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Criteria for the Design and Evaluation of Juvenile Justice Reform Programmes

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INTERAGENCY PANEL ON JUVENILE JUSTICE

Criteria for the Design and Evaluation of Juvenile Justice Reform Programmes

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Preface

The Interagency Panel on Juvenile Justice has identified the need to provide reliable evidence based on which comprehensive and successful juvenile justice reforms can be developed. In 1997, the Economic and Social Council, in its resolution 1997/30, requested the Panel to facilitate the identification of common problems, the compilation of examples of good practices and the analysis of shared experiences and needs, which in turn would lead to a more strategic approach to needs assessment and to effective proposals for action. Given the paucity of evaluation data on best practices, the Panel decided to develop a set of common criteria for the design and evaluation of juvenile justice programmes and the identification of good practices, based on the rights of the child as defined in the Convention on the Rights of the Child and other international norms and standards. The resulting criteria are presented in the hope that they will provide some useful guidance in programme development and evaluation.

The criteria presented here were developed by Yvon Dandurand (University of the Fraser Valley, Canada), based on consultations with representatives of Panel member agencies about their programme evaluation objectives and their past experience in attempting to evaluate juvenile justice programmes and identify good practices.

The project was guided by the Panel Steering Committee and benefited from the contributions and feedback of the following individuals and agencies: Ileana Bello (Defence for Children International), Judge Andrew Becroft (International Association of Youth and Family Judges and Magistrates), Bernard Boëton (Foundation Terre des hommes–child relief), Dr. Karin Bruckmüller (University of Vienna), Vivienne Chin (International Centre for Criminal Law Reform), Anna Giudice Saget (United Nations Office on Drugs and Crime), Anne Grandjean (United Nations Children’s Fund), Kendra Gregson (United Nations Children’s Fund), Jean-Claude Legrand (United Nations Children’s Fund), Joseph Moyerson (International Association of Youth and Family Judges and Magistrates), Davinia Ovet Bondi (Interagency Panel on Juvenile Justice), Ignacio Packer (Foundation Terre des hommes–child relief), Nikhil Roy (Penal Reform International), Jean Schmitz (Foundation Terre des hommes–child relief), Mia Spolander (United Nations Office on Drugs and Crime), Diane Swales (United Nations Children’s Fund), Benoît Van Keirsblick (Defence for Children International), Anna Volz (Defence for Children International) and Terry Waterhouse (Global Development Institute of the University of the Fraser Valley).

This document is endorsed by the following members of the Interagency Panel on Juvenile Justice:

Defence for Children International
International Association of Youth and Family Judges and Magistrates
Foundation Terre des hommes–child relief
International Juvenile Justice Observatory
Penal Reform International
Office of the United Nations High Commissioner for Human Rights
United Nations Children’s Fund
United Nations Office on Drugs and Crime
World Organization Against Torture

It is open to use and endorsement by other organizations.

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1. Introduction

Evidence-based programming requires that programme outcomes be monitored and evaluated in order to determine whether the programme's objectives have been achieved. It also requires that evaluation findings be reviewed and integrated into future programming and that good practices and lessons learned through the conduct of previous programmes be identified and taken into account in designing future interventions. In order to carry out all those steps, sound measuring techniques and processes and clear criteria for measuring programme outcomes are required.

The main objective of the present publication is to provide a conceptual framework for the design of juvenile justice reform programmes and a general approach for evaluating the impact of those programmes on children and their rights and on crime and public safety. This involves, initially, identifying the general criteria upon which to base such evaluations. The evaluations should make it possible to identify good practices that can be replicated at the national, regional or international level. The criteria must reflect the dual roles of juvenile justice reforms: to protect children and their rights and to protect society by preventing crime and repeat offending.

The present publication is based on a review of evaluations conducted by member organizations of the Interagency Panel on Juvenile Justice¹ and consultations with staff and representatives of Panel member agencies about their programme evaluation objectives and their past experience in attempting to evaluate juvenile justice programmes and identify good practices.

Programming should be based on the good practices identified thus far and on lessons learned from past programming initiatives undertaken in various contexts. In identifying good practices, one must rely greatly on the findings of past evaluations. The object of the present exercise, of course, is also forward-looking, as it attempts to specify how Panel members can ensure that evaluations are more rigorous and that more useful information is collected in order to guide programming practices in the area of juvenile justice reform.

