

Children's Rights Alliance
for England

speaking freely

CHILDREN AND YOUNG PEOPLE IN EUROPE TAKE ACTION
ON ENDING VIOLENCE AGAINST CHILDREN IN CUSTODY

CAMPAIGN REPORT

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The Children's Rights Alliance for England (CRAE) protects the human rights of children by lobbying government and others who hold power, by bringing or supporting test cases and by using national and international human rights mechanisms. We provide free legal information, raise awareness of children's human rights, and undertake research about children's access to their rights. We mobilise others, including children and young people, to take action to promote and protect children's human rights. Each year we publish a review of the state of children's rights in England.

Coordinated and led by the Children's Rights Alliance for England, this project was implemented by partners working in five EU Member States:

- Ludwig Boltzmann Institute of Human Rights - Austria
- International Juvenile Justice Observatory - Belgium
- Commissioner for Children's Rights - Cyprus
- Defence for Children International - the Netherlands
- Save the Children - Romania.

CRAE would like to express its thanks to all of the children and young people who took part in this project. CRAE also thanks Dhanishtha Kuruvilla for her contribution to this report.

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Definitions and notes on terminology

For the purposes of this project, it was agreed that the term **“custody”** refers to locked settings where children and young people are held after being arrested, charged, convicted or sentenced for a criminal offence.

“Violence” means all forms of physical or mental violence, injury and abuse, neglect or negligent treatment, maltreatment or exploitation. This definition is taken from Article 19 of the United Nations Convention on the Rights of the Child, and was adopted by the UN Global Study on Violence against Children.

Where the term **“young people”** is used in this report, it refers to the participants in the project, all of whom were 22 or under. The majority of the participants were 18 or under.

Where the term **“staff”** is used in this report, it refers to prison wardens/guards or police officers. It does not refer to other people who are working in custodial settings such as social workers, psychologists or teachers.

Each project partner formed a **“Young Campaign Team” (YCT)**. A group of young people, the vast majority of whom have direct experience of custody when under 18, who were trained and supported to campaign on the recommendations for action developed during the research phase of the project.

Contents

1. Executive summary	4
2. Introduction	6
3. Austria	9
4. Cyprus	16
5. England	25
6. The Netherlands	33
7. Romania	39
8. Concluding remarks	42
9. Partner organisations	44
Annex A: Guiding principles for engaging children and young people in the <i>Ending Violence against Children in Custody</i> project	47



Chapter 1

Executive Summary

Introduction

This report is published as part of the *Ending Violence against Children in Custody* project, coordinated by the Children's Rights Alliance for England (CRAE) and funded by the European Commission's Daphne III programme.

The *Ending Violence against Children in Custody* project has two main elements: a **research** phase - consisting of a desk based legal analysis of the rules governing custody and interviews with children and young people - and a **campaigning** phase, during which young people developed their own campaigns based on the recommendations from their research.

The project was coordinated by CRAE and implemented with five European partner organisations: International Juvenile Justice Observatory - Belgium, Defence for Children International - the Netherlands, the Commissioner for Children's Rights - Cyprus, the Ludwig Boltzmann Institute of Human Rights - Austria and Save the Children - Romania.

A pan-European report setting out the key findings and recommendations from research with children and young people has already been published.¹ All project reports will be available through the project website:

www.violencefreecustody.org.uk.

This report describes the activities carried out by children and young people in Austria, Cyprus, England, the Netherlands and Romania during the campaigning phase of the project. It sets out the issues on which the young campaigners decided to take action and the outcomes and achievements of their campaigning activities.

¹ Children's Rights Alliance for England (January 2013) *Speaking freely - Children and young people in Europe talk about ending violence against children in custody: Research report*.

Campaigning activities in the partner countries

Participants in the campaign phase of the project selected recommendations developed by young researchers and used these as the basis of youth-led campaigns in each of the partner countries. A summary of the key campaign issues and activities in each of the partner countries is presented below.

Austria: Campaigners in Austria followed up the full range of recommendations from the research phase of the project in a series of meetings with the Juvenile Custody Centre and pre-trial remand unit. Some young campaigners met with the Director of the Juvenile Custody Centre to discuss their concerns about violence in custody and recommendations for change and to see how they could be taken forward at the Centre.

Cyprus: The group focused on living conditions in prison and pushing for increased support for young prisoners through mentoring programmes. They decided to carry out a series of awareness raising activities to educate other young people about the conditions in custody and to develop some momentum for change.

England: The young campaign team focused on two campaign issues that they felt would help to create violence free custody for children and young people:

- Installing cameras with sound recording in custodial and police settings;
- Reviewing the qualities of staff who are employed in custodial settings.

They developed an e-petition calling for cameras with sound recording and developed a job description for staff working in youth custodial settings. They had a meeting with the Youth Justice Board (YJB) to discuss these issues and explore what action could be taken.

The Netherlands: The young campaigners compiled a 'Top 10' from the longer list of recommendations developed during the research phase of the project. They decided to work on awareness-raising about violence in custody targeting the Government, Parliament and other professionals and experts. The 10 recommendations were used as the basis of discussions with the Ministry of Safety and Justice, Members of Parliament and the Committee Rouvoet (a group of experts working on issues relating to sexual abuse).

Romania: The young campaign team took action on three key issues:

- Video surveillance in police stations;
- Better activities in custodial settings;
- Reducing the numbers of internees in each room in custody.

A letter was sent to the Ministry of Justice and discussions were held with representatives from the National Administration of Penitentiaries to discuss the recommendations.

Chapters two to six of this report provide more details of the campaigning activities carried out by young people in each of the five partner countries. Each chapter ends with a summary of the achievements and outcomes from the campaigning activities and some reflections from the partner organisation on the lessons learnt from their involvement in the project. Chapter seven sets out some concluding remarks.

Chapter 2

Introduction



1. Background

International law enshrines children's right to be protected from violence,² torture or inhuman and degrading treatment,³ to be treated with dignity⁴ and to have their best interests be made a primary consideration in all matters affecting them.⁵ Children are also entitled to participate in decision-making and to have their views given weight in matters that affect them.⁶

Yet, despite the existence of a comprehensive international human rights framework, pan-European regulations and domestic legislation in EU Member States, there is significant evidence to suggest that children are regularly subject to violence within custodial settings. The United Nations Study on Violence against Children⁷ found:

Violence against children while in justice institutions... is more common than violence against children placed in institutions solely for the provision of care. Even though there are many overlaps and similarities... the institutional treatment of children regarded as being anti-social or criminal is likely to be more physically and psychologically punitive than that of other groups or in other environments.

Research published in 2008 confirmed the view of the UN Violence Study that violence against children is a particular problem in custodial settings.⁸ The *Ending Violence against Children in Custody* project aims to build upon this evidence. In particular, it seeks to foreground children and young people's own views and experiences of violence in custody, to highlight their recommendations for change and support them to take action.

² UN Convention on the Rights of the Child, Article 19

³ European Convention on Human Rights, Article 3 and UN Convention on the Rights of the Child 37(a)

⁴ UN Convention on the Rights of the Child, Article 37(c)

⁵ UN Convention on the Rights of the Child, Article 3

⁶ UN Convention on the Rights of the Child, Article 12

⁷ Pinheiro, S. P. (2006) *World report on violence against children. United Nations General's Study on Violence against Children*

⁸ <http://www.defenceforchildren.org/files/Violence-Against-Children-in-Conflict-with-the-Law-EN.pdf>

2. The project

The *Ending Violence against Children in Custody* project began in February 2011 with the purpose of investigating children's views about violence in custody and supporting them to campaign for change to create violence-free custodial settings for children and young people.

This unique project placed the views and experiences of children and young people with experience of custody at its heart. Children and young people with direct experience of custody were trained and supported to conduct research with their peers, analyse the research findings, develop their recommendations for change and take supported action to seek an end to violence against children in custody.

The project was grant funded by the European Commission under the Daphne III programme (2007-13). The Daphne III programme aims '*to prevent and combat violence against children, young people and women and to protect victims and groups at risk*'.⁹ It is itself part of the general Fundamental Rights and Justice programme, which supports the development of a European society based on respect for fundamental rights.

The project is based on the definition of violence found in Article 19 of the CRC which guarantees every child the right to protection from physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse.

The *Ending Violence against Children in Custody* project was coordinated by CRAE and implemented with five European partner organisations: International Juvenile Justice Observatory - Belgium, Defence for Children International - the Netherlands, The Commissioner for Children's Rights - Cyprus, The Ludwig Boltzmann Institute of Human Rights - Austria and Save the Children - Romania.

The project has two main elements: a **research** phase - consisting of desk based legal research into the rules governing custody and interviews with children and young people, led by young people with experience of custody - and a **campaigning** phase, during which young people developed their own campaigns based on the recommendations from their research.

A pan-European report setting out the key findings and recommendations from research with children and young people has already been published.¹⁰ All project reports will be available through the project website:

www.violencefreecustody.org.uk.

This report describes the activities carried out by children and young people in Austria, Cyprus, England, the Netherlands and Romania during the campaigning phase of the project. It sets out the issues on which the young campaigners decided to take action and the outcomes and achievements of their campaigning activities.

⁹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32007D0779:en:NOT>

¹⁰ Children's Rights Alliance for England (January 2013) *Speaking freely - Children and young people in Europe talk about ending violence against children in custody: Research report*.

3. Supporting children and young people as young campaigners

Role of the Young Campaign Team

Each project partner supported a group of children and young people to form a Young Campaign Team (YCT). YCT members were trained and supported to lead their own campaigning activities on violence against children in custody, based on the recommendations developed by young people in the research phase of the project.

Recruitment of the YCT

Each project partner took a different approach to recruiting YCT members. Some of the young campaigners had previously been involved in the *Ending Violence against Children in Custody* project as young investigators, or as participants in the research. Others were new to the project. The majority of YCT members had direct experience of custody when under 18.

Training YCT members

All project partners received training on campaign planning at an all-partner project meeting in Brussels in July 2012. The sessions included suggestions and tips for supporting young campaigners in developing their campaign plans and taking action. Each partner organisation then delivered training to their YCT members, according to the needs and availability of the children and young people in their country.

Guiding Principles

CRAE produced a guidance document setting out common expectations and a framework within which each partner would work. The document included a set of guiding principles for engaging children and young people in the project as both young investigators and young campaigners (see Annex A).

4. Demographic information

Forty young people were involved as young campaigners across the five partner countries.

COUNTRY	NUMBER
Austria	13
Cyprus	9
England	9
Netherlands	4
Romania	5
TOTAL	40

Age: The ages of the YCT members ranged from 14 to 22. Most YCT members were aged between 16 and 20.

AGE	NUMBER
14	2
15	5
16	9
17	7
18	6
19	1
20	7
21	1
22	2
TOTAL	40

Gender: 24 YCT members were male, 16 YCT members were female.

COUNTRY	MALE	FEMALE	TOTAL
Austria	13	0	13
Cyprus	1	8	9
England	3	6	9
Netherlands	2	2	4
Romania	5	0	5
TOTAL	24	16	40

Chapter 3

Austria



The Ludwig Boltzmann Institute of Human Rights (BIM) is the *Ending Violence against Children in Custody* project partner in Austria.

BIM collaborated in the *Ending Violence against Children in Custody* project with the largest crime victim support organisation in Austria, Weisser Ring, and benefited from the expertise of the Institute for the Sociology of Law and Criminology, Vienna. The support of the Ministry of Justice, its prison administration (“Vollzugsdirektion”), and the participating prison institutions were all critical to ensuring the successful implementation of the project.

The *Ending Violence against Children in Custody* project in Austria focused on the two main custodial institutions dealing with children (and young adults) in the Austrian juvenile justice regime, the main Juvenile Custody Centre in Lower Austria and the main prison in Vienna - which also hosts the largest cohort of young people and young adults on remand.

As with the research, campaigns were run in parallel at the two locations. The main challenge was organising campaign meetings with young people in prison, given the sensitivity of the topic (violence may involve other inmates or staff, personal experiences), the need to protect participants from potential negative consequences and the need to ensure that participation in the project was voluntary.

1. About the YCT in Austria

Recruitment of the YCT

Recruitment of the campaign team members would not have been possible without the support of a designated social worker at the main Juvenile Custody Centre and the head of the juvenile department at the remand prison.

A total of 13 children and young people participated in the campaign phase of the project, nine in the Juvenile Custody Centre and four in the remand prison department. Three young people in the Juvenile Custody Centre had already been involved in the research phase of the project. All of the YCT members in the remand prison department were new to the project.

Demographic information

- All YCT members were male;
- None of the YCT members said they were disabled;
- The majority of young people came from Austria. Other nationalities included Russia, Macedonia and Bosnia-Herzegovina.

AGE	NUMBER OF YCT MEMBERS
14	1
15	3
16	6
17	-
18	1
19	1
20	-
21	1

2. Country recommendations¹¹

During the research phase of the *Ending Violence against Children in Custody* project in Austria, two groups of young investigators led research with their peers in two different custodial settings. A set of recommendations was developed by the young people based on the key messages in the research. These recommendations were the basis of the campaign phase of the project.

Recommendations from the research in the Juvenile Custody Centre

Recommendations to the Government

- Improve the general living environment for young people in Austria. Better prospects and job opportunities should be secured so that fewer young people violate the law.

