30	115	264.5	**8**
			$\Sigma N_h s_h = 207.74$	$\Sigma N_h(s_h^2) = 1076.37$	**14**
			$\Sigma (N_h s_h)^2 = 43155.91$		

The overall sample size is calculated using Equation A2.2: $\frac{43155.91}{2025 + 1076.37}$ = **14**

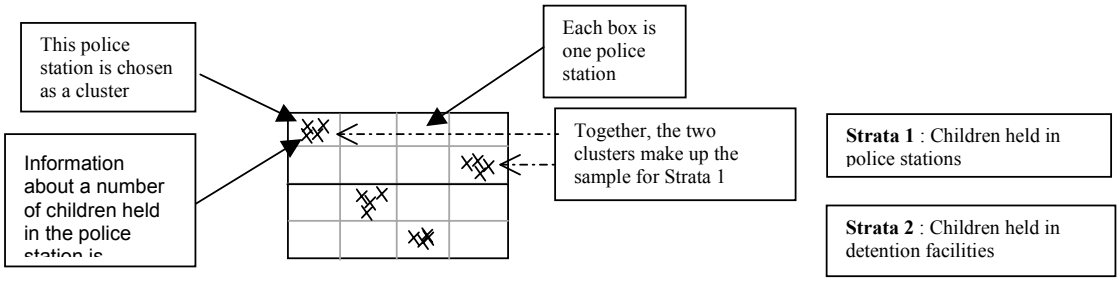
Each strata sample size is calculated using $\frac{14 \times N_h s_h}{\Sigma N_h s_h}$

(B) INDICATORS 4, 5, 7, 8, 9 and 11 – Measuring population proportions

Indicators 4, 5, 7, 8, 9 and 11 measure population proportions. Only one of these indicators, however - Indicator 7 (Separation from adults) - can be measured as a 'snapshot'. All of the other indicators require that information is available from a completed period of 12 months (Indicators 4, 5, 9 and 11), or 3 months (Indicator 8). As such, sampling for these indicators is likely to be carried out when only some information sources have recorded information available, or when recorded information is available but is in a form that is not quickly and easily accessible for all information sources.

The total child population for each indicator will either be contained within individual places of detention, or will have been sentenced by individual courts. As a result, sampling for measurement of these indicators is, in effect, cluster sampling.

Suppose, for instance, that sampling is required to be carried out for Indicator 7 (Separation from adults). Suppose also that children are detained in two types of places of detention: police stations and juvenile detention facilities. As in the examples above, each of these could make up one strata. However, this time, when individual police stations or detention facilities are chosen for sampling, information is collected at each site about a *characteristic* of individual children who are all held within that individual centre. In other words, at each place of detention we have a *cluster* of children about whom we will collect information. Added together, the clusters make up the sample as a whole.



At each place of detention, we might collect information about all of the children held there, or decide to collect information about only a certain number, such that the cluster sizes were constant. Information about just twenty children, for instance, might be collected at each site. Accuracy is much improved where a large number of small clusters are used, rather than a small number of big clusters.

Box A2.3 below provides an example for the measurement of Indicator 4 (Duration of pre-sentence detention) by cluster sampling.

Box A2.3 – Cluster sampling in strata for Indicator 4

Example:

Children in a large country can be detained prior to sentencing in either remand homes or police stations. There are 16 remand homes and 100 police stations that hold children in pre-sentence detention. The management team decide that each will be sampled in its own strata, as the number of children held in each is quite different.

All places of detention record and keep information about children who completed a period of pre-sentence detention during the previous 12 months. However, the information is stored in bulky paper box files. The management team decide that, in the first instance, it would be quicker to take a sample from the places of detention whilst the paper information is transferred to electronic format. The total population of children will effectively be cluster sampled in two strata; remand homes and police stations.

The management team do not know what proportion of children will fall into each time pre-sentence detention time category. However, it is estimated that, during the 12 month period, 500 children in total completed pre-sentence detention in police stations, and 1000 children in total completed pre-sentence detention in the remand homes. The management team therefore commence by using Table A2.2 as a very rough estimate of total sample sizes.

Box A2.3 continued

	Police stations – 500 estimated total children	**Remand homes** – 1000 estimated total children
Estimated sample size from table A2.2, using p = 0.5	217	278

Using the estimated total numbers of children and places of detention, the management team calculate that, on average, 5 children (500/100) will have completed pre-sentence detention in each police station during the 12 month period, and that 63 children (1000/16) will have completed pre-sentence detention in each remand home. To make up the total sample, the management team therefore decide to sample from 43 police stations (217/5), and 5 remand homes (278/63).

The management team randomly choose the places of detention that will be sampled and, at each site, record the proportion of children who left pre-sentence detention during the 12 month period which fall into each of the time categories used for Indicator 4.

The table below shows the management team's calculations for children who spent < 1 month in pre-sentence detention. Note that the calculations required are different to those in Box A2.1.

	43/100 Police stations					**5/16 Remand homes**
Proportion of children who left pre-sentence detention during the 12 month period that spent < 1 month in pre-sentence detention (a / m)	1/5	2/4	3/5	0/5	1/5	8/66
	0/5	1/4	2/4	3/5	2/5	12/60
	2/4	1/6	1/4	2/5	3/6	15/69
	4/4	0/4	0/3	2/5		15/61
	3/6	1/4	3/4	1/4		11/64
	2/5	2/4	2/7	2/5		
	0/3	2/5	1/3	1/3		
	1/5	3/5	0/2	2/4		
	2/5	0/6	2/4	4/4		
	1/3	1/4	3/4	1/3		
Strata proportions (p) = $\frac{\Sigma a}{\Sigma m}$	70 = 0.368 190					61 = 0.191 320
Sample proportion = $\frac{p_1(n_1)}{N_1} + \frac{p_2(n_2)}{N_2}$	0.22					
Strata s^2 = $\frac{\Sigma a^2 - 2p\Sigma am + p^2\Sigma m^2(1-f)(1+0.05(m_{av}-1))}{n(n-1)(m)^2}$	0.000879					0.001293
Population standard error = $\sqrt{\frac{1}{N^2}((N_1(N_1-n_1)(s^2_1)/n_1) + (N_2(N_2-n_2)(s^2_2)/n_2))}$	0.00347					
95% confidence interval = Population proportion +/- 1.96 x standard error	21.3% < **22%** < 22.7%					

The calculations show that from the cluster samples using 43 police stations and 5 remand homes, **22%** of children spent less than 1 month in pre-sentence detention. The management team can be 95% sure that this value lies between 21.3% and 22.7%.

7. Summary of sampling strategies for each indicator

The table on the following page summarises the suggested sampling strategy for each of the Quantitative Indicators and the two Policy/Implementation Indicators that may also be measured in a quantitative form (Indicators 12 and 13).

As mentioned previously, Indicator 6 (Child deaths in detention) is not considered appropriate for measurement by sampling.

Table A2.3 – Suggested sampling strategy for each indicator

Indicator		Suggested sampling strategy
Quantitative Indicators		
1	**Children in conflict with the law**	▪ Identify appropriate strata for information sources that arrest children/are responsible for the detention of children, such as urban police stations and rural police stations, or remand homes, police stations, detention centres and juvenile prisons ▪ Identify appropriate sample sizes for each strata using Equation A2.2 where possible ▪ Ensure that information sources making up the sample have information available for the previous 12 months ▪ Collect sample information for each sample ▪ Calculate estimated population total and confidence limits using the method in Box A2.1
2	**Children in detention**	
3	**Children in pre-sentence detention**	
4	**Duration of pre-sentence detention**	▪ Identify appropriate strata for information sources that are responsible for the detention of children, such as police stations, remand homes, educational establishments, juvenile detention centres ▪ Identify appropriate total sample sizes for each strata and appropriate cluster sizes with guidance from a local statistician on the calculation of sample size in the particular country context ▪ Ensure that information sources making up the sample have information available for the previous 12 months or 3 months where necessary ▪ Collect sample information from cluster sites ▪ Calculate estimated population proportion(s) and confidence limits using the method in Box A2.3
5	**Duration of sentenced detention**	
7	**Separation from adults**	
8	**Contacts with parents and family**	
11	**Aftercare**	
9	**Custodial sentencing**	▪ Identify appropriate strata for information sources that issue sentences, such as magistrate's courts, district courts, regional courts or other competent authorities ▪ Identify appropriate total sample sizes for each strata and appropriate cluster sizes with guidance from a local statistician on the calculation of sample size in the particular context ▪ Ensure that information sources making up the sample have information available for the previous 12 months ▪ Collect sample information from cluster sites ▪ Calculate estimated population proportion receiving a custodial sentence and confidence limits using the method in Box A2.3 ▪ Where possible, use the same sample to estimate the total number of children sentenced to any measure (for Indicator 10 below) using the method in Box A2.1
10	**Pre-sentence diversion**	▪ Identify appropriate strata for information sources that register children for diversion programmes, such as police stations, magistrate's court or social welfare services ▪ Identify appropriate sample sizes for each strata using Equation A2.2 where possible ▪ Ensure that information sources making up the sample have information available for the previous 12 months ▪ Collect sample information for each sample ▪ Calculate estimated population total and confidence limits using the method in Box A2.1 ▪ Use this estimated population total, together with the estimated total number of children sentenced to any measure (see box above) to calculate the indicator value
Policy/Implementation Indicators that can also be measured in a quantitative form		
12	**Regular independent inspections**	▪ Identify appropriate strata for information sources that are responsible for the detention of children, such as police stations, remand homes, detention centres and juvenile prisons ▪ Use Table A2.2 to estimate sample sizes for each strata (the total population is the total places of detention, not total children) ▪ Collect sample information for each sample ▪ Calculate estimated population proportion and confidence limits using appropriate equations of stratified sampling for proportions
13	**Complaints mechanism**	

INFORMATION COLLECTION TOOLS

Appendix 3

This appendix contains three information collection tools.

- Information collection tool 1 for police and law enforcement authorities
- Information collection tool 2 for competent authorities
- Information collection tool 3 for places of detention

The tools collect numerical information for the Quantitative Indicators (Indicators 1 to 11).

As discussed in Chapter 4 (Methodology), the tools may be used either for the collection of information from disorganised or bulky information systems, or as a basis for the collection of information by sampling through questionnaires or face-to-face interviews. In respect of the indicators that require information from a completed 12 month period however, it must be borne in mind that where information has not systematically been recorded over that period, information sources are unlikely to be able to recall that information if interviewed or questioned as part of a sample.

JUVENILE JUSTICE INDICATORS MANUAL

INFORMATION COLLECTION TOOL 1

POLICE AND OTHER LAW ENFORCEMENT AUTHORITIES

for use with

Indicator 1: Children in conflict with the law
Indicator 2: Children in detention
Indicator 3: Children in pre-sentence detention
Indicator 6: Child deaths in detention
Indicator 7: Separation from adults
Indicator 8: Contact with parents and family
Indicator 10: Pre-sentence diversion
Indicator 13: Complaints mechanism

Information Source Name:	
Address and Contact Details:	
Type of Law Enforcement Authority:	

Introduction:

This information collection tool is for use with a police or law enforcement authority identified as an information source. It contains 6 surveys. These 6 surveys facilitate the collection of information for 8 out of the 15 indicators.

Part I contains Survey I. This survey is used for collecting information on the number of children arrested by the law enforcement authority in a 12 month period.

Part II contains Surveys 2 and 3. These are used for measuring the number of children held in detention by the law enforcement authority on a particular date. Children held in pre-sentence detention should be entered in Survey 2. Law enforcement authorities are quite unlikely to hold children in detention after sentencing. However, any children that are detained by the law enforcement authority after sentencing should be entered in Survey 3.