2. Background

Over the years, the Panel and its member organizations have recognized the need to provide reliable evidence upon which they could design and support comprehensive juvenile justice reforms, as well as specific programmes and projects based on the rights of the child as defined in the Convention on the Rights of the Child and other international standards and norms.

¹The Interagency Panel on Juvenile Justice is a group mandated by the Economic and Social Council, under its resolution 1997/30, to act as a coordination panel on technical advice and assistance in juvenile justice. The Panel is currently composed of 14 members (seven United Nations bodies and seven non-governmental organizations) that work to ensure that juvenile justice systems comply with the Convention on the Rights of the Child and other international norms and standards.

In 1997, the Economic and Social Council, in its resolution 1997/30, requested the Panel to facilitate the identification of common problems, the compilation of examples of good practices and the analysis of shared experiences and needs, which in turn would lead to a more strategic approach to needs assessment and to effective proposals for action. Accordingly, the Panel began to identify good practices in the areas of legal support, alternative sanctions, capacity-building and training, public awareness and advocacy and monitoring and reporting. A book presenting the experience of Panel member organizations was published.² That initiative stopped short of identifying good practices because of the difficulty encountered in trying to arrive at common benchmarks and evaluation criteria. That and other initiatives of the Panel highlighted the fact that there were no commonly agreed criteria to guide programme evaluations, identify good practices and thereby support more rigorous evidence-based programming in the juvenile justice sector.

In 2008, the United Nations Children's Fund (UNICEF) undertook research to identify examples of good practices in diversion and alternatives to deprivation of liberty among the programmes supported by its country and regional offices. The methodology used included a self-assessment of the impact of reforms on the number of children deprived of liberty. That attempt at identifying good practices was thwarted in part by difficulties in assessing the impact of juvenile justice programmes, including the lack of sufficient data and the absence of a standardized methodology for collecting such data.

In view of these problems, the Panel, at its annual meeting, held in Amman in May 2009, agreed to develop a set of common criteria for the design and evaluation of juvenile justice programmes and the identification of good practices based on the rights of the child as defined in the Convention on the Rights of the Child and other international standards and norms.

3. Juvenile justice reforms and programmes

The prevention and control of juvenile offending is best understood as a process consisting of different levels of intervention, including education and prevention at the community level, as well as criminal sanctions and interventions to rehabilitate juvenile offenders and reintegrate them into the community.

Articles 37, 39 and 40 of the Convention on the Rights of the Child pertain to children's rights with respect to the juvenile justice system and, more generally, the criminal justice system as a whole. Other articles of the Convention (arts. 2, 3, 6 and 12) set out the general principles that must be taken into account in addressing the situation of children in conflict with the law (see box 1).

²Inter-Agency Coordination Panel on Juvenile Justice, *Protecting the Rights of Children in Conflict with the Law* (2006).

Box 1. Convention on the Rights of the Child: articles 37, 39 and 40**Article 37**

States Parties shall ensure that:

(a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below 18 years of age;

(b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;

(c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;

(d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Article 40

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:

(a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;

(b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:

- (i) To be presumed innocent until proven guilty according to law;
- (ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;
- (iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance

and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;

- (iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;
- (v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;
- (vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;
- (vii) To have his or her privacy fully respected at all stages of the proceedings.

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

(a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;

(b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.

4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

Finally, several other international standards exist which are based on widely recognized approaches to juvenile crime and the treatment of children in conflict with the law.³ These standards must inform and guide reform initiatives in the juvenile justice sector. They provide a compelling framework within which societies and communities are expected to define their own response to juvenile crime and shape the interventions of the criminal justice system in the lives of children in conflict with the law. However, even when taken together, these standards do not provide a specific programming model or specific guidance on how programmes should be designed in order to bring existing practices into compliance with the principles underlying these standards.

Since the adoption of the Convention over 20 years ago and despite the many ongoing reform efforts, globally, there has been only modest and uneven progress in ensuring that local and national responses to juvenile crime are both fully respectful of the rights of the child and effective in preventing crime. The social and institutional responses are not always child-centred, as required by the Convention, and they are not always resolutely focused on the rehabilitation and reintegration of young offenders. Furthermore, these responses have not always been very effective in preventing crime and contributing to public safety. Many countries have yet to develop a fully functional specialized juvenile justice system or adopt a comprehensive juvenile justice policy.