Recommendations to the justice system

- Change the general attitude towards juvenile offenders. The judiciary should give young people a chance to prove themselves.
- Judges should issue conditions for sentences, such as obligatory participation in socio-educational groups. Young people should be better prepared for leaving prison and integrating back into wider society.
- Judicial instructions accompanying a suspended sentence or a conditional release to undergo psychotherapy or anti-aggression training were suggested by some interviewees.

Recommendations to the prison administration

Prison environment

- Decrease lock-up times (for many young people these currently start in the afternoon).
- There should be more opportunities for sports activities during the week. There should also be more flexibility in the types of sport on offer. Sport is considered to promote the cohesion of young prisoners, but also helps to “calm everyone down”.
- More leisure time should be available.
- A majority of the interviewees want more group activities. The constant isolation leads to increased stress.
- Mixed groups (of those who are considered to be the “stronger” or “weaker” ones) should be formed in prison.
- Better food would lead to less aggressive behaviour.

¹¹ Drawn from the Austrian research report.

Structural changes

- Prison guards should change their behaviour and attitude - be less aggressive, support young people and interact with them more often (including through joint group activities, such as soccer). Inmates should not be provoked or collectively punished but treated individually and according to their age. Prison staff should emphasise good examples set by experienced inmates.
- There should be more social workers working in the penal facility.
- Introduce a "buddy system" for new inmates. Older and more experienced inmates should function as reference people for younger ones and help them to cope in prison.
- Former prisoners could visit the facility to talk to young inmates about not falling back into their previous life after release. Young inmates would rather listen to ex-prisoners than to social workers. Give consideration to the development of a pilot project, involving external experts, who train former inmates on how they could successfully support young prisoners to cope with being in detention and prepare them for a life after their release.
- Young prisoners want to be heard and have a say in matters important to them (on issues including discipline, the activities on offer and where inmates are placed).

Concrete measures for dealing with past experiences of violence

- Therapies for inmates should be offered according to individual preferences (individual therapy/group therapy).
- There should be anti-violence and anti-aggression training for inmates.
- There should be more opportunities to help them change their behaviour, including drug therapies.
- Social-educational groups should be encouraged to help to build self-confidence and group cohesion).

Recommendations from the research in the pre-trial custody facility

Recommendations to the Government

- Find an alternative to detention. Prison does little to ensure that young people think about their mistakes and problems, but rather increases their propensity for violence. Develop institutions in which young people have to work hard and obtain some structure

and sense of responsibility. This would rehabilitate prisoners more effectively than "sitting around" in their cells.

- The Ministry of Justice should establish a separate place of detention for remand prisoners under the age of 18 and those who have been sentenced for a short period only. The special situation of young adolescents could be addressed more effectively and more room for bigger cells would be available.

Recommendations to prison administration

- Have detention cells for two instead of four people. The small space makes young people feel constrained and claustrophobic.
- Manage the cell population better. Abusive inmates should be isolated from others. Violence could be prevented by taking into account the views of young people when allocating cells. This would also limit "hidden" violence within cells, which is very common. Solitary confinement should not be used as often, or for such long periods of time.
- Inmates should have leisure time outside their cells. This might lead to more contact between inmates and yet more opportunities for violent assaults so should be monitored carefully.
- Cell doors should be kept open for longer periods of time so that inmates can move freely and visit other inmates in their cells. This might result in thefts from the cells, so should be monitored carefully.
- There should be more opportunities for physical activities.
- Promote group sports like soccer, rather than individual activities such as weight lifting.
- Activities to promote creativity could help inmates to take their minds off things.
- There should be more support from social workers in the young adult ward of the institution.
- More contact with psycho-social staff would make it easier for the prison administration to identify violence and abuse between room mates.
- Introduce a weekly meeting with staff and other inmates to talk about recent events and problems. Staff should be present with whom young people can discuss their problems and receive advice on resolving conflicts.

3. Campaign activities in Austria

Given the sensitivity of the issue - prevention and protection from violence in custody - it was decided that the focus of the campaigning activities would be on having a series of meetings and discussions to follow-up on the recommendations from the first phase of the project and look for ways of implementing them inside the prisons, rather than engaging external actors such as the media or the general public.

This resulted in two interlinked processes with the YCT members, one taking place in relation to the main Juvenile Custody Centre in Lower Austria, and one involving juveniles in pre-trial detention in Vienna.

A major panel discussion on juvenile justice reform in Austria took place on 12 November 2012 at the Vienna Criminal Court. BIM participated as a panel member in the discussion and used the opportunity to present the objectives, approach and methodology of the *Ending Violence against Children in Custody* project to a wider audience of 80 participants. The panel also included three juvenile judges, the head of the Austrian prison administration, a university and a UN researcher, social pedagogues, the head of the main probation service in Austria and the Vienna Child and Youth Ombudsperson.

BIM is planning a final campaign event in January 2013 bringing together key stakeholders in order to present the findings from both the research and campaign phases of the *Ending Violence against Children in Custody* project, and to gather thoughts and feedback on how these can be taken forward.

Campaigning activities: Juvenile Custody Centre

Meeting 1: October 2012

Nine young people were present at the first campaign meeting, as well as two social workers and the project team (staff from BIM and Weisser Ring). It was agreed beforehand that no guards would be present in order to ensure that the discussion was as open as possible.

A social worker at the prison site acted as an intermediary between the inmates, administration and the project team. With guidance from the project team she identified nine young people who were interested in joining the YCT. Three of these young people had previously been involved in the research phase of the project.

An introduction to the purpose of the meeting was given, followed by a presentation of the research findings and feedback from the YCT. The discussion focused on the issues that the young people considered most pressing in relation to violence in custody:

- The recent extension of lock-up time, especially during weekends. (This has largely been caused by a lack of sufficient personnel);
- Difficult and inconsistent relationships with guards. Some are supportive and protective and inmates want to spend more time with them (e.g. sports). Others can be rude and aggressive;
- Complaints about violence happened rarely, but when complaints were made they sometimes had negative consequences for the complainants;
- Impact of small things/daily routine - food variety should be increased and there should be more time for leisure and sports activities;
- Need for more regular communication with staff - reasons should be given for certain actions;
- Young people want to have their say and be taken seriously;
- It was considered important that members of the *Ending Violence against Children in Custody* project team should be involved in future discussions with stakeholders in the prison (e.g. Director of Juvenile Custody Centre).

After the discussion, a joint ranking exercise¹² was undertaken by the inmates:

Most important measures to prevent violence:

- 1) Shorter lock-up times + more sports and leisure activities + more staff + have a say in decision-making/be heard;
- 2) Fair treatment by guards + safe means for complaints + more social workers;
- 3) More group activities (other than sport) + more support from other inmates;
- 4) Improved food + guards to intervene in conflicts more quickly.

¹² Ranking according to level of importance - there could be two or more topics on the same level of importance

Easiest measures to realise:

- 1) Better food;
- 2) More group activities;
- 3) More involvement in decision-making.

It was suggested that in order to improve communication between the prison administration and inmates, a spokesperson from the young people in each ward should be appointed to communicate regularly with the guards. It was agreed that the results of the workshop should be presented by two young campaigners to the Director of the Juvenile Custody Centre. This meeting would be facilitated by the project team.

Meeting 2: November 2012

On 12 November 2012, the Director of the Juvenile Custody Centre met with two YCT members and the project team.

Following an introduction about the purpose of the meeting and a presentation of the findings and discussions so far, there was an open and constructive dialogue between the young campaigners and Director. The campaigners expressed concerns regarding some recent developments at the institution, and the Director tried to explain some existing difficulties (e.g. staff reductions by one third over the last 15 years, while the number of inmates remained at the same level). She explained that longer lock-up times were basically due to staff shortages, leading to earlier closure of cells. She also said discussions had taken place previously about how to manage longer shared times for inmates with un-locked cells in certain wards under specific rules and conditions.

The young campaigners asked for more flexibility as to sports and leisure time activities. As well as helping to reduce feelings of frustration and tension, this would allow them to have more informal contact with other inmates. They also expressed concern that relationships with some guards seem to be more strained now due to staff changes. Previously, regular meetings between staff and inmates had taken place, but these had not happened for several months. The idea of a spokesperson to communicate regularly with staff was well received, although several questions remain (selection, status, role of staff in meetings, etc.).

At the end of the meeting a **package of possible activities and next steps** was summarised, including:

- Consider establishing a spokesperson in certain wards;
- Look for ways to re-establish regular meetings between guards and inmates;
- YCT members to write down further suggestions for improvement to send to the Director;
- Discussions to be held by the Director with other staff.

At the end of the meeting, the campaigners were impressed by the open dialogue while the Director emphasised her intention to make the Centre a good practice example for juvenile justice.

In December 2012 the project team learnt from the social worker supporting the project at the prison site that a first set of meetings between guards and inmates had taken place. She reported that the meetings were very constructive. The social worker also reported that there has also been more regular communication and feedback between inmates and social workers in the prison.

The project team was invited to attend a Christmas event on 20 December 2012 at the prison, which was also used for further discussion with the Director on possible next steps.

Campaigning activities: pre-trial detention

Meeting 1: October 2012

The situation with regard to recruitment of YCT members in pre-trial detention was quite different from the situation at the main Juvenile Custody Centre, mainly due to the rapidly changing population at the prison. The result of the fast turnover of inmates meant that none of the young people who had participated in the research phase of the project were still at the institution by the time the campaign phase of the project started.

A preparatory meeting took place with key individuals in the prison in Vienna to discuss the project and engagement of young people from the establishment. This institution is the largest prison in Austria. It includes a separate unit for juveniles and young adults on remand and also holds a few young inmates who are serving short prison sentences. The head of the juvenile department, the head of the respective prison guards and the head of social services for juveniles participated in this meeting with the project team.

The findings from the research phase of the project were presented and discussed. The staff explained that the key challenge in preventing violence is that there are too few staff, which places a heavy burden on current personnel.

Members of staff are offered supervision, but they rarely take it up (partly because of staff shortages, but staff are also reluctant to do so).

Meeting 2: November 2012

Four inmates, all aged 16, joined the project as members of the YCT. The four young people participated in a meeting with the project team in November 2012. No members of prison staff were present.

The aims of the workshop and the research findings were presented and YCT members were invited to feed back. The project team was told that the situation of juveniles in pre-trial detention is better to some extent than that of young adults (some of whom had participated in the research phase of the project). However, YCT members expressed many of the same concerns - long lock-up times, cells with four inmates (and few possibilities to have a say about who they shared a cell with), too few opportunities for work and other useful activities and problematic treatment by prison guards. The young people referred to the "Emergency Squad" a group of guards who sometime use violence, including beating, as a means of ensuring discipline. They were also critical about the lack of effective means of complaint. Discussions touched on several practical problems, including difficulties in obtaining cigarettes and restrictions on watching television. All four young people referred to the practice of regularly using sleeping pills to help sleep at night.

The young people identified the following issues as being of particular importance:

- Lack of a right to express a view/involvement in decision-making (especially concerning the sharing of cells);
- Lack of sports opportunities;
- The need for fewer inmates in cells (only two instead of four).

It was agreed to try to set up a meeting between the YCT and the prison head following the approach taken at the main Juvenile Custody Centre. However, in December 2012 the project team was informed by the authorities that it would not be possible to continue the discussions at the juvenile remand prison department. It was explained that this was partly due to difficulties in maintaining a dialogue with quickly changing inmates. Concerns were also expressed that such discussions could also raise unrealistic expectations among inmates about possible improvements, which would be difficult to achieve in light of the existing shortage of resources, of which the authorities are already well aware. Unfortunately, no further follow-up was possible.

4. Outcomes, achievements and lessons learned

The common issues that young people wanted to address in both institutions were:

- Reduction of lock-up times;
- Fewer inmates per cell in pre-trial detention;
- More sports activities;
- More group activities (from joint cooking exercises to therapeutic groups);
- More involvement in decisions that have a direct impact on the inmates and improved regular communication between inmates and prison staff.

The discussions at the main Juvenile Custody Centre were more fruitful than those at the juvenile remand prison department. This may be attributed to the specific situation of the latter - one small section of a large institution with almost 1,000 prisoners.

While both institutions have been facing challenges for several years caused by insufficient human and financial resources, the research carried out as part of the *Ending Violence against Children in Custody* project has shown that causes of violence are not all related to resource issues. More action is needed to address the structural, cultural and organisational factors that contribute towards violence against children in custody.

It is important to establish a "common vision" for juvenile justice and the objectives of custody for juveniles. Irrespective of different roles, tasks and way of working, a consistent approach is needed vis-à-vis the inmates, in order to strengthen a climate of respect, trust and accountability. This must start by reflecting on prevailing attitudes and would require new ways of communicating with young people. The discussions that have taken place to date have helped both sides (young people and the prison authorities) gain a better understanding of the dynamics and constraints existing in custodial settings. The campaign phase of the project and the self-advocacy of the YCT have helped to create a basis for renewed efforts, and as indicated by the final campaign event to be held in January 2013, discussions about how to improve such a complex living environment in the interests of all stakeholders - especially young people - will continue.