Part III contains Survey 4. This survey is used to provide information about the use of pre-sentence diversion.

Part IV contains Surveys 5 and 6. These surveys are concerned with the conditions of detention. Survey 5 counts how many child deaths have occurred in custody during a 12 month period. Survey 6 assesses whether the law enforcement authority operates a complaints system.

Definitions:

child	A child is any person below the age of eighteen years.
ethnicity	Means the categories of ethnicity defined in Table 1 below.
arrest	A child is arrested where he or she is placed under the custody of the police, military, intelligence or other security forces because of actual, perceived or alleged conflict with the law.
conflict with the law	A child is in conflict with the law where he or she has committed or has been accused of having committed an offence. Depending upon the local context, children may also be in conflict with the law where they are dealt with by the juvenile justice or adult criminal justice system for reason of being considered to be in danger by virtue of their behaviour or the environment in which they live.
juvenile justice system	The juvenile justice system consists of the laws, policies, guidelines, customary norms, systems, professionals, institutions and treatment specifically applicable to children in conflict with the law and to witnesses and victims.
adult criminal justice system	The adult criminal justice system consists of the laws, procedures, professionals, authorities and institutions that apply to witnesses and victims, and to adults alleged as, accused of, or recognized as having committed a criminal offence.
offence	A child commits an offence where he or she commits any act punishable by the law by virtue of the legal system in question.
category of offence	Means the categories of offence described in Table 1below and as defined in this definitions section. Although the categories of 'at risk of delinquency' and 'irregular situation' may not strictly be offences under the national law in question, they are included here due to their importance.
serious offence against a person	A serious person offence is homicide, non-intentional homicide, kidnapping, rape, sexual assault or abuse, assault or an attempt to carry out any of these acts.
serious property offences	A serious property offence is burglary, robbery or arson, or an attempt to carry out any of these acts. Burglary is the unlawful entry into someone else's premises with the intention to commit a crime. Robbery is the theft of property from a person, overcoming resistance by force or the threat of force.
theft	Theft is the removal of property without the consent of the owner. Theft excludes burglary and housebreaking.
public disorder offence	A public disorder offence is an offence involving a breach of the peace or causing a public nuisance.
drug-related offence	Drug-related offence may be understood to mean intentional acts that involve the cultivation, production, manufacture, extraction, preparation, offering for sale, distribution, purchase, sale, delivery on any terms whatsoever, brokerage, dispatch, dispatch in transit, transport, importation, exportation and possession of internationally controlled drugs. A drug or substance offence is selling, procuring, trafficking, use or possession of drugs or other substances declared illegal by the law in question.
immigration/migration offence	An immigration/migration offence is an offence relating to the legality of the entry and/or continued presence of the child

	and/or his or her family in the country in question, or to the legality of the current place of residence of the child and/or his or her family following internal displacement.
status offence	A status offence is an act or behaviour that is only punishable if the person committing it is aged under eighteen, or is believed to be aged under eighteen.
at risk of delinquency	Although it may not be an offence under the law in question, children may come into contact with the juvenile justice or adult criminal justice system as a result of being considered to be in danger by virtue of their behaviour, or, through association, by the behaviour of others.
irregular situation	Although it may not be an offence under the law in question, children may come into contact with the juvenile justice or adult criminal justice system as a result of being considered to be in danger from the environment in which they live.
competent authority	The competent authority is the part of the juvenile justice or adult criminal justice system that is responsible for making procedural or disposition decisions regarding a child's case.
diversion	A child is diverted where he or she is in conflict with the law but has their case resolved through alternatives, without recourse to the usual formal hearing before the relevant competent authority. To benefit from diversion, the child and/or his or her parents or guardian must consent to the diversion of the child's case. Diversion may involve measures based on the principles of restorative justice.
sentence	A competent authority passes a sentence when – notwithstanding any right of appeal – it makes a final decision about a child's case and rules that the child shall be subject to certain measures.
deprivation of liberty/detention	A child is deprived of liberty where he or she is placed in any form of detention or imprisonment in a public or private setting, from which the child is not permitted, by order of any competent authority, to leave at will.
place of detention	A place of detention is any public or private facility where a child is deprived of liberty.
pre-sentence detention	A child is held in pre-sentence detention where he or she is deprived of liberty and is awaiting a final decision on his or her case from a competent authority.

Table 1: Codes for use in surveys

FOR USE WITH SURVEYS 1 – 5 COLUMN E	FOR USE WITH SURVEYS 1 – 5 COLUMN F	FOR USE WITH SURVEYS 2 and 3 COLUMN H	FOR USE WITH SURVEY 4 COLUMN H	FOR USE WITH SURVEY 5 COLUMN G
Ethnicity	**Category of offence**	**Last visit from parents or adult family member**	**Diversion programme**	**Cause of death**
1 *To be defined* 2 *To be defined* 3 *To be defined* 4 *To be defined* 5 *To be defined* 6 *To be defined* 7 *To be defined*	1 Serious offence against a person 2 Serious property offence 3 Theft 4 Public disorder offence 5 Drug or substance offence 6 Political offence 7 Immigration/migration offence 8 Status offence 9 Other 10 'At risk of delinquency' 11 'Irregular situation'	1 Child has no living family 2 Never 3 In the last month 4 In the last 3 months 5 In the last 6 months 6 Over 6 months ago 7 Not known	1 Informal or formal police warning 2 Victim reconciliation scheme 3 Family group conferencing 4 Payment of compensation 5 Acceptance of employment, education or counselling 6 Judicial reprimand	1 Murder 2 Suicide 3 Alcohol or drug intoxication 4 Accidental death 5 Illness or infection 6 HIV/AIDS related 7 Other

Summary of Indicators and Surveys:

Indicator	Description	Use
Indicator 1	Children in conflict with the law	Survey 1, Total children
Indicator 2	Children in detention	Surveys 2 and 3, Total children
Indicator 3	Children in pre-sentence detention	Survey 2, Total children
Indicator 7	Separation from adults	Surveys 2 and 3, Column G
Indicator 8	Contact with parents and family	Surveys 2 and 3, Column H
Indicator 10	Pre-sentence diversion	Survey 4, Total children diverted
Indicator 6	Child deaths in detention	Survey 5, Total child deaths
Indicator 13	Complaints mechanism	Survey 6

Guidance notes:

Completion of **SURVEY 1** provides information for the calculation of Indicator 1.
All children arrested by the law enforcement authority during the 12 month period should be entered in SURVEY 1.

Completion of **SURVEY 2** and **SURVEY 3** provides information for the calculation of Indicators 2, 3, 7 and 8.
SURVEY 2 and SURVEY 3 should be filled in for each child held in detention by the law enforcement authority on the date of survey. Children held in pre-sentence detention on that date should be entered in SURVEY 2, and children held after sentencing on that date should be entered in SURVEY 3.

Completion of** SURVEY 4 **provides information for Indicator 10.
All children who enter a pre-sentence diversion scheme during the 12 month period should be entered in SURVEY 4.

Completion of **SURVEYS 5 and 6** provides information for Indicators 6 and 13.
All child deaths that have occurred whilst the child is in the custody of the law enforcement authority during the 12 month period should be recorded in SURVEY 5.

The operation of any complaint system by the law enforcement authority should be recorded in SURVEY 6.

PART I – CHILDREN IN CONFLICT WITH THE LAW

SURVEY 1 – Children arrested during the 12-month period [*dd/mm/yy* – *dd/mm/yy*]

PERIOD: [*dd/mm/yy*] – [*dd/mm/yy*]						
A	**B**	**C**	**D**	**E**	**F**	**G**
Child reference	**Gender**	**Date of Birth**	**Age at time of arrest**	**Ethnicity**	**Category of offence**	**Date of arrest**
ID number	**M / F**	**[*dd/mm/yy*]**	**Years**	**1 – 7**	**1 – 11**	**[*dd/mm/yy*]**
TOTAL NUMBER OF CHILDREN ARRESTED:						

PART II – CHILDREN IN DETENTION ON A PARTICULAR DATE

SURVEY 2 – Children detained pre-sentence on a particular date

DATE OF SURVEY:							
A	**B**	**C**	**D**	**E**	**F**	**G**	**H**
Child reference	**Gender**	**Date of Birth**	**Age**	**Ethnicity**	**Category of offence**	**Separated from adults?**	**Last visit from parents or adult family member?**
ID number	**M / F**	**[*dd/mm/yy*]**	**Years**	**1 – 7**	**1 – 11**	**Y / N**	**1 – 7**
TOTAL NUMBER OF CHILDREN:							

SURVEY 3 – Children detained after sentencing on a particular date

DATE OF SURVEY:							
A	B	C	D	E	F	G	H
Child reference	Gender	Date of Birth	Age	Ethnicity	Category of offence	Separated from adults?	Last visit from parents or adult family member?
ID number	M / F	[*dd/mm/yy*]	Years	1 – 7	1 – 11	Y / N	1 – 7
TOTAL NUMBER OF CHILDREN:							

PART III – DIVERSION

SURVEY 4 – Children entering a pre-sentence diversion scheme during the 12 month period [*dd/mm/yy* – *dd/mm/yy*]

PERIOD: [*dd/mm/yy*] – [*dd/mm/yy*]							
A	B	C	D	E	F	G	H
Child reference	Gender	Date of Birth	Age at time of diversion	Ethnicity	Category of offence	Date of diversion	Diversion programme
ID number	M / F	[*dd/mm/yy*]	Years	1 – 7	1 – 11	[*dd/mm/yy*]	1 – 7
TOTAL NUMBER OF CHILDREN DIVERTED:							

PART IV – CONDITIONS OF DETENTION

SURVEY 5 – Child deaths in detention during the 12 month period [*dd/mm/yy – dd/mm/yy*]

PERIOD: [*dd/mm/yy*] – [*dd/mm/yy*]						
A	**B**	**C**	**D**	**E**	**F**	**G**
Gender	**Date of Birth**	**Age at time of death**	**Detained pre-sentence or after sentencing**	**Ethnicity**	**Category of offence**	**Cause of death**
M / F	**[*dd/mm/yy*]**	**Years**	**Pre / Sentenced**	**1 – 8**	**1 – 11**	**1 – 7**
TOTAL NUMBER OF CHILDREN:						

SURVEY 6 –Existence of a complaints system

A	**B**	**C**	**D**	**E**	**F**	**G**
Does a complaints system exist?	**Who must complaints be made to?**	**Must children be made aware of the system?**	**Are children entitled to assistance when filing a complaint?**	**Are children entitled to file anonymous complaints?**	**Must children be informed of the outcome of a complaint?**	**Must reparations be made available for the child when a complaint is upheld?**
Y / N	**[*free text*]**	**Y / N**	**Y / N**	**Y / N**	**Y / N**	**Y / N**
OPERATION OF A COMPLAINTS SYSTEM? (Y/N):						

JUVENILE JUSTICE INDICATORS MANUAL

INFORMATION COLLECTION TOOL 2

COMPETENT AUTHORITIES or PUBLIC PROSECUTOR

for use with

Indicator 4: Duration of pre-sentence detention
Indicator 5: Duration of sentenced detention
Indicator 9: Custodial sentencing
Indicator 10: Pre-sentence diversion

Information Source Name:	
Address and Contact Details:	
Type of Competent Authority:	

Introduction:

This information collection tool is for use at an individual competent authority identified as an information source. It can also be used with information sources such as offices of the public prosecutor. It contains 4 surveys. These 4 surveys facilitate the collection of information for 4 out of the 15 indicators.

Part I contains Surveys 1 and 2. These surveys are used to find out the length of time spent in detention by children. These surveys require information about all children completing their period of detention during a particular period (usually 12 months).