³United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) (General Assembly resolution 40/33, annex); the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) (General Assembly resolution 45/112, annex); the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (General Assembly resolution 45/113, annex); and the Guidelines for Action on Children

Many States parties to the Convention have requested and obtained assistance from members of the Panel in conceptualizing and implementing a more effective response to juvenile crime, grounded in the principles of the Convention and other relevant international standards. When assistance is delivered, in the form of technical assistance and programming initiatives, it is not always very effective, and its outcomes, however modest or considerable, are not always carefully monitored or evaluated. Evidence-based programming and decision-making in this whole sector is still weak; it is lacking the empirical basis that could support it.

3.1 Basic principles

The Committee on the Rights of the Child, a body of independent experts monitoring the implementation of the Convention on the Rights of the Child by States parties, issued General Comment No. 10 (2007), on children's rights in juvenile justice, in order to provide States parties with more elaborated guidance and recommendations for their efforts to establish an administration of juvenile justice in compliance with the Convention.

In General Comment No. 10 (2007), the Committee emphasized the need for States parties to adopt a comprehensive approach to juvenile justice and commit themselves to the necessary broad reforms of their criminal justice and social responses to children in conflict with the law.

The Committee also reiterated the leading principles that must shape such a comprehensive approach to juvenile justice reforms. Those principles are as follows:

(a) The need to ensure that all children in conflict with the law are treated equally and fairly, without discrimination, and, when necessary, to take specific measures to prevent discrimination. One form of discrimination of particular concern remains the practice of many countries of criminalizing certain conducts for children that do not constitute crimes for adults;

(b) The need to ensure that, in all decisions concerning children taken within the context of the criminal justice system or its juvenile justice components, the best interest of the child is a primary consideration. This, in practice, is a central principle which many communities find difficult to implement since, on the surface, it often seems to compete—even if it does not necessarily do so—with the primary purpose of the criminal justice system, which is defined in terms of crime prevention and public safety;

(c) The need to ensure that the child in conflict with the law can express his or her views freely and be heard in all matters affecting him or her;

(d) The need to ensure that the child is treated in a manner:

- (i) That is consistent with the child's sense of dignity and worth;
- (ii) That reinforces the child's respect for the rights and freedoms of others;
- (iii) That takes into account the child's age;
- (iv) That promotes the child's reintegration and his or her assuming a constructive role in society;
- (v) That excludes all forms of violence.

These principles are listed here because they are immediately relevant to a rights-based programming framework for children in conflict with the law and cannot be ignored when defining the criteria against which juvenile justice practices are to be evaluated.

3.2 Public safety objectives of the justice system

While the importance of the human rights principles summarized above is emphasized, it is important to recognize that the performance of the juvenile justice system and the effectiveness of other community responses to juvenile crime cannot simply be measured in terms of their compliance with those principles. Such evaluation must also encompass the main objectives of the criminal justice system and the guarantees it offers or fails to offer to offenders, children and adults. In its General Comment No. 10 (2007), the Committee on the Rights of the Child acknowledged that the preservation of public safety was a legitimate aim of the justice system. That aim dictates, at least partly, the choice of the criteria used to evaluate a juvenile justice system or some of its programmatic components. The question is thus how best to achieve the public safety objectives of the justice system while protecting the rights of the child and respecting the principles of juvenile justice enshrined in the Convention on the Rights of the Child.

The public safety objectives of the criminal justice process, as it applies to both adult and child offenders, are at the centre of the public's expectation of that process. To ignore that basic expectation when designing new responses to juvenile crime is to risk depriving such initiatives of the public support required for their success and may even encourage unsupportive or hostile public attitudes towards rights-based reforms in general. This, too, is crucially relevant to the elaboration of criteria for measuring the success of reforms and the overall performance of a juvenile justice system.

3.3 Core elements of a comprehensive juvenile justice approach

In addition to identifying some of the basic principles of juvenile justice, the Committee on the Rights of the Child also identified in its General Comment No. 10 (2007) what it considers to be the five core elements of a comprehensive approach to juvenile justice (see box 2). The Committee encouraged States parties to adopt comprehensive and integrated juvenile justice policies but also recognized that individual programmes were likely to focus on one or more aspects of such a comprehensive approach

Box 2. Core elements of a comprehensive policy on juvenile justice*

1. Prevention of delinquency

- General programmes to improve access to education, early childhood education and other measures to facilitate the successful socialization and integration of all children
- Programmes that provide special care or support to young persons at risk

*Based on General Comment No. 10 (2007), sect. IV, of the Committee on the Rights of the Child.