Another essential development is the establishment of clear and specific job descriptions for all professionals working in custodial settings. Staff must receive training and opportunities to meet with other professionals in the custodial workforce in order to ensure the development of a "common vision" on how to work with young inmates in general, and on how to address violence in particular. In line with the recent recommendations made by the UN Committee on the Rights of the Child to the Austrian Government in October 2012,¹³ training for professionals should include information on human rights and children's rights standards and cover principles of accountability and monitoring.

The differences between custodial settings (prison and pre-trial detention) raise other challenges in working towards the elimination of violence. Shorter periods of custody in pre-trial detention give less time to develop routines or address problematic group dynamics and provide fewer opportunities for useful skill development and training. Young people in pre-trial detention usually have to share a single cell with three other inmates, whilst convicted prisoners usually have their own cell. Pressure and the fear of reprisals from others in their cells prevent the reporting of violent incidents in pre-trial detention.

A clear lesson learned from this project, and particularly its campaign phase, has been that all custodial institutions should actively seek to cooperate with external monitoring institutions, in order to promote the constant evaluation of conditions in custody. The authorities should also facilitate access for independent organisations which support inmates to access justice.

It would have been helpful if the authorities had been involved in the project at an earlier stage, in order to explain what would be possible and any constraints the project team and YCT would be under.

The project in Austria did not engage any young women. Given the very small number of young females in custody in Austria it was not feasible to recruit YCT members from this target group. Any follow-up to this project should include a focus on preventing violence against girls and young women.

The project has shown that despite all the practical difficulties of working with children in prison and the sensitivities of the subject matter, it is possible to give young inmates in prison a voice about their situation, to actively engage them in a peer-to-peer research project and in campaigning for change. In this regard it is worth noting feedback given by the young people involved in the project. When asked why they wanted to participate in the project, the most common answers were '*interest in the topic through personal experience of violence*' and '*wanting to make a contribution to society*'. When asked about the impact that participating in the project had had on them they answered '*increased knowledge and awareness*', '*enjoyment*' and '*making voice heard*'.

¹³ UN Doc. CRC/C/Aut/CO/3-4

Chapter 4

Cyprus



The Commissioner for Children's Rights is the *Ending Violence against Children in Custody* project partner in Cyprus.

The age of criminal responsibility in Cyprus is set at 14 years. Young offenders who are over the age of 16 are treated by the judicial system as adults. There are two kinds of custodial settings within the juvenile justice system where children and young people may be detained: detention centres in police stations and prison.

Detention centres in police stations: Young people who are either arrested on suspicion of an offence, or have been charged with an offence, are normally held in custody in detention facilities in police stations together with adult offenders. They are held in separate cells but share common areas. Young female offenders are usually held in custody in prison, rather than in detention centres in police stations.

Prison: There is only one prison in the country that caters for the areas under the effective control of the Republic of Cyprus. This prison holds people of all ages. There are no separate prisons for males and females, although there are separate wings within the prison premises. The state prison holds all prisoners regardless of their crime.

Specific provisions for children in custody: In relation to children in conflict with the law, **there are no specialised detention facilities** or locked institutions for young offenders. There are only a small number of specialised staff working with young offenders in custody.

1. About the YCT in Cyprus

Recruitment of the YCT

Recruitment of young people for the campaign phase of the project was challenging. There were several practical obstacles to engaging young people currently in custody in the project. For this reason, the project team contacted young people who had been involved in the research phase of the project who were now living in the community to see if they were interested in joining the YCT.

Some of the young people were no longer interested in the project, whilst others were dealing with personal issues or were in conflict with the law again. Several were concerned about the geographical distance they would need to travel to attend meetings, despite reassurances their travel expenses would be reimbursed. Those young people who were working felt their schedules were too busy for them to take on other commitments.

Two young people with experience of custody joined the YCT, a young male and the young female who had participated as a young investigator during the research phase of the project.

In order to support the active participation of young people in the project, the Commissioner’s Young Advisers group was involved in the campaign. This is a group of teenagers who advise on the Commissioner’s work. Some of them already had an understanding of the issues related to young people in conflict the law. They expressed a strong interest in participating in the project and were enthusiastic about being involved in the campaign.

Special care was taken to ensure that the YCT members who had experience of custody were not be made to feel vulnerable or exposed in any way when working with the Young Advisers Group. The Young Advisers Group was advised not to pry into the personal circumstances that led to the two young people to being in custody and to be careful not to ask them to disclose any sensitive information. They were also advised to maintain the two young people’s anonymity and treat information discussed in the meetings with sensitivity.

Demographic information

Nine young people participated in the campaigning phase of the project in Cyprus:

- Two young people had direct experience of being in custody;
- Seven were members of the Commissioner’s Young Advisers Group;
- Eight YCT members were female and one was male;
- In terms of ethnicity, eight were Cypriot and one was of a mixed background (Armenian-Lebanese-Cypriot);
- None of the YCT members considered themselves to be disabled.

AGE	NUMBER OF YCT MEMBERS
14	1
15	2
16	1
17	3
20	2

2. Country recommendations

During the research phase of the project a series of recommendations were developed for ending violence against children in custody based on the suggestions of children and young people. These recommendations formed the basis of the activities of the YCT in Cyprus.

1. The Ministry of Justice and Social Order should establish safe, secure and specialised prison facilities and police premises for children in conflict with the law, in order to ensure that they are treated in a manner substantially different from adults.
2. Specialised procedures should be established for the selection of staff who have contact with children and young offenders in locked institutions. Staff must have an understanding of issues related to juvenile delinquency and should receive specialised training on children’s rights and on how to resolve conflicts without resorting to violence.
3. Young prisoners should be engaged in educational and vocational training and creative activities as a means of reducing the tendencies that may lead to violence.
4. There should be more effective, prompt and clear complaints mechanisms in prison and police stations.
5. The authorities should establish a mentoring programme in cooperation with NGOs in order to help children and young people in prison prepare for a law abiding life.
6. Existing curricula in police training programmes on Juvenile Justice should include interdisciplinary training on children’s rights, child psychology and other related areas.
7. The Ministry of Justice and the Court Authorities should establish a procedure to select police officers and judges who are child friendly, are sensitised in issues related to children in conflict with the law and educated in children’s rights.
8. Courts should introduce speedy procedures when reviewing children’s cases. Sentences should be appropriate to the child’s personal circumstances and focus on reform and rehabilitation.

3. Campaign activities in Cyprus

YCT meetings

The Office of the Commissioner of Children's Rights facilitated three meetings with the YCT. As well as providing an opportunity to review the aims of the project and determine what action to take, these meetings provided a platform for the young people with experience of custody to talk to the Young Advisers. They shared their personal experiences of custody and expressed their views on how young people in conflict with the law should be treated. The Young Advisers paid close attention to what the two young people with experience of custody had to say and were particularly engaged in learning about the issues surrounding the overall context for children in custody in Cyprus. These discussions had a very positive impact in keeping all of the young campaigners involved and motivated and seemed to enhance the group's overall commitment to the project. The Young Advisers later confirmed that hearing personal stories from people close to their own age about being in custody had a positive impact on their engagement in the project and increased their desire to take action.

Meeting 1: October 2012

The entire YCT group (nine young people in total) attended the first meeting. The purpose of the meeting was to provide some background information about the project, to review the research findings and the recommendations from the research phase and to decide which recommendations the group would focus on. The YCT decided to develop its own recommendations relating to ending violence against children in custody. The majority of these recommendations built upon the research recommendations, taking them a step further and making them more specific and detailed.

The following recommendations were put forward by the young people:

In relation to creating a safe, secure and more humane environment for young people in custody:

- Use separate detention facilities or prison cells for young girls in conflict with the law so as they are not held with adult women detainees or prisoners;
- Establish a humane, more 'tolerable', safer and child-friendly environment for children in custody, with significantly improved living conditions. The possibility of establishing a minimum security rehabilitation facility, away from urban areas, was discussed.

This centre would sustain a team environment and encourage young people's participation in everyday activities (such as housekeeping, cooking, gardening etc.). This will help to encourage the reintegration of young people into society once they finish serving their sentence;

- Integrate semester-long courses in the Police Academy on issues related to children in conflict with the law instead of conducting only a few sporadic lectures;
- Use real-life testimonies of former prisoners to sensitise police officers and prison wardens to the needs and rights of children and young people;
- Combat racism and discrimination towards non-Cypriot prisoners.

In relation to engaging young people in physical and creative activities in custodial settings as a means of reducing feelings of stress, frustration and boredom:

- There must be compulsory Life Skills Education and Sex Education for all young prisoners;
- Provide classes that would focus not only on vocational training but on helping young people build skills they could use when released from prison (e.g. languages, computer literacy, etc.);
- Encourage young people to engage in creative activities, such as learning musical instruments. A band could be created and young prisoners could perform for the public. Frequent band rehearsals would enhance the feeling that young people have a goal and a purpose;
- Organise football or basketball tournaments and also encourage participation in non-contact sports such as bowling, chess, etc.

In relation to providing support to young people in custody:

- Implement a mentoring system with young prisoners. External mentors should be allowed frequent access to visit young people in custody. These mentors can be assisted or accompanied by young volunteers who are specifically trained to support young prisoners. The mentors and volunteers will help children who are in custody to keep in touch with the outside world, model a positive relationship with them, provide psychological or other support as needed, and help raise young prisoners' aspirations through setting specific targets and meeting them;
- Mentors could also act as contact points for passing on complaints of young prisoners to the responsible authorities.

In relation to the juvenile justice system:

- Until the creation of a separate juvenile court, one or two rooms of the court should be allocated exclusively to cases relating to children and young people;
- When deciding on a sentence, the judges must take into account the specific circumstances of the young person (i.e. family and personal circumstances, level of maturity, degree of vulnerability) and rule accordingly;
- As young people cannot speak for themselves in courts and their cases are presented by social workers and lawyers, there must be more frequent contact with these professionals in order to ensure a more successful mitigation of their cases;
- As there are currently no lawyers specialising in juvenile delinquency, lawyers need to be further sensitised on issues relating to children's rights and the proper treatment of young people in conflict with the law.

Following the drafting of the recommendations, the YCT identified those recommendations considered the most important, requiring immediate attention and that were the most feasible to work upon within the remaining time frame of the project.

The young campaigners unanimously decided to focus on the **improvement of the living conditions in prison** and the provision of **support to young prisoners through the establishment of a mentoring programme**. It was felt the improvement of living conditions in prison could also include some of the other key issues that needed to be addressed.

Meeting 2: November 2012

A second meeting was held with the YCT to decide upon specific campaign actions and draft a campaign plan. Seven young people attended the meeting, five members of the Young Advisers Group and the two young people with experience of custody. During this meeting, the young campaigners worked on specific actions to take forward the two main recommendations they had previously selected.

In relation to providing **support to young prisoners**, the following actions were considered:

- Meeting with the Apostolos Onisimos, a Non-Governmental Organisation (NGO) that provides support to prisoners to explore the feasibility of setting up a mentoring programme in prison;
- Discuss how the NGO can help escalate young people's complaints to the relevant authorities.

In relation to the second recommendation, **improvement of the living conditions in prison**, the YCT discussed the possibility of meeting with government officials from the Prison Authorities and the Ministry of Justice to present their recommendations. Unfortunately, this was not possible for several reasons. The Young Advisers could not miss school due to midterm tests and exams and the young people with experience of custody were unable to get time off work. In addition, the two young people with experience of custody were reluctant to "expose" themselves in front of government officials. Both of the young people have kept their experiences in custody confidential and have not disclosed it at work. They were concerned that any public appearance in this context may negatively impact their professional advancement and future work opportunities.

Instead of meeting with Government officials, the young campaigners decided to carry out **awareness raising activities** in an effort to educate other young people about the conditions of young people in custody and to initiate a positive momentum for change. They decided to target young people in schools and the Cyprus Youth Parliament.

The young people developed a series of **key campaign messages** that they wanted to convey:

- Violence in custody exists and you can't shy away from it;
- Respect for children and their rights is of primary and utmost importance;
- Humane treatment of children in custody;
- No degrading treatment of children which undermines their dignity;
- Every child is special and needs to be treated as such;
- Zero tolerance of violence;
- Children in custody need to have a voice. They need to be able to express themselves freely and without fear;
- Children in custody have important things they need to say. Ask for their opinions and really listen to them!
- Don't punish these children a second time. They have already been punished by the courts and by serving their sentence;
- Protect their anonymity when they come out of prison and are trying to reintegrate into the society;
- Don't judge them and don't condemn them when they are trying to reintegrate into society.

The YCT developed campaign plans based on the two specific issues that they wanted to take forward.

Campaign plan: establishing a mentoring program for young children in prison

What is the problem/what do we want to change?

- Young people in prison do not have much contact with the outside world. Many of them feel alone and neglected, some have no one to visit them.

What is the aim of the activity?

- Establish a support mechanism for young people who are in prison through a mentoring programme. Mentors will provide psychological, material and other support as required, they will ensure that children in custody are safe and being treated correctly, will escalate complaints to the relevant authorities, will act as role models and help young people set goals for themselves and help to raise their aspirations.

Who do we need to influence?

- NGOs providing support to young people in custody, young people in prison, prison authorities, prison staff and social workers.

How can we do this?