Part II contains Surveys 3 and 4. These surveys provide information about custodial sentencing and the use of pre-sentence diversion.

Definitions:

adult criminal justice system	The adult criminal justice system consists of the laws, procedures, professionals, authorities and institutions that apply to witnesses and victims, and to adults alleged as, accused of, or recognized as having committed a criminal offence.
arrest	A child is arrested where he or she is placed under the custody of the police, military, intelligence or other security forces because of actual, perceived or alleged conflict with the law.
at risk of delinquency	Although it may not be an offence under the law in question, children may come into contact with the juvenile justice or adult criminal justice system as a result of being considered to be in danger by virtue of their behaviour, or, through association, by the behaviour of others.
category of offence	Means the categories of offence described in Table 1below and as defined in this definitions section. Although the categories of 'at risk of delinquency' and 'irregular situation' may not strictly be offences under the national law in question, they are included here due to their importance.
child	A child is any person below the age of eighteen years.
competent authority	The competent authority is the part of the juvenile justice or adult criminal justice system that is responsible for making procedural or disposition decisions regarding a child's case.
conflict with the law	A child is in conflict with the law where he or she has committed or has been accused of having committed an offence. Depending upon the local context, children may also be in conflict with the law where they are dealt with by the juvenile justice or adult criminal justice system for reason of being considered to be in danger by virtue of their behaviour or the environment in which they live.
deprivation of liberty/detention	A child is deprived of liberty where he or she is placed in any form of detention or imprisonment in a public or private setting, from which the child is not permitted, by order of any competent authority, to leave at will.
diversion	A child is diverted where he or she is in conflict with the law but has their case resolved through alternatives, without recourse to the usual formal hearing before the relevant competent authority. To benefit from diversion, the child and/or his or her parents or guardian must consent to the diversion of the child's case. Diversion may involve measures based on the principles of restorative justice.
drug-related offence	Drug-related offence may be understood to mean intentional acts that involve the cultivation, production, manufacture, extraction, preparation, offering for sale, distribution, purchase, sale, delivery on any terms whatsoever, brokerage, dispatch, dispatch in transit, transport, importation, exportation and possession of internationally controlled drugs.
ethnicity	Means the categories of ethnicity defined in Table 1 below.
immigration/migration offence	An immigration/migration offence is an offence relating to the legality of the entry and/or continued presence of the child and/or his or her family in the country in question, or to the legality of the current place of residence of the child and/or his or her family following internal displacement.
irregular situation	Although it may not be an offence under the law in question, children may come into contact with the juvenile justice or

	adult criminal justice system as a result of being considered to be in danger from the environment in which they live.
juvenile justice system	The juvenile justice system consists of the laws, policies, guidelines, customary norms, systems, professionals, institutions and treatment specifically applicable to children in conflict with the law and to witnesses and victims.
offence	A child commits an offence where he or she commits any act punishable by the law by virtue of the legal system in question.
place of detention	A place of detention is any public or private facility where a child is deprived of liberty.
pre-sentence detention	A child is held in pre-sentence detention where he or she is deprived of liberty and is awaiting a final decision on his or her case from a competent authority.
public disorder offence	A public disorder offence is an offence involving a breach of the peace or a public nuisance.
sentence	A competent authority passes a sentence when – notwithstanding any right of appeal – it makes a final decision about a child's case and rules that the child shall be subject to certain measures.
serious offence against a person	A serious person offence is homicide, non-intentional homicide, kidnapping, rape, sexual assault or abuse, assault or an attempt to carry out any of these acts.
serious property offences	A serious property offence is burglary, robbery or arson, or an attempt to carry out any of these acts. Burglary is the unlawful entry into someone else's premises with the intention to commit a crime. Robbery is the theft of property from a person, overcoming resistance by force or the threat of force.
status offence	A status offence is an act or behaviour that is only punishable if the person committing it is aged under eighteen, or is believed to be aged under eighteen.
theft	Theft is the removal of property without the consent of the owner. Theft excludes burglary and housebreaking.

Table 1: Codes for use in surveys

FOR USE WITH SURVEYS 1 – 4 COLUMN E	FOR USE WITH SURVEYS 1 – 4 COLUMN F	FOR USE WITH SURVEY 3 COLUMN H	FOR USE WITH SURVEY 4 COLUMN H
Ethnicity	**Category of offence**	**Sentence**	**Diversion programme**
1 To be defined	**1** Serious offence against a person	**1** Deprivation of liberty	**1** Informal or formal police warning
2 ***To be defined***		**2** Restriction of liberty	
3 ***To be defined***	**2** Serious property offence	**3** Open institution	**2** Victim reconciliation scheme
4 ***To be defined***	**3** Theft	**4** Suspended custodial sentence	**3** Family group conferencing
5 ***To be defined***	**4** Public disorder offence	**5** Care, guidance or supervision order	**4** Payment of compensation
6 ***To be defined***	**5** Drug-related offence	**6** Probation	**5** Acceptance of employment, education or counselling
7 ***To be defined***	**6** Political offence	**7** Community service order	**6** Judicial reprimand
	7 Immigration/migration offence	**8** Fine	**7** Other
	8 Status offence	**9** Judicial admonishment	
	9 Other	**10** Other	
	10 'At risk of delinquency'	**11** Not guilty	
	11 'Irregular situation'		

Summary of Indicators and Surveys:

Indicator	Description	Use
Indicator 4	**Duration of pre-sentence detention**	**Survey 1, Column J**
Indicator 5	**Duration of sentenced detention**	**Survey 2, Column J**
Indicator 9	**Custodial sentencing**	**Survey 3, Total children sentenced to detention**
Indicator 10	**Pre-sentence diversion**	**Survey 4, Total children diverted**

Guidance notes:

Completion of **SURVEY 1** and **SURVEY 2** provides information for the calculation of Indicators 4 and 5.

All children who have completed a period of pre-sentence detention during a chosen period under the supervision of the competent authority should be entered in SURVEY 1. All children who have completed a period of sentenced detention during a chosen period should be entered in SURVEY 2.

The time spent in detention is then worked out and entered in Column J of each survey.

Completion of SURVEY 3 and SURVEY 4 provides information for Indicators 9 and 10.

All children sentenced by the competent authority during the 12-month period should be entered in SURVEY 3, including children who are acquitted or are sentenced to non-custodial measures.

All children who enter a pre-sentence diversion scheme during the 12-month period should be entered in SURVEY 4.

PART I – CHILDREN COMPLETING DETENTION DURING A PARTICULAR PERIOD

SURVEY 1 – Children completing pre-sentence detention during the period [*dd/mm/yy – dd/mm/yy*] due to sentencing or acquittal

PERIOD: [*dd/mm/yy*] – [*dd/mm/yy*]									
A	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**
Child reference	**Gender**	**Date of Birth**	**Age at time of arrest**	**Ethnicity**	**Category of offence**	**Date of arrest**	**Date of starting pre-sentence detention**	**Date of completion of pre-sentence detention due to acquittal or sentencing**	**Time spent in pre-sentence detention**
ID number	**M / F**	**[*dd/mm/yy*]**	**Years**	**1 – 7**	**1 – 11**	**[*dd/mm/yy*]**	**[*dd/mm/yy*]**	**[*dd/mm/yy*]**	**Months**

Column J = [**Column I** (Date of completion of pre-sentence detention)] – [**Column H** (Date of starting pre-sentence detention)]

SURVEY 2 – Children completing sentenced detention during the period [*dd/mm/yy – dd/mm/yy*] due to release

PERIOD: [*dd/mm/yy*] – [*dd/mm/yy*]									
A	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**
Child reference	**Gender**	**Date of Birth**	**Age at time of arrest**	**Ethnicity**	**Category of offence**	**Date of sentence**	**Date of starting sentenced detention**	**Date of completion of sentenced detention**	**Time spent in sentenced detention**
ID number	**M / F**	**[*dd/mm/yy*]**	**Years**	**1 – 7**	**1 – 11**	**[*dd/mm/yy*]**	**[*dd/mm/yy*]**	**[*dd/mm/yy*]**	**Months**

Column K = [**Column J** (Date of exit from detention)] – [**Column H** (Date of entry to place of detention)]

PART II – SENTENCING AND DIVERSION

SURVEY 3 – Children sentenced to detention during the 12-month period [*dd/mm/yy – dd/mm/yy*]

PERIOD: [*dd/mm/yy*] – [*dd/mm/yy*]								
A	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**
Child reference	**Gender**	**Date of Birth**	**Age at time of sentence**	**Ethnicity**	**Category of offence**	**Date of sentence**	**Sentence**	**Length of sentence**
ID number	**M / F**	**[*dd/mm/yy*]**	**Years**	**1 – 7**	**1 – 11**	**[*dd/mm/yy*]**	**1 – 11**	**Months**
TOTAL NUMBER OF CHILDREN SENTENCED TO DETENTION:								

SURVEY 4 – Children entering a pre-sentence diversion scheme during the 12-month period [*dd/mm/yy – dd/mm/yy*]

PERIOD: [*dd/mm/yy*] – [*dd/mm/yy*]							
A	**B**	**C**	**D**	**E**	**F**	**G**	**H**
Child reference	**Gender**	**Date of Birth**	**Age at time of diversion**	**Ethnicity**	**Category of offence**	**Date of diversion**	**Diversion programme**
ID number	**M / F**	**[*dd/mm/yy*]**	**Years**	**1 – 7**	**1 – 11**	**[*dd/mm/yy*]**	**1 – 7**
TOTAL NUMBER OF CHILDREN DIVERTED:							

JUVENILE JUSTICE INDICATORS MANUAL

INFORMATION COLLECTION TOOL 3

PLACES OF DETENTION

for use with

Indicator 2: Children in detention
Indicator 3: Children in pre-sentence detention
Indicator 4: Duration of pre-sentence detention
Indicator 5: Duration of sentenced detention
Indicator 6: Child deaths in detention
Indicator 7: Separation from adults
Indicator 8: Contact with parents and family
Indicator 11: Aftercare
Indicator 12: Regular independent inspections
Indicator 13: Complaints mechanism

Information Source Name:	
Address and Contact Details:	
Type of Place of Detention:	
Authority Responsible for Place of Detention:	

Introduction:

This information collection tool is for use at an individual place of detention identified as an information source. It contains 7 surveys. These 7 surveys facilitate the collection of information for 10 out of the 15 indicators.

Part I contains Surveys 1 and 2. These are used for measuring the number of children held in the place of detention on a particular date. Survey 1 is for children held in pre-sentence detention and Survey 2 is for children held after sentencing.

Part II contains Surveys 3 and 4. These surveys are used to find out the length of time spent in detention by children. These surveys cannot be completed from a 'snapshot' of children on a particular date. Instead they require information about all children completing their period of detention during a particular period (usually 12 months).

Part III contains Surveys 5, 6 and 7. These surveys are concerned with the conditions of detention. Survey 5 counts how many child deaths have occurred in custody during a 12-month period. Surveys 6 and 7 assess whether the place of detention has received an inspection visit during a 12-month period, and whether it operates a complaints system policy.