2. Interventions/diversion

- Improving interventions in the context of judicial proceedings as well as interventions that do not resort to judicial proceedings

3. Setting and complying with a minimum age of criminal responsibility and an upper age limit for juvenile justice

4. Ensuring that every child alleged to have or accused of having infringed criminal law receives fair treatment and a fair trial

- Ensuring fair treatment and a fair trial involves the following:
- Prohibiting the retroactive criminalization of a conduct
- Affirming the presumption of innocence throughout the process
- Respecting the child's right to be heard in any judicial proceedings affecting him or her
- Respecting the child's right to effective participation in proceedings and to be informed of charges against him or her
- Ensuring that the accused child is never compelled to give testimony or to confess or acknowledge guilt
- Offering legal and other appropriate assistance
- Encouraging, when appropriate, the presence of parents or guardians during legal proceedings
- Avoiding unnecessary delays in reaching a decision concerning a child in conflict with the law
- Respecting the privacy of the child during all stages of the proceedings
- Giving effect to the child's right to appeal against a verdict or a sentence

5. Measures to restrict the use of measures which deprive children of their liberty and to improve the treatment of children in detention and the conditions under which they are held

- Ensuring that detention, whether it is at the pretrial or post-trial sentencing stage, is used only as a last resort and for the shortest time period necessary
- Ensuring that the treatment of children in detention is fair, respectful of their rights and conducive to their prompt rehabilitation and successful reintegration
- Ensuring that there are effective interventions and programmes, both within juvenile justice institutions and in the community, to assess the needs of children in conflict with the law, support their education and rehabilitation and facilitate their social reintegration
- Programmes in any of these core areas are often complex and difficult to implement. Their impact is often slow to manifest itself and difficult to measure. That impact is usually difficult to isolate and distinguish from the effect of broader social and cultural factors or the impact of other child protection and education programmes. Building an empirical basis upon which to monitor the implementation and outcomes of comprehensive juvenile policies or core programme initiatives is not an easy task. The following section looks at some potential courses of action.

3.4 Programmes for child victims and witnesses of crime

Member organizations of the Interagency Panel are also involved in designing and delivering programmes to address the situation of children who are victims and witnesses of crime, as opposed to children in conflict with the law. Those programmes are very important to the overall goals for child protection of those agencies and to the defence of the rights of the child. Furthermore, many children in conflict with the law are also in some way victims of crime and abuses. However, programmes for victims and witnesses are very different in nature from those developed for children in conflict with the law. For one thing, programmes for child victims and witnesses are typically within the framework of the adult criminal justice system, not the juvenile justice system. We will therefore not include such programmes in the present discussion of the relevant criteria and programme objectives that should be captured in programme evaluations. A separate conceptual exercise similar to the one being undertaken here for juvenile justice programmes would likely also be useful for programmes for victims and witnesses.

4. Developing an empirical basis for evidence-based programming

Identifying good practices in juvenile justice reforms requires access to reliable empirical information on crimes committed by children, the functioning of the juvenile justice system, the impact of various interventions on children and their rights and the effectiveness of the justice system in preventing crime and recidivism.

4.1 Juvenile justice statistics

Basic information on juvenile delinquency and solid indicators of the justice system's performance with respect to children in conflict with the law are required in order to measure progress towards delinquency prevention and child protection goals. The development of such indicators requires statistical data that, for the most part, are not currently collected in a systematic and reliable manner. The development of national statistics on juvenile justice and juvenile crime is a major undertaking. It is best achieved within the broader context of a functioning process for the collection, analysis and dissemination of statistics on crime and justice.⁴

In its General Comment No. 10 (2007), the Committee on the Rights of the Child expressed its deep concern about the lack, in many countries, of basic disaggregated data on, inter alia, the number and nature of offences committed by children, the use and the average duration of pretrial detention, the number of children dealt with by resorting to measures other than judicial proceedings (diversion), the number of children convicted and their age and gender, and the nature and the duration of the sanctions imposed on them. Gender-disaggregated data, for instance, are essential to account for the differential impact of interventions on boys and girls and gender-sensitive programming in general.