- Set up a meeting with Apostolos Onisimos, the NGO that provides support to prisoners. Discuss the feasibility of setting up a mentoring system and explore what will need to happen in order for this mentoring programme to work.

How can young people be involved in this?

- Young people with prior experience of custody can provide their personal testimonies to illustrate the specific needs of young people in locked institutions.
- Young volunteers can be trained to support mentors and engage in positive contact with young prisoners.

What do we want the outcome to be?

- Young people in prison to have enough psychological support and to feel that their custodial surroundings are more humane and tolerable. They will maintain contact with the outside world, have a person they can relate to, have goals and aspirations, their self-esteem will be kept at high levels, and will have something to look forward to. Their needs and interests will be safeguarded and they will also be provided with adequate support for reintegrating into society when their sentence is completed.

Campaign plan: awareness raising activities with young people

What is the problem/what do we want to change?

- Young people in the community have little knowledge about issues concerning children in conflict with the law.
- There is a general lack of public awareness regarding the conditions that children in custody are living in.
- The majority of young people who have been in some type of conflict with the law but were not prosecuted or held in detention are not aware of how "punishing" the juvenile justice system can be.
- Young people in custodial settings are not aware of their rights and therefore do not advocate for them nor do they seek help or support.

What is the aim of the activity?

- There is a need to educate young people about the specific conditions that young people experience in custody in an effort to encourage advocacy for change.

Who do we need to influence?

- Young people in schools, young people with previous or current experience in custody, the Cyprus Youth Parliament.

How can we do this?

- Letters to key stakeholders, slide shows, PowerPoint presentations, animations, social media, recorded personal testimonies of young people with experience in custody, informative videos depicting the rights of children in custody and the way they should be treated, posters/flyers, petitions.

How can young people be involved in this?

- Young people with experience in custody can provide valuable input on their experiences in locked institutions, especially with regard to violations of their rights and their unmet needs. Recorded personal testimonies of young people with prior experience of custody will enhance the impact of the awareness raising activities.
- Young people who are sensitised to the issue (for example the Commissioner's Young Advisers Group) can conduct awareness raising activities to educate peers in their schools.

- The Cyprus Youth Parliament can be educated about the issues facing young people in custody. In turn, they can advocate for the rights of young people in custodial settings during their meetings with the Parliament and influence key decision makers.

What do we want the outcome to be?

- Young people become advocates for the rights of children and young people in custody and act as agents of change in their communities
- Young people directly influence decision-makers to safeguard the rights of children in custodial settings.

Meeting 3: November 2012

Five YCT members met to create a presentation which they would use for their awareness raising activities. The two young people with experience of custody did not want to participate in the awareness-raising activities as they felt that standing up in front of a crowd and speaking about their experiences would make them feel exposed. They were afraid that this exposure in front of others would be a threat to their anonymity and possibly jeopardise their current circumstances.

A presentation was prepared in the form of an interactive questionnaire which would be used to stimulate a discussion around the current circumstances surrounding children in conflict with the law. The presentation also included suggestions for improving the situation of children in conflict with the law.

Campaign activities undertaken by the Office of the Commissioner for Children's Rights

In addition to supporting the work of the young campaigners, action was undertaken by the Office of the Commissioner for Children's Rights (OCCR) in its role as the ultimate body in Cyprus that safeguards and promotes children's rights. The recommendations of the YCT formed the basis of any actions undertaken by OCCR.

ENOC Conference

The Cypriot Commissioner for Children's Rights assumed the Presidency of the European Network of Ombudspersons for Children (ENOC) for one year starting in October 2012. In this role, the OCCR organised the 16th Annual Conference of ENOC, which took place in Nicosia on the 10 - 11 October 2012. The theme of the Conference was '*Juvenile Delinquency - Child Friendly Justice Structures and Processes for Prevention and Intervention*'.

Information about the *Ending Violence against Children in Custody* project was presented as part of the conference programme and the headline findings from the research in the five partner countries were highlighted, placing particular emphasis on the common recommendations that emerged from the research findings. One of the young campaigners spoke about her experiences both in custody and as a young researcher, providing a personal testimony in relation to the gaps that exist in the juvenile justice structures in Cyprus.

Meeting with prison authorities to inspect the custodial facilities for children and young people

There are no specialised detention facilities or locked institutions for young offenders in Cyprus. In police custody and in prison, young people are held together with adult offenders. There are very few specialised or specifically trained staff working with children and young people in custody. In the past year the Prison Authorities have been exploring the possibility of establishing a separate custodial facility within the prison to be used exclusively for young people in conflict with the law. An old building has been renovated and converted to cater for the needs of young inmates.

Representatives from the OCCR were invited to inspect the new building and provide their recommendations regarding the policies and procedures which need to be in place to ensure its smooth operation in a manner that safeguards the rights of children and young people. The young campaigners with experience of custody were invited to join the OCCR in this visit. This was not possible as they could not get time off work.

The visit of the OCCR representatives to the newly renovated facility that will cater for young offenders concluded that there are still notable gaps in terms of operational policies and procedures necessary to safeguarding children's rights. In addition, there were evident gaps in terms of the selection, the training and the qualifications of the staff who come into contact with young offenders.

Following the visit, an official letter was sent to the Prison Authorities including several recommendations (based on those developed by the young researchers and campaigners). These included:

- The development of a specialised Operation Manual for the new facility for young prisoners, which will be prepared by a multidisciplinary group of experts. The Manual will aim to ensure that all operations of the Juvenile Prison Facility safeguard the rights of children and young people;
- The detention of young people in detention facilities needs to be carried out in a manner that ensures a standard of living adequate for their safety and their physical, mental, emotional and social development. The placement of young people needs to take into account the age of the child, the seriousness of the offence, the child's emotional state, and the degree to which they are vulnerable;
- Children need to be provided with clear, transparent and easily comprehensible information in relation to their detention;
- Detailed, clear and transparent criteria should be established for the selection of staff who will be in contact with young people. Staff who come into contact with children in custody need to be specifically and systematically trained on a range of issues including children's rights; policies and regulations regarding the custodial framework for children and young people; positive and effective ways of handling children and young people in a respectful manner; ways to protect and support young people who have suffered abuse, have fragile mental health or are experiencing problems with substance or alcohol abuse; and skills in problem solving, conflict resolution and active listening;
- Special educational and vocational programmes should be developed to provide opportunities for young people in custody to complete school and achieve their high-school diploma and/or acquire vocational skills that will be useful for their reintegration into society;

- There should be a transparent complaints mechanism to ensure the systematic recording and monitoring of complaints relating to any form of violence or conflict between young people and/or between staff and young people;
- The authorities should create a mentoring programme in collaboration with NGOs or universities.

4. Outcomes, achievements and lessons learned

The ENOC Conference: Developing Child Friendly Justice Structures and Processes for Prevention and Intervention

The presentation about the *Ending Violence against Children in Custody* project was very successful. The personal testimony of the young woman with prior experience of custody who was involved as a young investigator in the research phase of the project had a particular impact. The fact that she could provide a first-hand description of the gaps existing in the juvenile justice system had a direct and powerful impact on participants. She reiterated how difficult it was for her to experience the dark, claustrophobic environment of custodial settings and mentioned how unsafe and uneasy she felt being locked up with adults. Her testimony as to the importance of having a second chance, which was what motivated her to change her life and strive towards making a better life for herself, was particularly powerful. Her message was clear: a punitive justice system is not effective for young people because it is not conducive to rethinking their mistakes and making amends. Moreover, treating young people as adults often violates their rights, and destroys their dignity.

It was evident that she found the experience of being a young investigator and young campaigner empowering and confidence-boosting. She was very proud of her personal contribution to the project and demonstrated a high sense of ownership. She exhibited a high degree of enthusiasm and expressed her motivation to continue to be involved in campaign activities.

Exploring the feasibility of establishing a mentoring programme for young prisoners

A meeting was held with a representative of the NGO Apostolos Onisimos at the end of November 2012. The meeting was attended by the two young people with experience of custody, two members of the Young Advisers Group, and representative of OCCR. The discussion with the NGO representative confirmed that prisoners experience the prison environment as a punitive one, in which individual rights are often overlooked. There is still a lot to be done to make the prison environment conducive to rehabilitation and reintegration.

The NGO had not had any previous contact with young prisoners but the representative appeared very keen to learn about the specific issues relating to children and young people in custody and hear about the YCT's recommendations for future action. She was particularly interested in the recommendation regarding the establishment of a mentoring programme for young prisoners, as their NGO runs similar activities with adult prisoners, though in an informal and non-systematic manner.

At the end of the meeting, it was evident that the meeting had encouraged a positive exchange of ideas and experiences and provided a good basis for exploring possible future cooperation.

Awareness raising activities with young people

There were some difficulties in securing access to the target groups (young people in schools and the members of the Cyprus Youth Parliament). In order to give a presentation in high-schools permission is required from the Ministry of Education. It was not possible to obtain this for December owing to a lack of availability (as it was already the end of term and schools had a busy schedule). Similarly, the Youth Parliament had very limited availability due to forthcoming presidential elections.

Nevertheless, the YCT remained very keen to carrying on with awareness raising activities and decided to target the remaining members of the OCCR Young Advisers Group (around 25 young people). An interactive presentation was prepared, outlining the main gaps in the juvenile custodial settings (as identified in the research) and also putting forth the research recommendations. It is hoped that the presentation will be delivered during the first meeting of the Young Advisers Group in early 2013.

Impact on young campaigners

The most important achievement of the campaign phase was the active engagement of young people with experience of custody in the project and their empowerment as a result of their participation. Their involvement in the project was particularly empowering because, primarily, it gave them a 'voice'. It encouraged them to take action, assume responsibility and also have a chance to use their experience to help others in the same position.

Through their involvement in the campaign phase of the project, young people with experience of custody gained new skills, met new people, enhanced their communication skills, felt accepted by a group of peers and were made to feel their opinions mattered and were listened to. Both the young people with prior experience in custody flourished as the project developed. They were increasingly becoming more confident, more talkative, more motivated, and more engaged. They felt more secure in expressing their opinions, felt part of the group, had a sense of belonging and purpose and seemed to feel good about themselves.

In their own words, the two young people said that their motivations in joining the project were:

'To create awareness and educate people in my surroundings about this issue'

'To help young people to have a second chance'

'To help improve the conditions young people experience in custody'

When asked what they wanted to achieve through being involved in the project, they said:

'Do something about my life'

'To become a better person. Always think twice before I do something. Be more careful of my actions. Became more mature'

'To make a difference in my life'

Similarly, the Young Advisers Group was also very interested and very engaged in the project. They liked the fact that through their involvement and participation in the campaign phase they were given the opportunity to take action and strive towards creating positive change and helping other young people. One of the females in the group said:

'Our society is very different from what I thought and because of this I will try with others in our group to do everything we can, with a common purpose to change things for the better.'

The group had a limited knowledge about issues relating to children in conflict with the law and in custody, but through the project their knowledge and awareness was significantly enhanced:

'I am very happy to have the opportunity to participate and be involved in the project because I learned many things that I never imagined existed.' (Female, 14)

'Through the programme I learned a lot about how the justice system treats children. I realised that many of the basic rights of children, for example: the right not to be abused and neglected, the right to meet with other children their age, etc., are violated when children are held in detention centres or prisons.' (Female, 17)

'I realised that there is a lot of injustice and children in prison or detention centres are unnecessarily abused.' (Female, 17)

The fact that they could now identify the various problems that exist in relation to young people in custody acted as motivation, encouraging them to take action for change.

'We all have to do our best because we live in this society and our children will grow in this society. [We need to change things for the better]. Our future is in our hands and depends on us.' (Female, 14).

Lastly, young people from the Young Advisers Group expressed the hope that their recommendations will indeed be taken into account and that things will begin to change.

'I was very glad to see that there are people and organisations who are interested in young people. I hope that at least some of our suggestions will materialise in the future.' (Female, 16)

Learning for future work

Working with a group of young people with experience of custody can be very challenging. These young people often find themselves in difficult circumstances, experience various personal issues, may lack motivation and a sense of purpose and, at times, may find it difficult to assume responsibility or make commitments. Thus, engaging them and maintaining their interest and commitment in a project or an activity can be a challenge. Encouraging and supporting these children and young people to participate requires conscious effort, the personal benefit to them must be constantly highlighted, incentives must be provided, positive encouragement and persistence are necessary. However, once these young people do engage in a project, they have a lot to give. If they feel respected, included, listened to and validated, they can develop a sense of purpose. If they can feel trusted, protected and safe, they can disclose experiences and share beliefs, express needs, identify problems, offer valuable recommendations and explore possible solutions for change.

Chapter 5 England



The Children's Rights Alliance for England (CRAE) is the *Ending Violence against Children in Custody* project partner in England.

1. About the YCT in England

Recruitment of the YCT

CRAE approached all of the young people who had been involved in the research phase of the project to see if they were interested in joining the YCT. One young person on the YCT had been involved in the research phase of the project as a young investigator and wanted to stay involved in the campaigning phase of the project. Many of those who had participated in the research phase of the project were difficult to make contact with, as they had left custody and were now living in the community. CRAE advertised the opportunity to get involved in the YCT through our website, membership and various networks and through NGOs working in the area of youth justice.