Definitions:

child	A child is any person below the age of eighteen years.
ethnicity	Means the categories of ethnicity defined in Table 1 below.
arrest	A child is arrested where he or she is placed under the custody of the police, military, intelligence or other security forces because of actual, perceived or alleged conflict with the law.
conflict with the law	A child is in conflict with the law where he or she has committed or has been accused of having committed an offence. Depending upon the local context, children may also be in conflict with the law where they are dealt with by the juvenile justice or adult criminal justice system for reason of being considered to be in danger by virtue of their behaviour or the environment in which they live.
juvenile justice system	The juvenile justice system consists of the laws, policies, guidelines, customary norms, systems, professionals, institutions and treatment specifically applicable to children in conflict with the law.
adult criminal justice system	The adult criminal justice system consists of the laws, procedures, professionals, authorities and institutions that apply to witnesses and victims, and to adults alleged as, accused of, or recognized as having committed a criminal offence.
offence	A child commits an offence where he or she commits any act punishable by the law by virtue of the legal system in question.
category of offence	Means the categories of offence described in Table 1below and as defined in this definitions section. Although the categories of 'at risk of delinquency' and 'irregular situation' may not strictly be offences under the national law in question, they are included here due to their importance.
serious offence against a person	A serious person offence is homicide, non-intentional homicide, kidnapping, rape, sexual assault or abuse, assault or an attempt to carry out any of these acts.
serious property offences	A serious property offence is burglary, robbery or arson, or an attempt to carry out any of these acts. Burglary is the unlawful entry into someone else's premises with the intention to commit a crime. Robbery is the theft of property from a person, overcoming resistance by force or the threat of force.
theft	Theft is the removal of property without the consent of the owner. Theft excludes burglary and housebreaking.
public disorder offence	A public disorder offence is an offence involving a breach of the peace or causing a public nuisance.
drug-related offence	Drug-related offence may be understood to mean intentional acts that involve the cultivation, production, manufacture, extraction, preparation, offering for sale, distribution, purchase, sale, delivery on any terms whatsoever, brokerage, dispatch, dispatch in transit, transport, importation, exportation and possession of internationally controlled drugs.
immigration/migration offence	An immigration/migration offence is an offence relating to the legality of the entry and/or continued

	presence of the child and/or his or her family in the country in question, or to the legality of the current place of residence of the child and/or his or her family following internal displacement.
status offence	A status offence is an act or behaviour that is only punishable if the person committing it is aged under eighteen, or is believed to be aged under eighteen.
at risk of delinquency	Although it may not be an offence under the law in question, children may come into contact with the juvenile justice or adult criminal justice system as a result of being considered to be in danger by virtue of their behaviour, or, through association, by the behaviour of others.
irregular situation	Although it may not be an offence under the law in question, children may come into contact with the juvenile justice or adult criminal justice system as a result of being considered to be in danger from the environment in which they live.
competent authority	The competent authority is the part of the juvenile justice or adult criminal justice system that is responsible for making procedural or disposition decisions regarding a child's case.
sentence	A competent authority passes a sentence when – notwithstanding any right of appeal – it makes a final decision about a child's case and rules that the child shall be subject to certain measures.
deprivation of liberty/detention	A child is deprived of liberty where he or she is placed in any form of detention or imprisonment in a public or private setting, from which the child is not permitted, by order of any competent authority, to leave at will.
place of detention	A place of detention is any public or private facility where a child is deprived of liberty.
pre-sentence detention	A child is held in pre-sentence detention where he or she is deprived of liberty and is awaiting a final decision on his or her case from a competent authority.

Table 1: Codes for use in surveys

FOR USE WITH SURVEYS 1 – 5 COLUMN E	FOR USE WITH SURVEYS 1 – 5 COLUMN F	FOR USE WITH SURVEYS 1 and 2 COLUMN H	FOR USE WITH SURVEYS 3 and 4 COLUMN I	FOR USE WITH SURVEY 5 COLUMN G
Ethnicity	**Category of offence**	**Last visit from parents or adult family member**	**Entry to place of detention from:**	**Cause of death**
1 *To be defined* 2 *To be defined* 3 *To be defined* 4 *To be defined* 5 *To be defined* 6 *To be defined* 7 *To be defined*	1 Serious offence against a person 2 Serious property offence 3 Theft 4 Public disorder offence 5 Drug-related offence 6 Political offence 7 Immigration/migration offence 8 Status offence 9 Other 10 'At risk of delinquency' 11 'Irregular situation'	1 Child has no living family 2 Never 3 In the last month 4 In the last 3 months 5 In the last 6 months 6 Over 6 months ago 7 Not known	1 Arrest 2 Detention in police cells 3 Release on bail 4 Another place of pre-sentence detention 5 Sentencing 6 Another place of sentenced detention 7 Probation	1 Murder 2 Suicide 3 Alcohol or drug intoxication 4 Accidental death 5 Illness or infection 6 HIV/AIDS related 7 Other

Summary of Indicators and Surveys:

Indicator	Description	Use
Indicator 2	**Children in detention**	**Surveys 1 and 2, Total children**
Indicator 3	**Children in pre-sentence detention**	**Survey 1, Total children**
Indicator 7	**Separation from adults**	**Surveys 1 and 2, Column G**
Indicator 8	**Contact with parents and family**	**Surveys 1 and 2, Column H**
Indicator 4	**Duration of pre-sentence detention**	**Survey 3, Column K**
Indicator 5	**Duration of sentenced detention**	**Survey 4, Column K**
Indicator 11	**Aftercare**	**Surveys 3 and 4, Column L**
Indicator 6	**Child deaths in detention**	**Survey 5, Total child deaths**
Indicator 12	**Regular independent inspections**	**Survey 6**
Indicator 13	**Complaints mechanism**	**Survey 7**

Guidance notes:

Completion of **SURVEY 1** and **SURVEY 2** provides information for the calculation of Indicators 2, 3, 7 and 8.
SURVEY 1 and SURVEY 2 should be filled in for each child held in the place of detention on the date of survey. Children held in pre-sentence detention on that date should be entered in SURVEY 1, and children held after sentencing on that date should be entered in SURVEY 2.

Completion of **SURVEY 3** and **SURVEY 4** provide information for Indicators 4, 5 and 11.
All children who have completed a period of pre-sentence detention at the place of detention during a chosen period should be entered in SURVEY 3.
All children who completed a period of sentenced detention at the place of detention during a chosen period should be entered in SURVEY 4.
The time spent in detention is then worked out and entered in Column K of each survey. This requires knowledge as to the situation of the child before he or she entered the place of detention. Column I is therefore used for this purpose.

Completion of** SURVEYS 5, 6 and 7 **provides information for Indicators 6, 12 and 13.
All child deaths in the place of detention during a 12-month period should be recorded in SURVEY 5.
All independent inspection visits during a 12-month period should be recorded in SURVEY 6.
The operation of any complaint system policy at the place of detention should be recorded in SURVEY 7.

PART I – CHILDREN IN DETENTION ON A PARTICULAR DATE

SURVEY 1 – Children detained pre-sentence on a particular date

DATE OF SURVEY:							
A	B	C	D	E	F	G	H
Child reference	Gender	Date of Birth	Age	Ethnicity	Category of offence	Separated from adults?	Last visit from parents or adult family member?
ID number	M / F	[*dd/mm/yy*]	Years	1 – 7	1 – 11	Y / N	1 – 7
TOTAL NUMBER OF CHILDREN:							

SURVEY 2 – Children detained after sentencing on a particular date

DATE OF SURVEY:							
A	B	C	D	E	F	G	H
Child reference	Gender	Date of Birth	Age	Ethnicity	Category of offence	Separated from adults?	Last visit from parents or adult family member?
ID number	M / F	[*dd/mm/yy*]	Years	1 – 7	1 – 11	Y / N	1 – 7
TOTAL NUMBER OF CHILDREN:							

PART II – CHILDREN COMPLETING DETENTION DURING A PARTICULAR PERIOD

SURVEY 3 – Children completing pre-sentence detention during the period [*dd/mm/yy – dd/mm/yy*] due to sentencing or acquittal

PERIOD: [*dd/mm/yy*] – [*dd/mm/yy*]											
A	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	**K**	**L**
Child reference	**Gender**	**Date of Birth**	**Age at time of arrest**	**Ethnicity**	**Category of offence**	**Date of arrest**	**Date of entry to place of detention**	**Entry to place of detention from:**	**Date of completion of pre-sentence detention (exit or change of status to sentenced)**	**Time spent in pre-sentence detention**	**Registered for Structured aftercare?**
ID number	**M / F**	**[*dd/mm/yy*]**	**Years**	**1 – 7**	**1 – 11**	**[*dd/mm/yy*]**	**[*dd/mm/yy*]**	**1 – 7**	**[*dd/mm/yy*]**	**Months**	**Y / N / n/a**

Column K = [**Column J** (Date of completion of pre-sentence detention)] – [**Column G** (Date of arrest) OR **Column H** (Date of entry to place of detention)] depending upon the code entered in Column I (ie. whether the child has been continuously in pre-sentence detention since the date of arrest).

SURVEY 4 – Children completing sentenced detention during the period [*dd/mm/yy – dd/mm/yy*] due to release

PERIOD: [*dd/mm/yy*] – [*dd/mm/yy*]											
A	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	**K**	**L**
Child reference	**Gender**	**Date of Birth**	**Age at time of arrest**	**Ethnicity**	**Category of offence**	**Date of sentence**	**Date of entry to place of detention**	**Entry to place of detention from:**	**Date of exit from place of detention due to release**	**Time spent in sentenced detention**	**Registered for structured aftercare?**
ID number	**M / F**	**[*dd/mm/yy*]**	**Years**	**1 – 7**	**1 – 11**	**[*dd/mm/yy*]**	**[*dd/mm/yy*]**	**1 – 7**	**[*dd/mm/yy*]**	**Months**	**Y / N**

Column K = [**Column J** (Date of exit from detention)] – [**Column G** (Date of sentence) OR **Column H** (Date of entry to place of detention)] depending upon the code entered in Column I (ie. whether the child has continuously been in detention following sentencing).

PART III – CONDITIONS OF DETENTION

SURVEY 5 – Child deaths in detention during the 12-month period [*dd/mm/yy – dd/mm/yy*]

PERIOD: [*dd/mm/yy*] – [*dd/mm/yy*]						
A	**B**	**C**	**D**	**E**	**F**	**G**
Gender	**Date of Birth**	**Age at time of death**	**Detained pre-sentence or after sentencing**	**Ethnicity**	**Category of offence**	**Cause of death**
M / F	**[*dd/mm/yy*]**	**Years**	**Pre / Sentenced**	**1 – 7**	**1 – 11**	**1 – 7**
TOTAL NUMBER OF CHILDREN:						

SURVEY 6 – Independent inspection visits during the 12-month period [*dd/mm/yy – dd/mm/yy*]

PERIOD: [*dd/mm/yy*] – [*dd/mm/yy*]						
A	**B**	**C**	**D**	**E**	**F**	**G**
Date of inspection visit	**Identity of inspection team**	**Was the inspection visit unannounced?**	**Was confidential access to employees granted?**	**Was confidential access to children granted?**	**Was a report of the inspection issued?**	**Did further investigation or prosecution occur following the report?**
[*dd/mm/yy*]	**[*free text*]**	**Y / N**	**Y / N**	**Y / N**	**Y / N**	**Y / N**
AT LEAST ONE INSPECTION VISIT RECEIVED IN 12 MONTH PERIOD? (Y/N):						

SURVEY 7 – Existence of a complaints system

A	B	C	D	E	F	G
Does a complaints system exist?	**Who must complaints be made to?**	**Must children be made aware of the system?**	**Are children entitled to assistance when filing a complaint?**	**Are children entitled to file anonymous complaints?**	**Must children be informed of the outcome of a complaint?**	**Must reparations be made available for the child when a complaint is upheld?**
Y / N	**[*free text*]**	**Y / N**	**Y / N**	**Y / N**	**Y / N**	**Y / N**
OPERATION OF A COMPLAINTS SYSTEM? (Y/N):						

POLICY ANALYSIS TOOLS

Appendix 4

This appendix contains four policy analysis tools.