CRAE was supported by User Voice, a national charity that works to engage those with experience of the criminal justice system in bringing about its reform and to reduce offending. User Voice helped CRAE to recruit young campaigners and supported their engagement in the project. The involvement of User Voice was critical to the success of the campaigning phase of the project.

A total of nine young people joined the YCT in England. Eight of these had direct experience of being in custody. One had not been in custody but had experience of being in contact with the police.

Demographic information:

- There were three female members and six male members of the YCT.
- None of the YCT members considered themselves to be disabled.

AGE	NUMBER OF YCT MEMBERS
16	2
17	2
18	3
20	2

ETHNICITY	NUMBER OF YCT MEMBERS
White	5
Black	2
Mixed Heritage	2

2. Country recommendations

During the research phase of the project a series of recommendations were developed for ending violence against children in custody based on the suggestions of children and young people. These recommendations formed the basis of the YCT's campaigning activities in England.

Recommendations relating to the regulation and use of force in custodial settings:

- There must be clear rules on the use of force in custodial settings;
- All staff must receive training on when force can be used and how the use of force can be avoided;
- Cameras with sound recording should be installed in custodial settings.

Recommendations relating to preventing the use of force or developing alternatives to the use of force:

- Restraint should only ever be used when staff in custodial settings have tried all other alternatives;
- Efforts should be made to reduce the claustrophobic atmosphere in custodial settings by, for example, arranging many more sporting activities, outside visits and more contact with families;
- More needs to be done to encourage listening and talking as a means of resolving conflicts and preventing violence both between young people and young people and staff;
- When there is a violent incident, staff should always attempt to use talking and listening to calm things down, rather than using forceful restraint;
- Staff need to discover what works for an individual young person when trying to resolve a situation.

Recommendations relating to staff in the juvenile justice system:

- Custodial settings should employ staff who like young people: staff should have proven ability to relate to young people and work with them well;
- Staff should be employed who have similar life-experiences to the young people;
- Staff must be fair, open minded and approachable, and always prepared to listen to the young person's explanations and version of events;
- Young people should be involved in staff training in custodial settings - giving examples of how to approach certain situations and talking through when to intervene or when to 'back off';

- Staff must be pro-active and engage the young people in more physical activities such as sport in custodial settings. This would reduce feelings of stress, frustration and boredom;
- More staff should be employed to enable them to monitor relationships and potential areas of stress;
- Custodial settings should bring in external mentors whom the young people can relate to - they would provide role models or help in raising aspirations;
- Judges should find out more about a young person before passing a sentence. They should have time to talk to the young person, find out about their background, and even visit where they live. Judges should consider whether a custodial sentence is really the best thing for that individual young person.

Recommendations relating to the police:

Although this research was not specifically focused on the treatment of young people when in contact with the police, several recommendations were made by young people in relation to the need for better regulation of police behaviour:

- More needs to be done to challenge the violent, aggressive and threatening behaviour of police when they come into contact with young people;
- Cameras with sound recording should be installed in police vehicles, police stations and police cells;
- Young people should have access to an independent person of their choice who can visit them regularly whilst in police detention to ensure that they are well and being treated correctly. Young people should be able to decide who this person is.

3. Campaign activities in England

YCT meetings

CRAE facilitated a series of meetings to enable YCT members to review the key findings and recommendation and begin working on specific campaigning activities.

Meeting 1: Bradford, September 2012

Four young people attended the meeting. They were all from the North East of England and were supported by staff from User Voice. The purpose of the meeting was to provide some background information about children's rights and the *Ending Violence against Children in Custody* project, to review the recommendations and select the issues they wanted to take action on.

YCT members reviewed all of the recommendations and highlighted three key areas they wanted to take forwards:

- **Cameras with sound recording (custody and prison), including jackets with sound recording;**
- **Police behaviour when in contact with young people;**
- **Use of excessive and unnecessary force by prison officers and police.**

The group came up with a range of suggestions for campaigning activities including:

- Formal letters to Ministers, judges, Governors of prisons, Ombudsmen and senior police officers to request meetings;
- Writing to television producers to suggest programmes about what happens in youth custody;
- A petition on cameras with sound recording;
- Additional research on children and young people's experiences of violence in custody.

Meeting 2: London, October 2012

Three young people attended the meeting. They were from the Midlands and London and were supported by staff from User Voice. One of the participants had been involved in the research phase of the project as a young investigator. The purpose of the meeting was to provide some background information about children's rights and the *Ending Violence against Children in Custody* project, to review the recommendations and highlight the issues they wanted to take action on.

The group selected four recommendations they wanted to take forward:

- **The kinds of staff that are employed in custody - similar backgrounds, pro-active, better training;**

- **Judges being more understanding of young people's backgrounds and circumstances;**
- **Always use restraint as a last resort;**
- **Having external mentors to come in to prisons.**

The group suggested a series of campaigning activities:

- Speaking to Governors of custodial institutions about violence against young people in their institution;
- Speaking to people in charge of the police;
- Speaking to young people - finding out how have they been treated and how can things be improved;
- Speaking to the people who manage the contracts for Secure Training Centres (one of the types of youth custodial settings in England).

Meeting 3: Birmingham, October 2012

This meeting brought all of the YCT members from across England together. The purpose of the meeting was to develop specific campaign plans with targeted actions. The group agreed that they wanted to focus on two specific issues:

Installing cameras with sound recording in police and custodial settings

Reviewing the qualities of staff who are employed in custodial settings

For each issue, YCT members developed campaign plans identifying the issue they wanted to change, who they needed to influence and what activities they would need to carry out in order to do this.

The YCT members decided to focus on three key activities relating to their specific campaign issues:

- Drafting a letter to send to key individuals in the youth justice and policing sector along with copies of the England research findings;
- Writing an e-petition on the issue of cameras;
- Developing "an ideal job description" for staff working in youth custodial settings.

It was agreed that the letter should be sent to:

- The Office of Children's Commissioner;
- The Youth Justice Board (YJB);
- The National Offender Management Service;
- The Secure Accommodation Network;
- Her Majesty's Inspectorate of Prisons;
- Her Majesty's Inspectorate of Constabulary;
- Independent Police Complaints Commission.

Letter from Young Campaign Team with England research findings

ENDING VIOLENCE IN CUSTODY AGAINST CHILDREN

We are a group of young people who are working on the *Ending Violence against Children in Custody* project run by the Children's Rights Alliance for England. This project aims to provide an opportunity for children and young people with experience of custody to share their views and campaign for change.

As part of the project, a team of young investigators carried out research with young people about their experiences of violence in custody and their suggestions for reducing violence in custody. The young investigators developed 19 recommendations for ending violence in custody based on the views of young people. The enclosed report presents the findings of the research and the recommendations.

The recommendations cover a range of issues including the need to do something about the claustrophobic atmosphere in custody that often leads to violence by engaging young people in physical activities; for staff to focus more on talking to young people as a means of resolving conflict in custody and for staff in youth custodial settings to have experience of working with young people and be able to relate to them well. The report also says that action needs to be taken to address the way that police behave when they come into contact with young people and calls for cameras with sound recording to be installed in police and custodial settings to monitor staff behaviour and increase accountability.

We are now taking forward these recommendations in the campaigning phase of the project. We are writing to ask you to consider these recommendations and look forward to hearing how you might be able to take action on them in relation to your work.

With best wishes

Names and signatures of young campaign team

Campaign plan: cameras with sound recording

What is the problem/what do we want to change?

Lack of accountability by police officers and staff in custodial settings. Young people wrongly assaulted or found guilty.

Who we need to influence?

Youth Justice Board, police authorities, general public, young people, politicians, parents, children's services.

How we can do this?

Petitions, letters, slide shows, PowerPoint presentations, mini documentary, posters/flyers, hold event about the issue.

What do we want the outcome to be?

Cameras with sound recording in police cells, in custodial settings, on prison officers and on police officers.

YCT members put together the arguments for why it is necessary to have cameras with sound recording in police and youth custodial settings.

Why are cameras with sound recording important in police cells, van, stations and in custodial settings?

- If we had cameras and sound recording we would have evidence of what has actually happened instead of two different stories.
- When it comes down to a young person's word against police or prison staff, the views of staff are taken more seriously and are more likely to be believed.
- Cameras will also protect police officers and prison staff against false accusations.
- It might prove that what a young person is saying is right.
- It would encourage police officers to leave their problems at home or rather than taking it out on us and causing injury to us.
- It would encourage the use of less force on us that causes injury.
- Young people would be protected from violent police.
- It would provide more proof than just a statement - if cameras and sound are on the police they can record what has been said and done.
- It would help to create a respectful atmosphere - police and young people would be aware of the cameras so they would have more respect for each other.

- Police stations and prisons could be quieter and run more smoothly as everyone (officers and young people) would know they are on video and sound recorded.
- It would stop false statements from police.
- It would stop abuse from people in positions of trust.
- It would cut down on violence towards young people and also towards police and prison staff.
- It would also give Governors a chance to see what has happened, in adjudications instead of just seeing statements.
- This could help build a relationship between staff and young people as they will have to be reasonable with each other because it is being recorded.
- Other alternatives to violence would have to be sought.
- More training would need to take place to replace the confrontational scare tactics used today.

They also developed an e-petition to go on the Government's e-petition website. E-petitions are one of the ways of influence government and Parliament in the UK. If an e-petition gets at least 100,000 signatures, it will be considered for debate in the House of Commons.

E-petition

Introduce Cameras with Sound Recordings into all Youth Custodial and Police Settings

Responsible department: Ministry of Justice

Children and young people face a significant amount of violence when in contact with staff in the police and prison services. This petition calls for the introduction of cameras with sound recording in youth custodial settings, police cells and vehicles, and on the clothing of every prison or police officer who interacts with young people. By introducing these cameras, staff behaviour could be better monitored and this would ensure greater transparency and accountability.

<http://epetitions.direct.gov.uk/petitions/42706>

Campaign plan: the ideal job description for staff working in youth custodial settings

What is the problem/what do we want to change?

Want to change the way staff interact with, and relate to, young people in custody

Who do we need to influence?

Youth Justice Board, Ministry of Justice, MPs, prison staff, police officers, parents, young people in custody, wider community, youth workers, media

How can we do this?

Letters, meetings, Youth Justice Board survey, petitions

What do we want the outcome to be?

We want to change the types of people who work in youth custodial settings. We want staff to understand young people and be able to relate to them well.

YCT members put together the arguments for why it is necessary to look again at the type of staff who are employed in youth custodial settings. They then started working on an "ideal job description". This also included the kinds of training that staff should have and some ideas about how young people could be involved in the recruitment of staff in custodial settings.

Personal qualities that prison officers should have:

- Similar experiences to those in custody
- Patience
- Trustworthiness
- Understanding
- Leniency
- Positive attitudes
- Pro-active at engaging children in activities
- Non-judgemental
- Open
- Fun
- Approachable
- Good listener
- Calms situations down
- Good talker
- Knowledge of what makes young people happy and/or angry
- Not angry
- Likes young people and wants to interact with them
- Enthusiasm.

Key responsibilities that should be included in a prison officer job description:

- Initiate, develop and maintain positive relationships with young people;
- Learn about individual young people and identify the issues that are relevant and important to them;
- Be involved in planning and facilitating activities with young people;
- To work in ways which promote equality of opportunity, participation and responsibility;
- To work with young people to safeguard their welfare;
- Report the views of young people to Governors;
- Uphold respect for prisoners, their property, rights and dignity by staff and other prisoners;
- Monitor vulnerable prisoners appropriately;
- Ensure that staff always act professionally;
- Be able to diffuse aggressive situations.

Young people want staff to be sensitive when reporting incidents. They believe incidents should not always be reported straight away - sometimes things can be dealt with by an individual member of staff. Otherwise things can be blown out of all proportion. Young people also think staff need to be aware of the issue of confidentiality when reporting incidents. If incidents are always reported immediately, and personal information is shared, some young people may lose trust in staff.

Training that prison staff need to better work with young people:

- Youth work training;
- Training on doing one to one work with young people;
- Advice and Guidance Training;
- Communication Skills;
- Learn how to diffuse violent situations;
- Learn how to prevent violence from happening again.

How young people can be involved in recruitment and training of prison staff:

- Suggest questions to be included in the interview;
- Panel of young people involved in interviews;
- Watch interviews through video footage and give comments and feedback to recruitment panel;
- Have prospective staff come and visit the prison to see what it is like - they could meet the young people and generally get an idea of what is happening there;
- Training staff - could do role plays, acting out conflict situations and working out ways to resolve them.

Meeting 4: London, December 2012

Six YCT members attended a meeting in London with the Chief Executive and Deputy Chief Executive (responsible for secure accommodation) of the Youth Justice Board to discuss the two issues on which they are campaigning. The YCT members presented the issues using the arguments they had developed at the previous campaign meeting. They explained what the problems were that they wanted to address, why they thought that resolving these issues would help to address violence in custody and outlined what activities they were undertaking to try and achieve change.

Two young campaigners talked about why they thought it was important to have cameras with sound recording in custodial and police settings. They explained that introducing cameras with sound recording would help to make sure that "all sides of the story" are heard when an incident takes place, rather than relying on CCTV without sound, or a written/verbal statement after the event. They said that this would help to monitor behaviour and would encourage staff to find other ways of dealing with situations than using force. They thought it would help protect prison staff and police officers as well as young people, as individuals would think more about their actions if they knew that what they said was being recorded. The young people explained that they had put a petition on the Government's e-petition website calling for cameras with sound recording in prison and police settings.