- Policy Analysis Tool 1 for use with Indicator 12: Regular independent inspections
- Policy Analysis Tool 2 for use with Indicator 13: Complaints mechanisms
- Policy Analysis Tool 3 for use with Indicator 14: Specialised juvenile justice system
- Policy Analysis Tool 4 for use with Indicator 15: Prevention

The tools collect information on the *existence* of policy. They do this by asking whether the particular feature of interest is provided for in law or government policy.

As such, completion of the tools requires the collection of information predominantly from the central level. Information from the central level should reveal the existence of laws and policies. Information from the local level may also be used however where regional or local policies, guidelines or standards also exist.

Typical information sources at the central level are country legislation, governmental ministries such as ministries of justice, interior, home affairs or penal management, and existing literature and reports. Information sources at the local level include police stations, competent authorities and places of detention.

The degree to which the particular feature examined by a Policy Indicator is adequately protected by law or policies is measured using a score of 1 – 4 as the overall result for each policy analysis tool. The number of marks in each column of the tool (law and policy) is counted and converted to a percentage. This can then be used to assign an overall level to the Indicator.

For example, after completion of a policy analysis tool, the results might show:

	LAW	POLICY
GRAND TOTAL	**25 / 29**	**3 / 29**
PERCENTAGE	**86%**	**10%**

Using the percentage results, the aim is to assign an overall score of Level 1 – 4 for that indicator.

- Level 1 – [feature] does not exist in law or policy
- Level 2 – [feature] is only weakly protected by law or policy
- Level 3 – [feature] is moderately protected by law or policy
- Level 4 – [feature] is extremely well protected by law or policy

As a general rule, the score for the highest scoring column can be taken and Level 1, 2, 3 or 4 assigned to the indicator using the divisions 0 to 25% (Level 1), 25 to 50% (Level 2), 50 to 75% (Level 3) and 75 to 100% (Level 4).

In the above example, the high score for protection of the feature in law suggests that the indicator can be measured as Level 4.

The process provides much more information, however, than simply the assignment of Level 1, 2, 3 or 4 to the indicator. Careful analysis of the completed tool can show where legislation, policies or guidelines need to be strengthened.

The strongest protection is generally achieved when a feature is provided for in legislation, and a set of policies or guidelines exists to provide practical detail for implementation.

The principle that deprivation of liberty shall be used only as a measure of last resort and for the shortest appropriate period of time may be enshrined in law for example, whilst detailed rules on sentencing and consideration for early release may be contained in policies or guidelines.

Where the policy analysis tool shows that a feature is not strongly protected in legislation and exists only in guidelines or norms, the management team may recommend that codification of the principle into law be considered. Conversely, where the feature is enshrined in law but no standards for implementation exist, the management team may recommend that policies or guidelines are developed to assist understanding and implementation at the local level. It is important to note that the use of a scoring system is meant as a tool for countries and international organisation working on juvenile justice reform to assess and improve existing institutions, legislation and policy. To do this certain countries might request assistance from international organisations such as UNICEF or UNODC.

JUVENILE JUSTICE INDICATORS MANUAL

POLICY ANALYSIS TOOL 1

for use with

Indicator 12: Regular independent inspections

Measurements:

This instrument is intended to assist policy analysts in identifying and critically examining the existence of systems for regular independent inspections of places of detention used for children and comparing them at regional or global level. The measurement tool aims to offer a systematic method for benchmarking inspections procedures in detention settings globally, thus facilitating assessment of the extent to which opportunities for scrutiny, review and improvement of conditions of detention exist. Information for this tool may be gathered from country legislation, governmental ministries such as ministries of justice, interior, home affairs or penal management, and existing literature and reports at the central level, together with information sources at the local level such as local police stations, places of detention and magistrate or district courts.

Scoring method:

Each area for analysis focuses on two levels of enquiry: **Laws** and **Policy**.

Where the particular feature that is the subject of the question is protected in any or all of these manners, the relevant box(es) should be marked.

Counting the total number of marks for each column reveals the degree to which systems for regular independent inspections of places of detention receive overall protection.

Thus, scoring would require completion as in the example below:

Subject Area	**LAW**	**POLICY**
Survey question	***Existence***	
Is the [*question area*] recognized or established in law or policy?	✓	

Definitions:

adult criminal justice system	The adult criminal justice system consists of the laws, procedures, professionals, authorities and institutions that apply to witnesses and victims, and to adults alleged as, accused of, or recognized as having committed a criminal offence.
arrest	A child is arrested where he or she is placed under the custody of the police, military, intelligence or other security forces because of actual, perceived or alleged conflict with the law.
child	A child is any person below the age of eighteen years.
competent authority	The competent authority is the part of the juvenile justice or adult criminal justice system that is responsible for making procedural or disposition decisions regarding a child's case.
conflict with the law	A child is in conflict with the law where he or she has committed or has been accused of having committed an offence. Depending upon the local context, children may also be in conflict with the law where they are dealt with by the juvenile justice or adult criminal justice system for reason of being considered to be in danger by virtue of their behaviour or the environment in which they live.
deprivation of liberty/detention	A child is deprived of liberty where he or she is placed in any form of detention or imprisonment in a public or private setting, from which the child is not permitted, by order of any competent authority, to leave at will.
juvenile justice system	The juvenile justice system consists of the laws, policies, guidelines, customary norms, systems, professionals, institutions and treatment specifically applicable to children in conflict with the law and to witnesses and victims.
laws	Means all national legislation in force pertaining to children in conflict with the law, including criminal laws, criminal procedure laws, penal sanctions laws and juvenile justice laws, together with decisions of competent authorities and courts or tribunals having binding legal effect.
offence	A child commits an offence where he or she commits any act punishable by the law by virtue of the legal system in question.
place of detention	A place of detention is any public or private facility where a child is deprived of liberty.
policies	Means all national policy instruments pertaining to children in conflict with the law, including executive orders and ministerial documents.
pre-sentence detention	A child is held in pre-sentence detention where he or she is deprived of liberty and is awaiting a final decision on his or her case from a competent authority.
sentence	A competent authority passes a sentence when – notwithstanding any right of appeal – it makes a final decision about a child's case and rules that the child shall be subject to certain measures.

Existence of inspections system		*LAW*	**POLICY**
Survey question		***Existence***	
1.	Is there provision for an established system guaranteeing regular inspection visits to places of detention where children are held, by external, independent persons or bodies, such as inspectors or visiting committees?		
2.	Is there provision for a system guaranteeing regular visits to places of detention by magistrates, judges, prosecutors or persons acting on their behalf?		
3.	If neither visits from independent persons nor from magistrates, judges or prosecutors are guaranteed, is there provision for any other mechanisms for regular scrutiny and improvement of detention conditions?		
4.	Must the purpose of regular visits include evaluating compliance of the place of detention with laws and standards?		
TOTAL		**/4**	**/4**

Conduct of inspections		*LAW*	**POLICY**
Survey question		***Existence***	
5.	Are inspectors entitled to conduct unannounced inspections?		
6.	Are inspectors entitled to conduct inspections on their own initiative?		
7.	Are inspectors entitled to access all employees working in a place of detention, including police officers and prison wardens, in confidence?		
8.	Are inspectors entitled to access the records of employees working in a place of detention?		
9.	Are inspectors entitled to access children held in a place of detention, in confidence?		
10.	Are inspectors entitled to access the records of children held in a place of detention?		
11.	Are medical officers or public health services entitled to participate in inspections?		
TOTAL		**/7**	**/7**

Results of inspections		*LAW*	**POLICY**
Survey question		***Existence***	
12.	Are inspectors required to submit reports on the findings of inspection visits, including their evaluation and recommendations?		
13.	Is investigation and prosecution required when a potential violation of laws or standards concerning children in detention has been found by inspectors?		

TOTAL	**/2**	**/2**

GRAND TOTAL	**/13**	**/13**
PERCENTAGE	**/100**	**/100**

JUVENILE JUSTICE INDICATORS MANUAL

POLICY ANALYSIS TOOL 2

for use with

Indicator 13: Complaints mechanisms

Measurements:

This instrument is intended to assist policy analysts in identifying and critically examining the existence of complaints procedures for children deprived of liberty and comparing them at regional or global level. The measurement tool aims to offer a systematic method for benchmarking complaints procedures in detention settings globally, thus facilitating reporting and national analysis of the extent to which children in detention can 'have their voice heard' and receive an appropriate response. Information for this tool may be gathered from country legislation, governmental ministries such as ministries of justice, interior, home affairs or penal management, ombudspersons, and existing literature and reports at the central level, together with information sources at the local level such as local police stations, places of detention and magistrate or district courts.

Scoring method:

Each area for analysis focuses on two levels of enquiry: **Laws** and **Policy**.

Where the particular feature that is the subject of the question is protected in any or all of these manners, the relevant box(es) should be marked.

Counting the total number of marks for each column reveals the degree to which a complaints mechanism for children deprived of liberty receives overall protection.

Thus, scoring would require completion as in the example below:

Subject Area	**LAW**	**POLICY**
Survey question	***Existence***	
Is the [*question area*] recognized or established in law or policy?	✓	

Definitions:

adult criminal justice system	The adult criminal justice system consists of the laws, procedures, professionals, authorities and institutions that apply to witnesses and victims, and to adults alleged as, accused of, or recognized as having committed a criminal offence.
arrest	A child is arrested where he or she is placed under the custody of the police, military, intelligence or other security forces because of actual, perceived or alleged conflict with the law.
child	A child is any person below the age of eighteen years.
competent authority	The competent authority is the part of the juvenile justice or adult criminal justice system that is responsible for making procedural or disposition decisions regarding a child's case.
complaints mechanism	A complaints mechanism is any system that allows a child deprived of liberty to bring any aspect of the treatment that child has received, including violations of his or her rights, to the attention of the authority responsible for the place of detention, or any other official body established for such purpose.
conflict with the law	A child is in conflict with the law where he or she has committed or has been accused of having committed an offence. Depending upon the local context, children may also be in conflict with the law where they are dealt with by the juvenile justice or adult criminal justice system for reason of being considered to be in danger by virtue of their behaviour or the environment in which they live.
deprivation of liberty/detention	A child is deprived of liberty where he or she is placed in any form of detention or imprisonment in a public or private setting, from which the child is not permitted, by order of any competent authority, to leave at will.
juvenile justice system	The juvenile justice system consists of the laws, policies, guidelines, customary norms, systems, professionals, institutions and treatment specifically applicable to children in conflict with the law and to witnesses and victims.
laws	Means all national legislation in force pertaining to children in conflict with the law, including criminal laws, criminal procedure laws, penal sanctions laws and juvenile justice laws, together with decisions of competent authorities and courts or tribunals having binding legal effect.
offence	A child commits an offence where he or she commits any act punishable by the law by virtue of the legal system in question.
place of detention	A place of detention is any public or private facility where a child is deprived of liberty.
policies	Means all national policy instruments pertaining to children in conflict with the law, including executive orders and ministerial documents.
pre-sentence detention	A child is held in pre-sentence detention where he or she is deprived of liberty and is awaiting a final decision on his or her case from a competent authority.
sentence	A competent authority passes a sentence when – notwithstanding any right of appeal – it makes a final decision about a child's case and rules that the child shall be subject to certain measures.