The Chief Executive of the YJB said the recommendation relating to cameras with sound recording was the one he was most interested in and agreed having sound on cameras would help when reviewing footage to try and establish what has happened. He explained that the main barrier was cost and said the YJB needed to investigate the cost of introducing cameras with sound recording further. He also said the YJB could not address this issue in relation to police officers, and recommended the campaigners raise this with other organisations. The Deputy Chief Executive said the introduction of CCTV had made a huge difference to monitoring what happened in custodial settings and felt that cameras with sound would be a very good next step. It was suggested that the young people meet with the YJB again to discuss this issue. The Chief Executive explained that a project is currently exploring the cost of introducing sound recording and he hoped to be able to report back to the young people as to whether there could be progress on this issue shortly.

The other YCT members presented their issue relating to the types of qualities that staff in custodial settings should have. They explained that staff can sometimes provoke young people, which can cause a situation to

escalate into violence. They also said that young people need staff they can talk to and develop a trusting positive relationship with. This would help end violence in custody, as staff would know how to support and calm down young people without a situation becoming violent. The young campaigners also explained that they want staff to be “pro-active” and engage them in activities, including education and training that will help them move on once they have left custody. The young campaigners presented the job description they had developed and picked out some of the key qualities that they wanted staff in youth custodial settings to have and the kinds of behaviour they wanted them to display.

Both the Chief Executive and Deputy Chief Executive agreed with many of the points on the job description and said that the challenge was getting things right “on the ground”. The group talked about the best ways of supporting young people. All of the young campaigners said it was really important to have support from people external to the prison who could relate to young people and their experiences and support them, even after they have left custody. It was suggested that the young campaigners could meet with some people at the YJB who are working on staff recruitment to see if any of the young people’s recommendations could be taken forward.

Campaign activities undertaken by CRAE

In addition to supporting the work of the young campaigners, CRAE staff undertook some activities aimed at raising awareness of the research and young people’s recommendations for change. CRAE staff held meetings with the Office of the Children’s Commissioner and the Youth Justice Board to share the research findings.

CRAE staff also produced a presentation to be delivered at the annual conference of the European Network of Ombudsperson for Children in Cyprus in October 2012. The presentation focused on the key findings emerging from the five European countries and the common recommendations from young people for ending violence against children in custody. A young person in Cyprus also spoke about her experiences of being in custody and as a young researcher and campaigner on the project (see chapter three for more information).

4. Outcomes, achievements and lessons learned

Positive impact on young campaigners

The campaigning phase of the project in England was very successful. The group of young campaigners were all extremely enthusiastic about working on the project and taking action to end violence against children and young people in custody. They were generous in sharing their own experiences and views of being in custody and in contact with the police and used these experiences to suggest how violence against children and young people could be reduced.

Many of the young campaigners felt that being involved in the project had a positive impact on them personally. At the start of the project, all of the young campaigners were asked why they wanted to get involved in the project and what they hoped to get out of it. Reasons for wanting to get involved included:

‘More knowledge about children’s rights, to try and help change the way things are in prisons and to try and stop violence in custody’.

‘Help people that suffer from violence and other things.’

‘Grow confidence to help young people get through life properly’.

‘A chance to meet new people’.

‘Get my voice across’.

‘Help get a job’.

‘I would like to help minimise violence in custodial settings, I would like to be a part of changes in the youth justice system and I would like to come up with ideas that reach young people’.

At the final meeting in December 2012, the young campaigners were asked to review why they originally wanted to get involved in the project, what activities they had participated in and the impact that being involved in the project had on them. All of them reported increased confidence through being involved in the project. They said that they had developed new skills, increased knowledge and awareness and had made their voices heard.

Achieving policy change

The final campaign meeting where the young campaigners met with the YJB was very positive and the Chief Executive and Deputy Chief Executive were keen to meet again with the young people to discuss both campaigning issues. The Chief Executive said that he hoped to be able to report back specifically on the issue relating to cameras with sound recording. He also suggested that the young campaigners focusing on the job description meet with some people in the YJB who work on recruitment to share their views and recommendations. These meetings are likely to take place after the project ends (1 February 2013). At the end of the meeting with the YJB, all of the young campaigners said that they felt the meeting had been a success and were enthusiastic about continuing their campaigning activities. The project staff are now exploring ways to ensure that the work of the young campaigners can continue beyond the end of the project.

The young campaigners wrote to seven organisations asking them to consider the research findings and recommendations and set out how they might be able to take them forward in their work. As well as meeting with the Youth Justice Board, they received positive responses from the Office of the Children's Commissioner and the National Offender Management Service. At the time of writing this report, the young campaigners were still waiting for a response from the other organisations that they wrote to. Project staff will follow up these letters on their behalf in January 2013.

Lessons for future work

Campaigning for change is a long-term process. It would have been excellent to have had more time for campaigning activities. It was very positive that the young campaigners were able to meet with the Chief Executive and the Deputy Chief Executive of the Youth Justice Board. However, the YJB does not have jurisdiction over all the issues raised in the report, such as police behaviour. It would have been good for the young people to have been able to meet with other key stakeholders (such as the Association for Chief Police Officers and HM Inspectorate of Prisons) to discuss their recommendations and campaigning activities. There is a need for ongoing funding to support this work to ensure that the young people's recommendations can be taken forward.

The engagement of the young campaigners was supported by User Voice, a national charity working to engage those with experience of the criminal justice system in bringing about its reform and to reduce offending. User Voice staff worked closely with CRAE staff throughout the campaigning phase of the project. User Voice staff accompanied the young people to YCT meetings, they supported their participation in the meetings and they were able to maintain contact with the young people on an ongoing basis. This intensive support was critical to the successful engagement of the young people in the project. Any future work must ensure that there are sufficient resources (both financial and in terms of staffing) to support the involvement of young people.

Chapter 6

The Netherlands

Defence for Children International is the *Ending Violence against Children in Custody* project partner in the Netherlands.

1. About the YCT in the Netherlands

Recruitment of YCT

The four YCT members were already part of the Young Investigation Team (YIT) in the research phase of the project. The YIT was a group of young people who led the research in custodial settings. The fifth YIT member was not able to join the campaign team for personal reasons. Defence for Children asked the YIT members to join the campaign team because during the research phase they were all passionate about the subject and the project. They were willing to stay involved and were eager to start campaigning. Three of the YCT members led the campaign. The fourth member did not take part in all activities, but was on standby in case the other YCT members could not be present at meetings.

Demographic information

The YCT consisted of two males aged 22 and 19 and two females aged 18 and 20. All members of the YCT have experience of being in custody. Their current home situations are unstable and they face problems such as a lack of housing and debts. They lack support from their social network and from those who are supposed to be helping them move on from prison. Three of the four YCT members are not in school, although they want to start attending school again. Two of them had previously participated in a similar research project. For the other two this was the first time that they had participated in this kind of activity. The YCT members had several reasons for participating in the project. They want to help other people, make changes to the institutions and share their experiences.

GENDER	NUMBER OF PARTICIPANTS
Female	2
Male	2

AGES	NUMBER OF PARTICIPANTS
17	
18	1
19	1
20	1
21	
22	1

2. Country recommendations

During the research phase of the project a series of recommendations were developed for ending violence against children in custody based on the suggestions of children and young people. These recommendations formed the basis of the activities of the YCT in the Netherlands.

Recommendations to staff:

1. Trust is very important to young people who are deprived of their liberty. They need to be able to trust someone.
2. Give young people more information upon entry to the youth custodial institution: prepare and inform young people as to what it means to be strip searched, or receive group punishment, or when holding and solitary confinement can be used.
3. Give more attention and get to know the background of the young person.
 - Be interested in the underlying factors that influenced the life of the young person.
 - When treatment is needed, don't just take the crime as the starting point.
 - Give extra attention to sex offenders to make sure they do not run a high risk of being the victim of violence and abuse. Do not discriminate against them.
4. Reduce the use of "restrictions" such as group punishment, time-out and holding.

Recommendations to the management of youth custodial institutions:

5. Screen staff well. Prevent the abuse of power.
 - Staff need to be more aware of their power and use it appropriately. All of the young people in custody mentioned that some group leaders abuse their power.
6. Prevent sexual assault and sexual abuse by peers and staff
 - Young people need to be able to talk to someone about sexual assault and abuse.
 - Psychologists and directors of youth custodial institutions need to have an open attitude and make sure that their door is open to discuss what can be/is happening; how young people can be safer; and how to stop sexual abuse.
7. Involve parents
 - Where possible, parents should be involved in the treatment and support of young people in custody.

8. Take complaints seriously
 - Respond to complaints within three weeks.

Recommendations to the government:

9. Solitary confinement
 - Revise and renew the policy on the use of solitary confinement, separation cells and time out measures.
10. Start after care during the stay in the institution and keep in touch with the young person for several years if necessary
 - Young people who spend several years in custody need help when they start living on their own. They need someone they can turn to when they have problems finding housing, sorting out finances, filling in forms etc. Aftercare should not only be provided for two or three months. Young people who are released from custody also need support on a long term basis.

3. Campaign activities in the Netherlands

Meetings of the YCT

During the campaign phase of the project Defence for Children and the YCT met twice. The purpose of these meetings was to discuss a young person's version of the research report and to make a plan for presenting the young people's recommendations to officials. YCT meetings were also scheduled on the day of meetings with officials in order to have some time for preparation.

Meeting 1: Leiden, July 2012

Three YCT members attended this meeting. During the first meeting on 24 July 2012 at the office of Defence for Children the YCT discussed what they had achieved and learned during the research phase. They reviewed the recommendations developed during the research phase of the project and the draft version of the country research report and gave their comments. The YCT members discussed which recommendation was a top priority and created a "Top 10" of the recommendations, which formed the basis of all discussions during the campaign phase. The YCT decided that it wanted to work on awareness-raising about violence against young people in custody, focusing its attention on Government, Parliament and professionals. The young campaigners agreed that it was important to share individual experiences and views, but the main focus should be the 10 recommendations.

The campaign team decided that their first task would be to inform the Ministry of Safety and Justice about the 10 recommendations. The YCT members wanted to talk to the Head of the Department about the following issues:

- The importance of having staff that young people can trust;
- The abuse of power by staff;
- Screening of staff.

The YCT decided to share its recommendations with the *Committee Samson* - a Dutch committee that has published a report on the occurrence of sexual abuse in youth care institutions and foster care. The YCT wanted to talk to the Committee about how to prevent sexual abuse in closed youth custodial institutions and closed youth care institutions. The Committee now has a new name (Rouvoet), and will be developing a plan to prevent sexual abuse.

The young campaigners hoped a meeting could be held with the Committee of Inspection and a Complaints Committee in one of the youth custodial institutions where the interviews took place. A Committee of Inspection is responsible for overseeing how the deprivation of liberty is managed within a custodial institution.

The YCT also wanted to talk to Members of Parliament from different political parties. Elections were held in September 2012, so any meetings would have to take place after this date. YCT members identified several MPs who might be willing to meet with them.

The young campaigners said they wanted to raise awareness about violence against young people in custody through the media. They agreed that there should be an article in the Defence for Children's magazine, *Right!* which promotes children's rights. The group was particularly keen on the idea of making a promotional video to inform the public about their 10 recommendations.

Meeting 2: Leiden, November 2012

During the second meeting the YCT continued its discussion about the 10 recommendations, continued planning the campaign activities and had some time to evaluate the project. The YCT members also gave their final comments on the young people's version of the *Ending Violence against Children in Custody* research that was carried out in the Netherlands. The meeting focused on the recent report of the Committee Samson (now Committee Rouvoet) *'Surrounded by care, still not safe'* on sexual abuse that has occurred in Dutch institutions or Dutch foster care from 1945 until the present day. The YCT members were informed that the Committee had agreed to meet with them to discuss their recommendations.

The young campaigners spent time preparing for their first official meeting with the Ministry of Safety and Justice at the Custodial Institutions Department. During the meeting each YCT member selected three recommendations to talk about when they go to the Ministry:

- One female YCT member decided to concentrate on the screening of staff, sexual intimidation and the importance of trust;
- One female YCT member wanted to talk about taking complaints seriously, providing enough information to the young people at an early stage and trust between young people and staff;
- The male YCT member chose to talk about the recommendations relating to the screening of staff, prevention of sexual intimidation and the (over) use of separation cells.

All YCT members agreed they would also share their own personal experiences of violence in custody.

The starting point for the YCT campaign is the "Top 10" recommendations. These have also been published in the Dutch Young Investigation Team report.¹⁴

Top 10 Recommendations

1. Make sure young people can trust staff.
2. Prevent the abuse of power.
3. Prevent sexual assault and sexual abuse by peers and staff.
4. Be interested in the young person, not just the crime.
5. Screen staff well.
6. Reduce the use of "restrictions" such as group punishment, solitary confinement, time-out and holding.
7. Give more information to parents and young people upon entry to the youth custodial institution and in the following weeks.
8. Take complaints seriously.
9. Involve young people in making policy.
10. Provide after care and make sure young people know where to go when they face problems again several years later.

¹⁴ Available at: <http://www.defenceforchildren.nl/p/43/465/mo89-mc97/defence-for-children-international> and <http://www.violencefreecustody.org.uk/project-publications/>

Campaign plan: the importance of trust

What is the problem/what do we want to change?

Staff members often violate trust. This has a negative impact on the lives of young people in custody. For example, information shared in conversations that is supposed to be private and confidential ends up being made public and being placed on a young person's file.

Recommendations:

- Young people who are locked up need someone they can trust;
- Staff should not abuse their power;
- Staff have to be screened well.

Who do we need to influence?

- Dutch Ministry of Safety and Justice, Department of Custodial Institutions, Directors of youth custodial institutions, social workers, young people, politicians and parents.

How can we do this?

- Send the 10 recommendations to all closed institutions and a wide range of people who work with children in custody.
- Organise meetings with Directors of custodial institutions, the Ministry of Safety and Justice and a politician.
- Make a short film in which we compare the situation of living in a closed institution and the way staff behave to living in a family.
- Interview in a magazine.

What do we want the outcome to be?

- More awareness at Government level and among directors.
- Improved policies and better training of staff, including social workers and prison officers.
- Questions in Parliament on how these recommendations will be implemented and by whom.

Campaign plan: complaints not being taken seriously

What is the problem/what do we want to change?

Young people complain about issues like the use of solitary confinement, group sanctions and (sexual) intimidation or abuse. They feel they are not taken seriously when they complain about these issues and nothing changes as a result of complaints. Complaint forms are lost and sometimes no answer is given even if a formal complaint is made. It is important for young people to be able to discuss these issues with staff and talk about possible changes.

Recommendations:

- Prevent violence and invite young people in custody to share their views, experiences and recommendations;
- Take complaints seriously and respond within three weeks time;
- Reduce the use of "restrictions" such as group punishment, solitary confinement, time-out and holding.

Who do we need to influence?

Dutch Ministry of Safety and Justice, Department Custodial Institutions, Directors of youth custodial institutions, Committee Rouvoet, Committees of Inspection and Complaints in youth custodial institutions.

How can we do this?

- Send these recommendations to all Committees of Inspection.
- Address the issue in meetings with Directors, the Ministry of Safety and Justice and the Complaints Committee.
- Meet with staff in youth custodial institutions.

What do we want the outcome to be?

- Complaints are taken more seriously.
- Answer complaints within three weeks.
- Young people should be involved in renewing and improving the complaints procedure.

Meeting 3: Dutch Ministry of Safety and Justice

On 7 December 2012 a meeting was held with Hans Butselaar, Director of the Department of Custodial Institutions (DJI), Giancarlo Fornaro, Head of Custodial Institutions Section (DJI) and Astrid Acampo, research section (DJI).

The young campaigners had a two-hour pre-meeting to agree their goals and prepare their presentations. The team decided to focus on the following recommendations:

- Abuse of power;
- Trust between staff and young people;
- Complaint mechanisms;
- Aftercare.

At 4.00 p.m. the YCT was welcomed at the Ministry of Safety and Justice. The Director, Hans Butselaar introduced himself as Head of the Department and former director of one of the custodial institutions. Two of his colleagues also introduced themselves, Giancarlo Fornaro and Astrid Acampo. The YCT members introduced themselves, saying their names, age and which youth custodial institution they had been in. It was made clear that the young people would be specifically focusing on the recommendations made by young people for ending violence in custody, rather than talking about problems relating to violence in custody more broadly.

Each young campaigner explained which recommendation was important from their own experience. The first recommendation focused on the abuse of power by staff (including guards, social workers and management). YCT members said that this happens frequently and has a major impact on young people – staff should be more aware of this. The campaign team stated that the rules should be the same for everyone. However, they realise that people working in institutions are not robots and they apply rules differently. The next team member talked about the importance of being taken seriously and how this helps young people feel safe. She said from her own experience it is very important that young people are taken seriously by staff when they are locked up, scared and insecure. She said formal complaints should be answered in three weeks time. The third young campaigner talked about the importance of trust. He said that trust is essential for contact between staff and young people and that if guards are aggressive or violent, nothing is possible. He also said that the use of isolation cells and group punishments are harmful to young people. Finally, all of the YCT members said that they lacked after care. When released after detention, they did not have the skills for living independently. They needed more support with arranging their finances, finding education and work.

The people of the Ministry of Safety and Justice were interested in what the young people had to say but also seemed surprised by their experiences. The Government officials promised to pay attention to the recommendations of the young campaigners. Hans Butselaar (Director of the Department) invited the YCT to attend the next general meeting of the Directors of all youth custodial institutions in the Netherlands and to present the Dutch report and the 10 recommendations.

Planned activities in January 2013

Secretary of State

On 10 January 2013 Maartje Berger (project coordinator from Defence for Children) will meet with the Secretary of State on Safety and Justice, Fred Teeven, to talk about juvenile justice in the Netherlands. This is a good opportunity to inform him about the report and the 10 recommendations for ending violence in custody.

Committee Rouvoet

On 14 January 2013 a meeting will be held with the Committee Rouvoet on the prevention of sexual abuse in youth care institutions and foster care. Mr Andre Rouvoet is a former Dutch politician of the Christian Union. He was Minister of Youth from 22 February 2007 until 14 October 2010 in the Cabinet Balkenende IV. The Committee Rouvoet was established in October 2012 by the Government. It is the task of the Committee to develop a Quality Framework on the Prevention of Sexual Abuse for all cases where youth care is involved. The YCT will present the 10 recommendations to the Committee and share their views and own experiences, particularly those relating to the abuse of power and sexual abuse.

Member of Parliament

On 14 January 2013, the YCT will meet Nine Kooiman, a Member of Parliament for the Socialist Party.

Commission of Inspection and Complaints

January 2013: One of the recommendations young people made is that complaints should be taken more seriously. Defence for Children contacted a chair of the Committee of Complaints at one of the institutions that was visited by the Young Investigation Team in the research phase of the project. The Complaints Committee is willing to meet the YCT and to discuss the recommendations relating to complaints mechanisms.

February 2013: Film

The young campaigners want to make a short film about their experiences. The idea is to compare living in an institution to living in a family. On 12 November 2012 Joyce Brummelman (Defence for Children) met with people from STUK. This is an organisation that is specialised in making theatre and films about youth care. STUK is founded by young people with experience in youth care. They are willing to make a short film with the young campaigners. Defence for Children will write a project plan and find some extra funding to continue this idea at the end of February 2013.

4. Outcomes, achievements and lessons learnt

On 7 December 2012 the YCT met at the Ministry of Safety and Justice. At the end of the meeting the Director of the Department of Custodial Institutions said he will take their recommendations seriously. He invited the young campaigners to present their report and the 10 recommendations at the national meeting of all Directors of youth custodial institutions.

On January 24 2013, the young people's version of the investigation report entitled *Ending violence in youth custodial institutions: 10 Recommendations by young people for professionals and policymakers* will be available via the website of Defence for Children and the *Ending Violence against Children in Custody* project website.

All partners faced similar difficulties during the project in making appointments with institutions, involving enough young people with experience of custody and making logistics work. It would have been useful to meet with the project partners at an earlier stage of the project to have an opportunity to learn from one another and to see how other partners are solving problems.

Young people have an essential role to play in the evaluation and development of policies and legislation. Young people have important information that researchers and professionals often are not aware of and are often very willing to share their views and experiences. Working in partnership with young people can be empowering for them. It is an opportunity to involve them in decision-making and to hear about their personal experiences.

Working with young people needs a different approach. For example they often cannot afford to pay for train tickets in advance and they may need help planning activities. Sometimes they miss appointments because they have too much going on in their lives. To be able to involve young people you need to talk to them and get to know their situation. Sometimes it means being flexible and helping them to organise themselves. The time that the young people dedicated to campaigning should be recognised. It is important that this is properly acknowledged and they are rewarded in some way. When working with young people it is necessary to have a budget in order to provide some compensation.

Getting to know young people in youth care or juvenile justice programmes also means you cannot just do the research and then leave. There must be some follow-up. The young people in this project were able to tell Defence for Children about the problems they were facing reintegrating back into society. Defence for Children was able to give advice and help them occasionally with practical problems, such as dealing with financial questions and finding people who could help them with a range of issues.

It will take a long time for policymakers and professionals to involve young people as standard procedure. This project shows how important it is both for organisations and for young people to listen to young people, learn from them and work together.

Chapter 7

Romania



Save the Children is the *Ending Violence against Children in Custody* project partner in Romania.

1. About the YCT in Romania

Recruitment of the YCT

Save the Children Romania approached all of the young people who had been involved in the research phase of the project to see if they were interested in joining the YCT. Many of the young people who had participated in the research phase of the project were difficult to make contact with, as they had left custody and were now living in the community.

Two of the young people on the YCT had been involved in the research phase of the project as young investigators and wanted to stay involved in the campaigning phase of the project. Three more young people with experience of custody joined the YCT at the start of the campaign phase.

Demographic information:

- All members of the YCT were male.
- None of the YCT members considered themselves to be disabled.

AGE	NUMBER OF YCT MEMBERS
17	2
18	1
20	2

ETHNICITY	NUMBER OF YCT MEMBERS
White	4
Mixed Heritage	1

2. Country recommendations

The YCT members developed a series of campaigning activities based on the recommendations from the research with children and young people about violence in custody in Romania

- Introduce video surveillance in police stations.
- Introduce effective measures to ensure attendance of parents at the police station when children are interrogated and give statements.
- Introduce effective measures to ensure children have assistance from a lawyer at the police station when children are interrogated and give statements.
- Ensure that there is a broader range of activities on offer in institutions.
- Introduce special training for staff members working with children in custody on the mediation of conflicts between internees. There should be specific training for psychologists working in places of detention in order to enable them to prevent, diagnose and intervene in situations that lead to violence among children in custody.
- Reduce the number of internees per room. Staff should place young people in more appropriate settings according to their needs and circumstances.

3. Campaign activities in Romania

YCT meetings

Save the Children Romania facilitated a series of meetings to enable YCT members to review the key findings and recommendations and begin working on specific campaigning activities.

Meeting 1: September 2012

Three young people attended this meeting. The purpose of the meeting was to provide some background information about children's rights and the *Ending Violence against Children in Custody* project, to review the recommendations and select the issues that they wanted to take action on.

The YCT member selected three issues that they wanted to focus on:

- **Video surveillance in police stations;**
- **The activities available in centres;**
- **Reducing the number of internees per room.**

The group came up with a range of suggestions for campaigning activities including:

- Meetings with the staff from of the National Administration of Penitentiaries;
- Meetings with Save the Children Romania's volunteers;
- Formal letter to the Minister of Justice.

Meeting 2: October 2012

All of the YCT members attended the meeting. The group agreed that they wanted to focus on two specific issues for the campaign phase of the project:

- **Video surveillance in police stations;**
- **Reducing the number of internees per room.**

For each issue, YCT members developed campaign plans identifying the issue they wanted to change, who they needed to influence and what activities they would need to carry out in order to do this.

Following this meeting Save the Children Romania sent a letter to the Minister of Justice regarding the decision to convert a re-education centre into a prison. This re-education centre was one of the three locations where research was conducted with young people in the first phase of the project.

Meeting 3: November 2012

This meeting brought together all of the YCT members. They met with Save the Children Romania's volunteers to discuss the findings of the Romanian research on violence against children in custody. Some of the volunteers were students at the Police Academy and will go on to work in police stations and prisons. The discussion focused on the following topics:

Video surveillance in police stations: YCT members talked about the young people in Romania who called for action to be taken to improve the accountability of police officers. They called for cameras with sound to be installed in police stations to monitor the behaviour of the police. The campaigners also wanted parents, lawyers or independent visitors to have access to young people in police detention to check that they are being treated properly, or to accompany them when making statements and being questioned. YCT members asked for the opinions of Save the Children Romania's volunteers on this matter.

Activities in centres: YCT members talked with the volunteers from Save the Children Romania about the need for more positive activities in custody to reduce the levels of tension, frustration and boredom that contribute towards violence in custody. The campaigners identified sport and other physical activities as particularly important in helping young people to release stress. They said that education and training activities need to be of a much higher quality and of more use to young people when they leave custody. They thought that this would help young people feel more positive about themselves and ensure that they are engaged in productive activities. They called for activities such as counselling and therapy to help young people deal with feelings of anger and frustration.

Meeting 4: December 2012

Several YCT members attended a meeting with representatives of the National Administration of Penitentiaries. The purpose of this meeting was to discuss the findings of the Romanian research, to raise awareness of the research findings and recommendations and share information about the young people's campaigning activities. YCT members provided some background information about the *Ending Violence against Children in Custody* project and about the research recommendations.

4. Outcomes, achievements and lessons learned

Impact on young campaigners

The most important achievement of the campaign phase was the active engagement of young people with experience of custody in the project. Their involvement was empowering, gave them a "voice" and encouraged them to take action. They assumed responsibility and had a chance to use their experience to help others in the same position. Through their involvement in the campaign phase of the project, young people with experience of being in custody developed their communication skills, became more confident and motivated and felt that their opinions mattered and were being carefully listened to. They had higher self-esteem, were more secure when expressing their opinions and they felt part of a group.