Existence of complaints mechanisms	*LAW*	**POLICY**
Survey question	***Existence***	
14. Are all forms of violence, torture, abuse and exploitation of children in places of detention prohibited?		
15. Are specific complaints mechanisms for children in detention provided for?		
16. If not, are there any approved initiatives at national or regional level regarding complaints mechanisms for children in detention currently pending enactment?		
17. If not, is there provision for any other channels through which the claims or complaints of children in detention can be addressed (including the possibility of a *habeas corpus* claim before a court)?		
18. Is there an independent office, such as an ombudsperson, authorized to receive and investigate complaints made by children in detention?		
19. If so, is the independent office authorized to investigate claims of alleged violence, torture, abuse or exploitation?		
20. Is the independent office authorized to investigate other claims, such as complaints about conditions of detention?		
21. Are children in detention, their legal representatives, or their parents on their behalf, entitled to make complaints to a competent authority such as a magistrate or other judicial body?		
22. Are children in detention, their legal representatives, or their parents on their behalf, entitled to make individual requests or complaints to the director of the place of detention in which they are held?		
23. Are children in detention permitted to participate in decisions made by the authorities responsible for the place of detention in which they are held?		
24. Is there provision for a system of mandatory reporting of incidents of violence, torture, abuse or exploitation to a complaints authority for staff such as medical or social work staff, working with and for children in detention?		
TOTAL	**/11**	**/11**

Availability of complaints mechanisms		*LAW*	**POLICY**
Survey question		**Existence**	
25.	Are authorities required to make children aware of available complaints mechanisms?		
26.	Are children in detention entitled to the assistance of family members, counsellors or social workers when making a request or complaint?		
27.	Are children in detention entitled to receive legal advice, without cost or delay, when making a request or complaint?		
28.	Are children in detention permitted to file anonymous requests or complaints?		
29.	Are children in detention permitted to file requests or complaints without censorship as to substance?		
30.	Where a complaint is required to be in written form, are illiterate children required to be provided with assistance?		
31.	Must children in detention who file requests or complaints be protected from reprisals or adverse repercussions?		
TOTAL		**/7**	**/7**

Results of complaints mechanisms		*LAW*	**POLICY**
Survey question		**Existence**	
32.	Are children, or their representatives on their behalf, entitled to a prompt response without undue delay?		
33.	Are children, or their representatives on their behalf, entitled to be informed of the outcome or resolution of their request or complaint?		
34.	Are decisions required to be reasoned and explained to the complaining child or his or her representatives?		
35.	Are reparations required to be made to children who are victims of violence, torture, abuse or exploitation?		
36.	Is provision made for reparations of a financial nature?		
37.	Is provision made for non-compensatory reparatory measures, such as improvement of conditions of detention?		
38.	Is there an authority or body authorized to supervise the implementation of remedies for victims?		

39.	Are criminal sanctions applicable to law enforcement or juvenile justice personnel when found guilty of violence, torture, abuse or exploitation charges?		
40.	If not, are administrative or disciplinary sanctions applicable to law enforcement or juvenile justice personnel when found guilty of violence, torture, abuse or exploitation charges?		
TOTAL		**/9**	**/9**

GRAND TOTAL	**/27**	**/27**
PERCENTAGE	**/100**	**/100**

JUVENILE JUSTICE INDICATORS MANUAL

POLICY ANALYSIS TOOL 3

for use with

Indicator 14: Specialised Juvenile Justice System

Measurements:

This instrument is intended to assist policy analysts in identifying and critically examining the national framework for children in conflict with the law, and comparing it at regional or global level. Its construction draws on instruments used at the international level, such as the Beijing Rules, as well as evidence collected over the years by UNICEF and UNODC about minimum standards for a legal/policy framework in juvenile justice. The measurement tool aims to offer a systematic method for benchmarking juvenile justice frameworks globally, thus facilitating reporting and national situation analysis regarding children in conflict with the law. Information for this indicator may be gathered from country legislation, governmental ministries such as ministries of justice, interior, home affairs or penal management, and existing literature and reports at the central level, together with information sources at the local level such as local police stations, places of detention and magistrate or district courts.

Method:

Each area for analysis focuses on four levels of enquiry: **Laws** and **Policy**.

Where the particular feature that is the subject of the question is protected in either these manners, the relevant box(es) should be marked.

Counting the total number of marks for each column reveals the degree to which a specialised juvenile justice system receives overall protection.

Thus, scoring would require completion as in the example below:

Subject Area	**LAW**	**POLICY**
Survey question	***Existence***	
Is the [*question area*] recognized or established in law or policy?	✓	

Definitions:

adult criminal justice system	The adult criminal justice system consists of the laws, procedures, professionals, authorities and institutions that apply to witnesses and victims, and to adults alleged as, accused of, or recognized as having committed a criminal offence.
arrest	A child is arrested where he or she is placed under the custody of the police, military, intelligence or other security forces because of conflict with the law.
child	A child is any person below the age of eighteen years.
competent authority	The competent authority is the part of the juvenile justice or adult criminal justice system that is responsible for making procedural or disposition decisions regarding a child's case.
conflict with the law	A child is in conflict with the law where he or she has committed or has been accused of having committed an offence. Depending upon the local context, children may also be in conflict with the law where they are dealt with by the juvenile justice or adult criminal justice system for reason of being considered to be in danger by virtue of their behaviour or the environment in which they live.
deprivation of liberty/detention	A child is deprived of liberty where he or she is placed in any form of detention or imprisonment in a public or private setting, from which the child is not permitted, by order of any competent authority, to leave at will.
juvenile justice system	The juvenile justice system consists of the laws, policies, guidelines, customary norms, systems, professionals, institutions and treatment specifically applicable to children in conflict with the law and to witnesses and victims.
laws	Means all national legislation in force pertaining to children in conflict with the law, including criminal laws, criminal procedure laws, penal sanctions laws and juvenile justice laws, together with decisions of competent authorities and courts or tribunals having binding legal effect.
offence	A child commits an offence where he or she commits any act punishable by the law by virtue of the legal system in question.
policies	Means all national policy instruments pertaining to children in conflict with the law, including executive orders and ministerial documents.
pre-sentence detention	A child is held in pre-sentence detention where he or she is deprived of liberty and is awaiting a final decision on his or her case from a competent authority.
right to privacy	The child's right to privacy includes the right to have records kept strictly confidential, with access limited only to such persons as are directly concerned with the disposition of the child's case and other duly authorized persons. The right also implies that, in principle, no information that may lead to the identification of a child in conflict with the law shall be published.
sentence	A competent authority passes a sentence when – notwithstanding any right of appeal – it makes a final decision about a child's case and rules that the child shall be subject to certain measures.

Existence of a specialized system		*LAW*	**POLICY**
Survey question		***Existence***	
41.	Are there established specific provisions for the treatment of children in conflict with the law?		
42.	Are there established specific provisions for the treatment of children deprived of liberty?		
43.	Is there provision for alternative ways of dealing with children in conflict with the law without resorting to a formal hearing before a competent authority?		
44.	Is a separate juvenile court or other separate competent authority entrusted with making decisions on the cases of children in conflict with the law?		
45.	Is provision made for semi-institutional arrangements, such as half-way houses, educational homes or day-time training centres for children in conflict with the law?		
46.	Is separation of children from adults in any form of detention strictly required?		
TOTAL		**/6**	**/6**

Treatment of children in conflict with the law		*LAW*	**POLICY**
Survey question		**Existence**	
47.	Must the parents or guardian of a child be immediately notified upon his or her arrest?		
48.	Must the right to privacy of the child in conflict with the law be respected at all stages?		
49.	Must the child be allowed to express herself or himself freely?		
50.	Must the child be allowed to participate in proceedings in a meaningful way, such that she or he can contribute to decisions affecting his or her life according to his or her abilities, age and capacity?		
51.	Do prohibitions of unlawful or arbitrary detention, arrest or imprisonment apply to children as well as adults?		
52.	Must deprivation of liberty be limited to the minimum possible time?		
53.	Must deprivation of liberty for children only be used as a measure of last resort?		
TOTAL		**/7**	**/7**

Bodies and institutions	*LAW*	**POLICY**
Survey question	***Existence***	
POLICE		
54. Must police officers who frequently or exclusively deal with children be specially instructed and trained?		
55. Are personnel who deal with a child in conflict with the law empowered to exercise discretion at any stage in the proceedings?		
56. Must a competent authority consider the issue of release without delay following arrest?		
COMPETENT AUTHORITIES		
57. May a competent authority deal with a child in conflict with the law other than by acquittal or sentencing to deprivation of liberty?		
58. Must the background and circumstances of the child be properly investigated and presented to the competent authority before sentencing of the child?		
59. Must a competent authority take into account the circumstances and needs of the child as well as the circumstances and gravity of the offence?		
60. Must personnel hearing proceedings against children in the relevant competent authority be provided with specialist training in dealing with children?		
PLACES OF DETENTION		
61. Must children be above a certain minimum age in order to be admitted to a place of detention?		
62. Must girls be detained separately from boys?		
63. Must the conditional release of a child from a place of detention be used to the greatest possible extent?		
64. Must children detained pre-sentence be separated from children detained after sentencing?		
65. Must children in a place of detention as a result of proceedings related to care and protection be separated from children detained due to conflict with the law?		
66. Must staff at places of detention be provided with specialised training in dealing with children?		
67. Must children be assessed as soon as possible after admission and the specific type and level of care required determined?		
68. Must children deprived of liberty receive care, protection and all necessary psychosocial, educational and medical assistance?		
69. Are staff dealing with children in detention prohibited from carrying weapons?		
TOTAL	**/16**	**/16**

GRAND TOTAL	**/29**	**/29**
PERCENTAGE	**/100**	**/100**

JUVENILE JUSTICE INDICATORS MANUAL

POLICY ANALYSIS TOOL 4

for use with

Indicator 15: Prevention

Measurements:

This instrument is intended to assist policy analysts in identifying and critically examining the national framework for prevention of child involvement in crime amongst children, and comparing it at regional or global level. The measurement tool aims to offer a systematic method for benchmarking prevention of delinquency plans globally, thus facilitating reporting and national situation analysis regarding prevention of child involvement in crime. Information for this indicator may be gathered from country legislation, governmental ministries such as ministries of planning, justice or social welfare and existing literature and reports at the central level, together with information sources at the local level such as local police stations, places of detention and magistrate or district courts.

Method:

Each area for analysis focuses on two levels of enquiry: **Laws** and **Policy**.

Where the particular feature that is the subject of the question is protected in either of these manners, the relevant box(es) should be marked.

Counting the total number of marks for each column reveals the degree to which a national plan for the prevention of child involvement in crime receives overall protection.

Thus, scoring would require completion as in the example below:

Subject Area	**LAW**	**POLICY**
Survey question	***Existence***	
Is the [*question area*] recognized or established in law or policy?	✓	

Definitions:

adult criminal justice system	The adult criminal justice system consists of the laws, procedures, professionals, authorities and institutions that apply to witnesses and victims, and to adults alleged as, accused of, or recognized as having committed a criminal offence.
arrest	A child is arrested where he or she is placed under the custody of the police, military, intelligence or other security forces because of actual, perceived or alleged conflict with the law.
child	A child is any person below the age of eighteen years.
competent authority	The competent authority is the part of the juvenile justice or adult criminal justice system that is responsible for making procedural or disposition decisions regarding a child's case.
conflict with the law	A child is in conflict with the law where he or she has committed or has been accused of having committed an offence. Depending upon the local context, children may also be in conflict with the law where they are dealt with by the juvenile justice or adult criminal justice system for reason of being considered to be in danger by virtue of their behaviour or the environment in which they live.
deprivation of liberty/detention	A child is deprived of liberty where he or she is placed in any form of detention or imprisonment in a public or private custodial setting, from which the child is not permitted, by order of any competent authority, to leave at will.
juvenile justice system	The juvenile justice system consists of the laws, policies, guidelines, customary norms, systems, professionals, institutions and treatment specifically applicable to children in conflict with the law and to witnesses and victims.
laws	Means all national legislation in force pertaining to children in conflict with the law, including criminal laws, criminal procedure laws, penal sanctions laws and juvenile justice laws, together with decisions of competent authorities and courts or tribunals having binding legal effect.
offence	A child commits an offence where he or she commits any act punishable by the law by virtue of the legal system in question.
place of detention	A place of detention is any public or private facility where a child is deprived of liberty.
policies	Means all national policy instruments pertaining to children in conflict with the law, including executive orders and ministerial documents.
pre-sentence detention	A child is held in pre-sentence detention where he or she is deprived of liberty and is awaiting a final decision on his or her case from a competent authority.
sentence	A competent authority passes a sentence when – notwithstanding any right of appeal – it makes a final decision about a child's case and rules that the child shall be subject to certain measures.

Existence and content of a prevention plan	*LAW*	**POLICY**
Survey question	***Existence***	
70. Is there a national plan for the prevention of child involvement in crime?		
71. If so, does this plan include in-depth analysis of the problem?		
Does the national plan for the prevention of conflict with the law include:		
72. supporting families in bringing-up children?		
73. the development of community-based networks for vulnerable children?		
74. supporting flexible working patterns for parents and services for low-income families?		
75. employment or vocational training opportunities for children?		
76. abolition of corporal punishment in places of education and formal care institutions?		
77. reduction of domestic violence and abuse?		
78. prevention programmes and assistance for children who use drugs, alcohol or other substances?		
79. educational opportunities that offer an alternative or addition to regular schooling?		
80. sports and cultural activities for children?		
81. dissemination of information on children's rights in child-friendly form?		
82. involvement of the mass media in encouraging the positive contribution of children to society?		
83. protection of the rights and well-being of all children?		
84. restriction and control of the accessibility of weapons of any sort to children?		
85. measures to ensure that any conduct not considered an offence if committed by an adult is not considered an offence and not penalized if committed by a child?		
86. the protection of children from abuse, exploitation and their use for criminal activities?		
TOTAL	**/17**	**/17**

Management of the prevention plan	*LAW*	**POLICY**
Survey question	***Existence***	
87. Is a governmental body assigned to have lead responsibility for the prevention of child involvement in crime at a national level?		
88. Does the plan include a mechanism for coordination of prevention efforts between all agencies, institutions and personnel involved (whether governmental or non-governmental)?		
89. Does the plan include well-defined responsibilities for the agencies, institutions and personnel involved in prevention efforts?		
90. Does the plan include monitoring and evaluation of programmes and strategies?		
91. Is there provision for the adjustment of programmes and strategies as a result of lessons learned from monitoring and evaluation?		
92. Does the plan provide for specialised personnel at any level?		
93. Does the plan provide for funding and other resources for children in the areas of medical and mental health care, nutrition, housing, drug and alcohol abuse prevention and treatment?		
TOTAL	**/7**	**/7**

GRAND TOTAL	**/24**	**/24**
PERCENTAGE	**/100**	**/100**

EXCEL TOOLS

Appendix 5

This appendix contains two Excel tools:

- Excel tool 1 for places of detention
- Excel tool 2 for competent authorities

As discussed in Chapter 4 (Methodology), from the child protection point of view, the implementation of information systems within bodies or institutions such as places of detention or competent authorities contributes significantly to decreasing the risk that children in conflict with the law will be exposed to abuse, violence or exploitation, and to ensuring that each child is treated in a way that is in his or her best interests. This is because information systems enable more efficient administration of bodies or institutions making up the juvenile justice or adult criminal justice system, assist in planning of resources, and help ensure that individual children are not 'lost' within the system.

This appendix contains two pre-programmed Excel spreadsheets that offer a starting point for the development of an information system in juvenile justice. The spreadsheets may be used in their current form or modified to suit the requirements of a particular country context. Modification of the spreadsheets will require the assistance of personnel skilled in information technology. The spreadsheets require a PC computer installed with Windows and Microsoft Excel.

Each spreadsheet offers a management tool for recording, updating and retaining details of each child in contact with the authority or institution operating the tool. In addition, the spreadsheets use the data entered to calculate indicator values for that authority or institution.

Excel tool 1 for places of detention

Excel tool 1 is designed for use by an individual place of detention, such as a juvenile detention centre. It requires that the details of each child entering the place of detention are entered into the spreadsheet immediately upon entry to the facility. Each child is allocated one line in the spreadsheet. Twelve columns of information are requested:

Column	Information requested
A	Identification number
B	Date of Birth
D	Date of arrest
E	Date of entry to the place of detention
F	The situation of the child prior to entry
G	Charge
H	Current status (detained pre or post sentence, released, transferred or child death)
I	Date of sentence
J	Length of sentence (in months)
K	Whether the child is wholly separated from adults
L	The date of the last visit made by the child's parents or family
M	The date of exit from the place of detention
N	Whether the child received aftercare upon leaving the place of detention

Information should not be entered in any cell shaded grey or blue.

Each child's record line should be updated upon any change in his or her situation. Once a child has been released, his or her record line should be retained for at least 48 months.

Using this information, the spreadsheet calculates:

Column	Information calculated
C	The child's age
O	The length of time that the child has spent in pre-sentence detention (including time spent in previous places of detention)
P	The length of time that the child has been detained after sentencing
W	The child's expected release date

In addition, the spreadsheet continuously calculates values for Indicators 2, 3, 4, 5, 6, 7, 8 and 11, based upon the information entered. It should be noted that Indicators 2, 3, 7 and 8 are calculated from 'snapshot' information (based on those children in detention at any one particular time), whereas Indicators 4, 5, 6 and 11 are reliant upon information concerning children who have since left detention. Hence the importance of retaining record lines for children who have been released or transferred from the place of detention.

Excel tool 2 for competent authorities

Excel tool 2 is designed for use by a competent authority, such as a magistrate's or district court. It requires that the details of each child dealt with by the competent authority are entered into the spreadsheet immediately upon the assumption of jurisdiction by the competent authority. Each child is allocated one line in the spreadsheet. Twelve columns of information are requested:

Column	Information requested
A	Identification number
B	Date of Birth
D	Date of arrest
E	Charge
F	Pre-sentence detention information
G	Date of entry to pre-sentence detention (if relevant)
H	Current status (awaiting sentencing, diverted, acquitted, sentenced (measures ongoing), sentenced (measures finished))
I - S	Hearing dates
T	Date of disposition
U	Sentence (restorative justice solution, fine, community service order, probation, custodial sentence)
V	Length of sentence
X	Date of completion of measures

Information should not be entered into any cell shaded grey or blue.

Each child's record line should be updated upon any change in his or her situation. Once a child has been dealt with by the competent authority, his or her record line should be retained for at least 48 months.

Using this information, the spreadsheet calculates:

Column	Information calculated
C	The child's age
X	The expected date of completion of measures
Y	The length of time that the child has spent in pre-sentence detention
W	The length of time that the child has spent in detention after sentencing

In addition, the spreadsheet continuously calculates values for Indicators 2, 3, 4, 5, 9 and 10, based upon the information entered. As with the spreadsheet for places of detention, it should be noted that Indicators 2 and 3 are calculated from 'snapshot' information (based on those children in detention at any one particular time), whereas Indicators 4, 5, 9 and 10 are reliant upon information concerning children who have been dealt with by the competent authority.

Technical notes

Both spreadsheets supplied with this manual contain forty pre-programmed rows for the entry of data. The addition and preparation of new pre-programmed rows for the entry of information will require the assistance of a person skilled in information technology. This is because the cells contain formulae that must be copied and pasted from existing lines. New lines should be added by copying the last existing line and pasting onto as many new lines as are required. When new lines are added to the spreadsheets, all option boxes require linking with the cell in which they sit (via (right-click on the option box), 'Format control…', 'Control').

The text for all option boxes is contained in Sheet 2 of each Excel workbook. This text can be changed according to the requirements of the local context.

Once entered, rows may be highlighted and sorted according to any chosen column (via 'Data', 'Sort'). This enables simple management and viewing of the sheet. The Excel spreadsheet for places of detention, for instance, may be sorted according to Column H in order to quickly view all children detained pre-sentence or after sentencing.

The spreadsheets are provided in the CD-ROM version of this Manual as well as on the websites of UNICEF, UNODC and the Inter-Agency Panel on Juvenile Justice. They can also be requested from UNICEF or UNODC in electronic format.

SUGGESTED INDICATOR PRESENTATION FORMATS

Appendix 6

It is recommended that the basic information constituting the indicators be presented in a simple table similar to that shown in figure A6.1 below. Figures should not be shown to any more than one decimal place. Where values have been calculated from samples, this can also be marked and confidence limits provided (see Appendix 2 for guidance on the calculation of confidence limits). Note that the values below are given by way of example only.

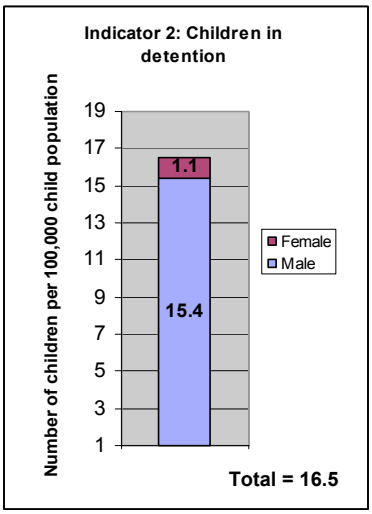
Figure A6.1 – Example indicator summary table

	Indicator	Example value
	Quantitative Indicators	
1	**Children in conflict with the law**	▪ **12.6 children** arrested during a 12 month period per 100,000 child population
2	**Children in detention**	▪ **16.5 children** in detention per 100,000 child population
3	**Children in pre-sentence detention**	▪ **11.1 children** in pre-sentence detention per 100,000 child population
4	**Duration of pre-sentence detention**	▪ **< 1 month** 14% ▪ **1 month to < 3 months** 35% ▪ **3 months to < 6 months** 40% ▪ **6 months to < 12 months** 10% ▪ **12 months to < 24 months** 1% ▪ **24 months to < 60 months** 0% ▪ **> 60 months** 0%
5	**Duration of sentenced detention**	▪ **< 1 month** 5% ▪ **1 month to < 3 months** 10% ▪ **3 months to < 6 months** 23% ▪ **6 months to < 12 months** 60% ▪ **12 months to < 24 months** 1% ▪ **24 months to < 60 months** 1% ▪ > 60 months **0%**
6	**Child deaths in detention**	▪ **5** child deaths in detention during a 12 month period, per 1,000 children detained
7	**Separation from adults**	▪ **25%** of children in detention not wholly separated from adults
8	**Contacts with parents and family**	▪ **10%** of children have been visited by, or visited, parents, guardian or an adult family member in the last 3 months
9	**Custodial sentencing**	▪ **37%** percent of children receive a custodial sentence
10	**Pre-sentence diversion**	▪ **8%** percent of children diverted or sentenced enter a pre-sentence diversion scheme
11	**Aftercare**	▪ **22%** percent of children released from detention receive aftercare
	Policy/Implementation Indicators	
12	**Regular independent inspections**	▪ **Level 2**
13	**Complaints mechanism**	▪ **Level 2**
14	**Specialised juvenile justice system**	▪ **Level 3**
15	**Prevention**	▪ **Level 1**

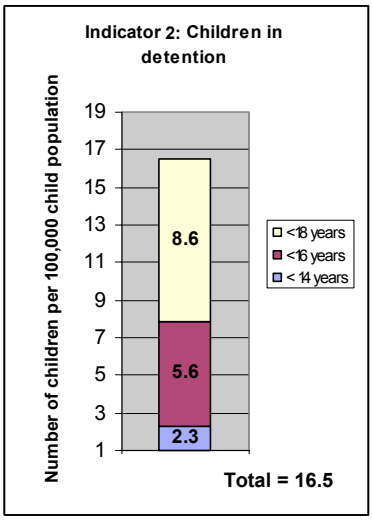
Where disaggregated information has also been collected and measured, this can be presented for each indicator in the form of a bar-chart or pie chart. Figure A6.2 below provides suggested disaggregation presentation formats for each indicator.