Taking this work forward

Save the Children Romania will take this work forward and in January 2013 will begin a new project about legal education with tools and methodologies adapted to different groups of children. Children deprived of their liberty will be one of the groups targeted through this project. Save the Children Romania will continue to monitor the development of legislation and regulatory initiatives relevant to children in custody.

It has also been confirmed that an article about the *Ending Violence against Children in Custody* project will be published in the *Journal of Criminology and Penology*, a magazine produced by the Public Ministry.

Lessons learnt

The project has shown that working with a group of young people with experience in custody can be very challenging, but despite the difficulties of working in such a complex setting as a prison and on such a sensitive issue as violence, it is possible to give young inmates in prison a voice, to actively engage them in peer-to-peer research and in processes of change. Violence is a sensitive topic and these young people find themselves in a difficult situation. It was, therefore challenging to engage them in the project and to maintain their interest and commitment. Nevertheless, the *Ending Violence against Children in Custody* project enabled children and young people to share their views and experiences about violence in custody and develop solutions for creating violence-free custodial settings.

Campaigning for change is a long-term process. Therefore it would have been better to have had more time for campaigning activities. It would also have been good for the young people to have been able to meet with other key stakeholders to discuss their recommendations and campaigning activities.

Chapter 8

Concluding remarks



Through the *Ending Violence against Children in Custody* project, children and young people with experience of custody have been supported to make their voices heard and speak directly to key decision-makers in national governments and with those running juvenile justice systems about their suggestions for reducing violence against children in custody.

There are promising signs that the views and recommendations of the young campaigners about how to end violence against children and young people in custody are being listened to and taken on board.

In **Austria** - young people met with the Director of the Juvenile Custody Centre to share their recommendations for change. There has already been a meeting between prison guards and inmates and it has been reported that communication and feedback between inmates and social workers in the prison is improving.

In **Cyprus** - a young campaigner shared her experiences of being in custody with the European Network of Ombudspersons for Children. Young campaigners also met with a NGO to discuss a mentoring scheme for young prisoners and embarked on a series of activities aimed at raising awareness amongst young people about the conditions experienced by those living in custody.

In **England** - young campaigners met with the head of the Youth Justice Board to discuss their call for sound recording with cameras to be installed in custodial and police settings. They also made suggestions relating to the kinds of staff who are employed in custodial settings and how young people could be involved in their training and recruitment. The young people's recommendations were positively received and further meetings are being planned to see if they can be taken forward.

In **the Netherlands** - young campaigners compiled a list of "Top 10" recommendations which formed the basis of their discussions with officials, politicians and other experts working in the field. Young campaigners held a meeting with the Ministry of Safety and Justice and have been invited to present their recommendations with the directors of all youth custodial institutions in the Netherlands. They are also due to share their recommendations with Members of Parliament.

In **Romania** - young campaigners met with representatives of the National Administration of Penitentiaries to share their recommendations for ending violence against children in custody. An article about the project is due to be published in the *Journal of Criminology and Penology*.

All of the project partners reported that the project has had a positive impact on the lives of the young campaigners - empowering them to speak up, making them feel that their views and experiences are important and being taken seriously and engaging them in a process of creating change to reduce violence against children in custody.

These are extremely positive steps forward, but there is still a great deal more to do. The research phase of the *Ending Violence against Children in Custody* project showed that children continue to experience violence, not just in custody but throughout all stages of the criminal justice system, during apprehension and arrest, in police detention and in custodial institutions. There is clearly an urgent need for more action.

As this project has shown, the views of children and young people are critical to developing solutions to the problem of violence in custody. The UN Committee on the Rights of the Child has said that children and young people, and organisations working on their behalf, **must** play a key role in developing legislation, policy and practice to ensure that children are free from violence in all settings:

...The Convention establishes the right of the child to be protected from all forms of violence and the responsibility of States parties to ensure this right for every child without any discrimination. The Committee encourages States parties to consult with children in the development and implementation of legislative, policy, educational and other measures to address all forms of violence. Particular attention needs to be paid to ensuring that marginalised and disadvantaged children, such as exploited children, street children or refugee children, are not excluded from consultative processes designed to elicit views on relevant legislation and policy processes.

...In this regard, the Committee welcomes the findings of the Secretary-General's Study on Violence against Children, and urges States Parties to implement fully its recommendations, including the recommendation to provide the space for children to freely express their views and give these views due weight in all aspects of prevention, reporting and monitoring violence against them.

...Much of the violence perpetrated against children goes unchallenged both because certain forms of abusive behaviour are understood by children as accepted practices, and due to the lack of child-friendly reporting mechanisms... States parties should oblige all children's institutions to establish easy access to individuals or organisations to which they can report in confidence and safety, including through telephone helplines, and to provide places where children can contribute their experience and views on combating violence against children.

The Committee also draws the attention of States parties to the recommendation in the Secretary-General's Study on Violence against Children to support and encourage children's organisations and child-led initiatives to address violence and to include these organisations in the elaboration, establishment and evaluation of anti-violence programmes and measures, so that children can play a key role in their own protection.¹⁵

The project partners in the *Ending Violence against Children in Custody* project echo the words of the UN Committee and call on all European institutions and national governments to listen to the views of children and young people on ending violence in custody, to take their recommendations for change seriously and to work in partnership with them to ensure that all children, regardless of their circumstances, truly have a life free from violence.

¹⁵ UN Committee on the Rights of the Child (2009) *General Comment No. 12. The right of the child to be heard*, para, 118-121
<http://www2.ohchr.org/English/bodies/crc/docs/AdvanceVersions/CRC-C-GC-12.doc>

Chapter 9

Partner organisations



Austria: Ludwig Boltzmann Institute of Human Rights

Founded in 1992, The Ludwig Boltzmann Institute of Human Rights (BIM) is the largest independent human rights research institution in Austria, dealing with human rights issues on the national, European and the international level. It is BIM's main objective to offer a link between academic research and practitioners, through co-operation with civil society, inter-governmental and state actors and the private sector. Protection of children's rights constitutes a key area of the Institute's research and training activities, dealing with a variety of topics including constitutional rights of children, child protection from violence, exploitation and child trafficking, and child participation.

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With collaboration of the Austrian victim support organisation "Weisser Ring Austria"

www.weisser-ring.at

Belgium: International Juvenile Justice Observatory

The International Juvenile Justice Observatory (IJJO) is an international organisation recognised as a Belgian Foundation for public interest (2003) that promotes a holistic and interdisciplinary approach to issues related to juvenile justice: the prevention of juvenile crime; intervention and educational measures and socio-professional inclusion. The IJJO provides a permanent forum for sharing information and analysis on topics related to juvenile crime, justice and children's rights. As a network of juvenile justice experts and observers, the IJJO has a benchmarking function; establishes good-practice criteria and disseminates information on efficient strategies related to policies and interventions. It also helps to generate research and offers technical assistance to those working in the field. The IJJO disseminates information in English, French and Spanish through its online resources, and engages in awareness-raising with the general public and in advocacy activities to build support for the protection of young offenders' rights. Every two years, the IJJO organises an International Conference and on this occasion it awards the "Juvenile Justice without Borders" International Award as a recognition of the work carried out by institutions, experts and personalities in the defence of children's rights. With the aim of becoming closer to national realities and needs, the IJJO has set up the Councils for Juvenile Justice in every world region, as an advisory body composed of public administration, academia/universities and NGO representatives.

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Cyprus: The Commissioner for Children's Rights

The Commissioner for Children's Rights is an independent institution which deals exclusively with the rights of the child and whose competences and obligations are prescribed by law. The Commissioner is appointed by the Council of Ministers pursuant to the Commissioner for the Protection of Children's Rights Law, 2007 (Law 74(I)/2007) which came into force on 22/6/2007. The mission of the Commissioner is to protect and promote the rights of the child. Her role is to represent children and their interests at all levels, to promote public awareness and sensitivity so that children's rights are safeguarded in all areas that affect them (the family, the school and the community). The Office of the Commissioner also undertakes actions and activities to identify and promote the views of children where they themselves cannot be heard, monitors legislation relating to children and submits proposals aiming at the harmonisation of this legislation with the Convention on the Rights of the Child. Lastly, the Office of the Commissioner is responsible for appointing a representative for children in judicial proceedings and represents children in all procedures that are affecting them.

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England: The Children's Rights Alliance for England

CRAE protects the human rights of children by lobbying government and others who hold power, by bringing or supporting test cases and by using regional and international human rights mechanisms. We provide free legal information, raise awareness of children's human rights, and undertake research about children's access to their rights. We mobilise others, including children and young people, to take action to promote and protect children's human rights. Each year we publish a review of the state of children's rights in England.

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The Netherlands: Defence for Children International – the Netherlands

The Dutch section of Defence for Children was founded in 1984. It is part of the international movement Defence for Children International (DCI), which was established in 1979. Through information and education, advocacy and lobbying, and research, Defence for Children promotes the implementation of the UN Convention on the Rights of the Child in the Netherlands and elsewhere. Defence for Children is chair of the Dutch NGO Coalition on the Rights of the Child, which prepares and submits the alternative NGO report on the implementation of the CRC in the Netherlands to the UN Committee on the Rights of the Child. Defence for Children receives project funding from the Dutch government (Ministry of Foreign Affairs). Other donors include Postcode Loterij, Stichting Kinderpostzegels Nederland, Plan Nederland, ICCO/ KerkinActie, Cordaid, the European Commission and Unicef Nederland. Defence for Children has a special consultative status with the Economic and Social Council of the UN and is represented in the International NGO Advisory Council for the Special Representative on Violence against Children to the UN Secretary General.

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Romania: Save the Children Romania

Save the Children Romania is a social institution, whose mission is to guarantee the equality of chances for all children, irrespectively of the community they come from, by using its own expertise, as well as through advocacy activities and lobbying decision makers and by mobilising civil society leaders. Save the Children Romania has been promoting the rights of the child, in accordance with the United Nations Convention on the Rights of the Child for 20 years now. More than 500, 000 children have been included in educational programmes, protection, social and medical assistance programmes, stimulating their participation in activities of promotion and recognition of their rights. Save the Children Romania is a national non-governmental, non-profit organisation of public utility. Since 1990, it has been a promoter of children's rights in Romania, based on the voluntary activity of its members. More recently, the organisation is carrying out programmes in 19 cities and regions, has branches in 13 counties and Bucharest, more than 6,000 members and over 1,000 volunteers, mainly young people. Save the Children Romania is a member of the International Save the Children Alliance, the largest independent global movement for child protection worldwide, which has 29 country members and is developing specific programmes in more than 120 countries. Save the Children's vision is a world in which every child attains the right to survival, protection, development and participation.

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Annex A: Guiding principles for engaging children and young people in the *Ending Violence against Children in Custody* project

1. All children and young people with experience of custody have expertise on what being in custody is like and how their right to protection from all forms of violence can be better protected.
2. The opportunity to participate in this project will be open to all children and young people who have experience of custody, irrespective of the reasons for their incarceration.
3. Children and young people with experience of custody will be at the forefront of this project and are key to meeting its goals. Their engagement in the project is a means by which they can promote and protect their own and other children and young people's rights.
4. Project partners will endeavour to make all project materials, communications and activities accessible to the widest range of children and young people, including young disabled people.
5. Project teams will include staff with significant experience of working with children and young people in contact with the criminal justice system and/or vulnerable children and young people. They will have the necessary skills and expertise in supporting children and young people to undertake research and advocacy themselves; and they will be competent in facilitating group work with children and young people from diverse backgrounds and circumstances.
6. Project teams will give the utmost priority to ensuring the safety and well being of all children and young people engaged in project activities. They will ensure adequate staff: child/young person ratios during the focus group research and in all other group activities.
7. All staff working on this project will have undergone the necessary safeguarding checks in their country and will be supervised by a manager experienced in direct work with children and young people in contact with the criminal justice system and/or vulnerable children and young people.
8. We recognise that engagement in this project presents risks in relation to children and young people being identified as present or past detainees. Project teams will uphold the right to privacy of children and young people engaged in the project at all times. They will never disclose the names or personal details of young participants to external organisations, including to the media.
9. All visible activities undertaken by children and young people will be undertaken only on the basis of informed consent. Project partners will follow the law in their country with regards to obtaining permission from parents and carers for a) children and young people's general participation in the project and b) in relation to individual activities, including meetings with Government officials and media interviews.
10. All media interviews arranged by project teams involving children and young people engaged in the project will take place only on condition of nondisclosure of individuals' names and identities.
11. Children and young people's engagement in this project must never jeopardise their reputation or stigmatise them. Project teams will endeavour at all times not to project children and young people engaged in the project as victims or perpetrators: they are to be seen as experts on child custody.
12. Project teams will develop their own procedures for actively supporting children and young people engaged in the project and for responding to incidents and concerns about any individual child or young person's participation. Project teams will establish and operate their own complaints procedure for children and young people engaged in the project.
13. Project teams will not enter into partnerships with the authorities that make children and young people's participation in this project compulsory or a formal part of any criminal justice penalty or sanction. Project teams will not provide written or verbal assessments for the authorities of children and young people's conduct or achievements during project activities and events, unless an individual child or young person requests this.

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