Figure A6.2 – Example disaggregation display formats

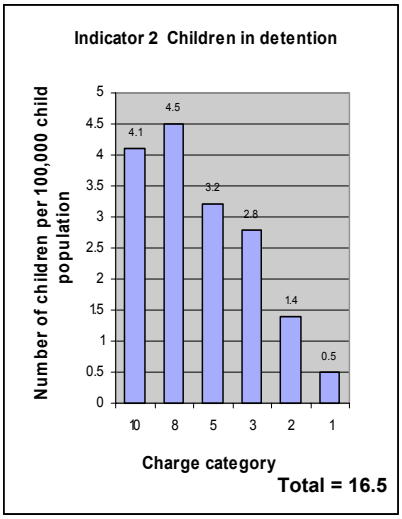
INDICATORS 1, 2 and 3: Example shown for Indicator 2



Indicator 2 disaggregated by Gender

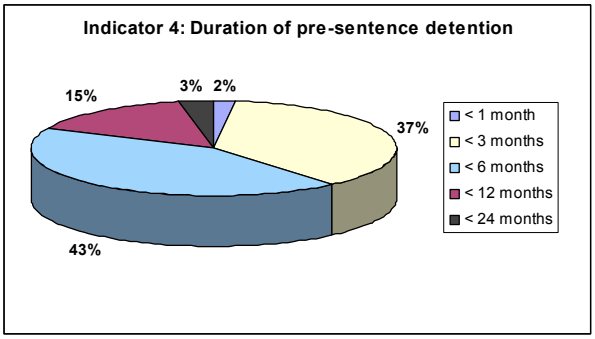


Indicator 2 disaggregated by Age

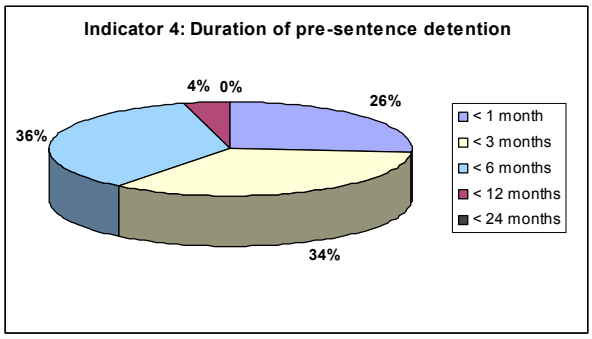


Indicator 2 disaggregated by Category of Charge

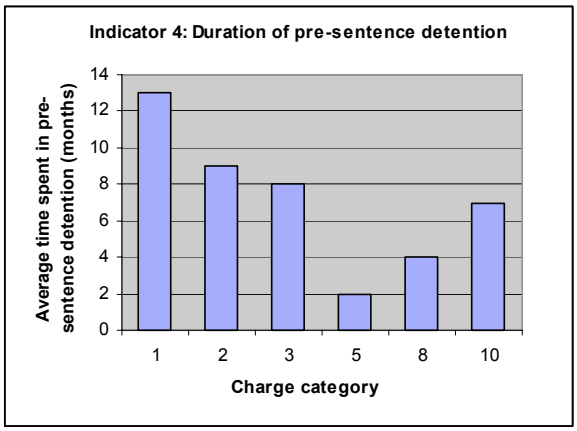
INDICATORS 4 and 5: Example shown for Indicator 4



Indicator 4: Duration shown for male children



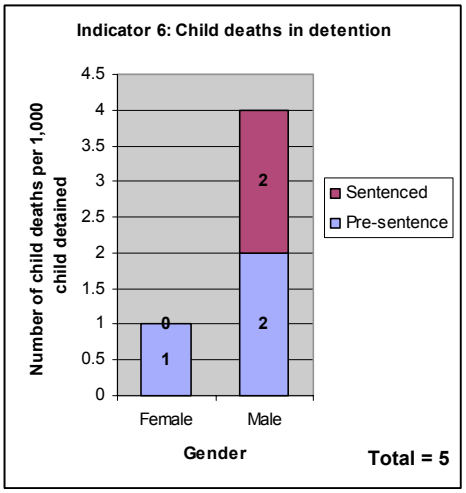
Indicator 4: Duration shown for female children



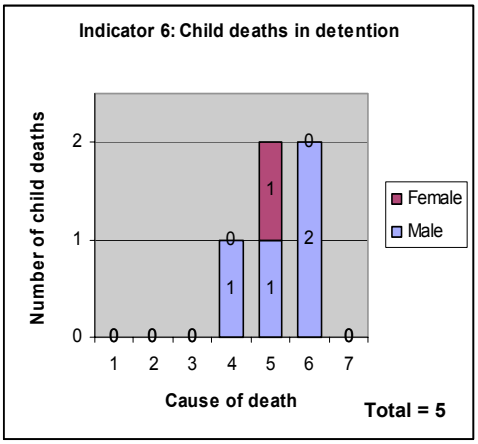
Indicator 4: Average duration shown by Category of Charge

1 Serious offence against a person
2 Serious property offence
3 Theft
4 Public disorder offence
5 Drug or substance offence
6 Political offence
7 Immigration offence
8 Status offence
9 Other
10 'At risk of delinquency'
11 'Irregular situation'

INDICATOR 6



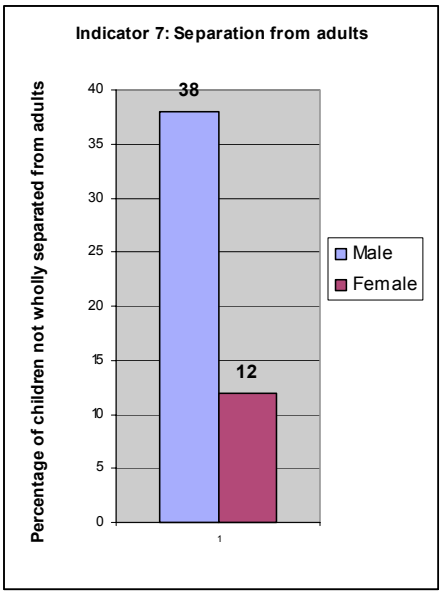
Indicator 6: Child deaths, disaggregated by gender and type of detention

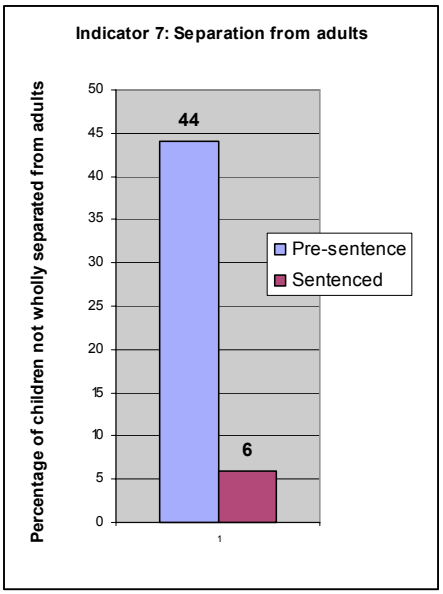


1 Murder
2 Suicide
3 Alcohol/drug intoxication
4 Accidental death
5 Illness or infection
6 HIV/AIDS related
7 Other

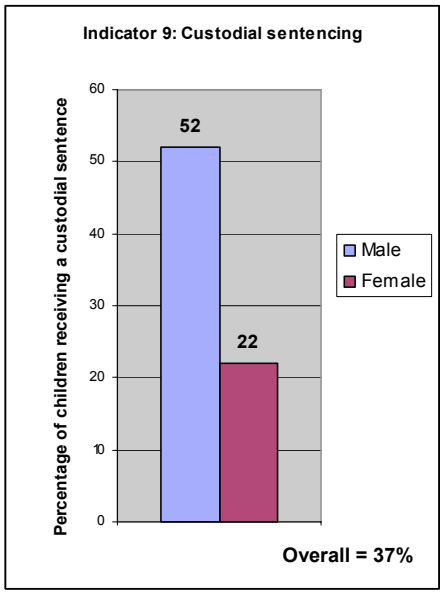
Indicator 6: Child deaths, disaggregated by gender and cause of death

INDICATORS 7 and 8: Example shown for Indicator 7

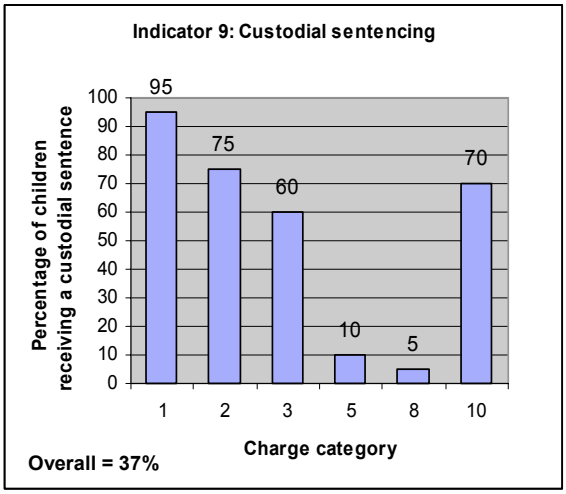




INDICATORS 9 and 10: Example shown for Indicator 9



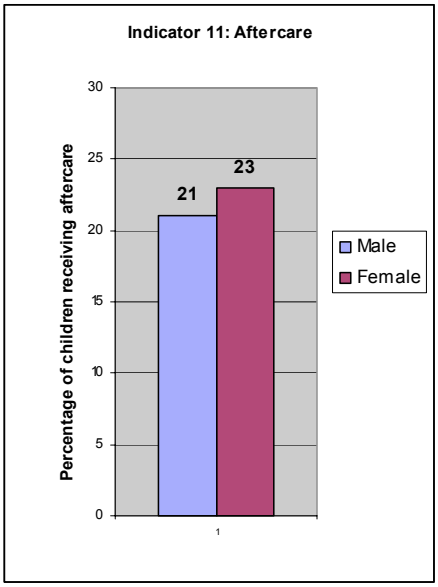
Indicator 9: Percentage of children receiving custodial sentences, disaggregated by gender

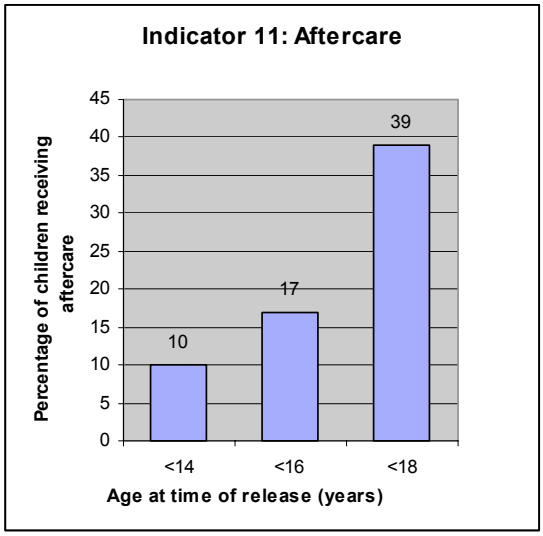


1 Serious offence against a person
2 Serious property offence
3 Theft
4 Public disorder offence
5 Drug or substance offence
6 Political offence
7 Immigration offence
8 Status offence
9 Other
10 'At risk of delinquency'
11 'Irregular situation'

Indicator 9: Percentage of children receiving custodial sentences, disaggregated by category of charge

INDICATOR 11





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