⁴See *Manual for the Development of a System of Criminal Justice Statistics* (United Nations publication, Sales No. E.03.XVII.6); see also *Cross-Cutting Issues: Crime Prevention Assessment Tool* (United Nations publication, Sales No. HS/1232/09E).

The Committee also urged States parties to systematically collect disaggregated data relevant to the information on the practice of the administration of juvenile justice, and necessary for the development, implementation and evaluation of policies and programmes aiming at the prevention and effective responses to juvenile delinquency in full accordance with the principles and provisions of the Convention on the Rights of the Child.⁵

Where data exist on juvenile crime and on the justice system's response to juvenile crime (e.g. arrests, prosecutions, diversion, trials, dispositions and detention), they should, of course, be critically reviewed and used as a basis for programming. Such data, depending on how they are collected and reported, can often provide the baseline information required to monitor and evaluate the outcomes of reforms and programme performance.

In the absence of crime and justice information systems in a country or jurisdiction, programming is based on general and often inaccurate perceptions of the existing situation. In other cases, programming is based on a slightly more systematic situation assessment, the scope and reliability of which is limited by a lack of data on the incidence of youth crime and the nature of the justice response to juvenile crime. Distinguishing between cases involving children and those involving adults can prove to be complicated.

The development of useful performance indicators for the juvenile justice system is predicated on the presence of reliable statistics on how the system operates and what happens to children in conflict with the law. It is often the case that existing national justice information systems and other statistics collected by justice agencies do not systematically keep data disaggregated by age. When age-disaggregated data exist, the age categories used by these systems may not be the categories which are relevant in the context of the rights of the child or ensuring a functioning juvenile justice system.

Each component of the juvenile justice system inevitably creates large quantities of records. However, it is only when such information is systematically transformed into statistical data that these records provide valuable information for decision-making and programming. Therefore, the development of justice information systems capable of producing reliable data disaggregated by age and gender and data on the functioning of the juvenile justice system—of the criminal justice system as it relates to children in conflict with the law—should be encouraged as a matter of priority. One of the first steps in helping a State reform its juvenile justice system should be, typically, to help it develop its capacity to generate reliable juvenile justice statistics and manage its justice information management systems.

While it is possible to develop statistical data collection and analysis processes designed specifically to monitor the impact of a particular programme or project, it is rarely cost-effective or sustainable to do so. The ideal situation is to make use of existing justice information systems that can provide reliable baseline data and some general measurements of the impact of juvenile justice reforms. Such data, if available, can be incorporated into the design of a programme evaluation, thereby significantly increasing the strength and credibility of that evaluation. If such data are not available, it is appropriate to help the juvenile justice system develop its capacity to generate reliable juvenile justice statistics, inter alia, by adopting a system of maintaining files containing all disaggregated data to be collected and checked by the different competent authorities (police officers, prosecutors, judges and social workers).

⁵Committee on the Rights of the Child General Comment No. 10 (2007), para. 98.

4.2 Performance indicators for the juvenile justice system

A well-designed mechanism for monitoring the performance of the juvenile justice system can have a number of useful applications. It can be used to determine and reinforce the accountability structure within the system; improve the quality of existing responses and services; allocate resources, formulate financial forecasts and justify budgets; identify needs for further training and capacity development initiatives; and evaluate the effectiveness and the performance of various aspects of the response to juvenile delinquency. Such a performance-monitoring mechanism can also assist local and national authorities, as well as the Committee on the Rights of the Child, in assessing the compliance of existing juvenile justice policies and practices with the requirements of the Convention on the Rights of the Child and other relevant human rights instruments. In addition, indicators can be used to assess the impact of some aspects of new programmes.

Although casual observations, anecdotal accounts, sporadic data-gathering exercises and special studies may all be construed as means of providing information on the performance of the juvenile justice system, a more rigorous and systematic approach is required to adequately monitor a complex system such as a juvenile justice system. In the systematic monitoring of performance, key aspects of performance are carefully and periodically measured, recorded and compared with previous results and relevant norms.

Monitoring performance of a juvenile justice system takes many forms. The common denominator of all approaches is the systematic collection of evidence on the impact, effectiveness and adequacy of existing responses to juvenile crime, in terms of fulfilling the rights and best interest of the child. Monitoring systems often measure actual performance against fixed standards. The adequacy of existing responses is assessed with reference to a normative framework or specific targets that a system is expected to achieve. In the case of juvenile justice, that normative framework is usually provided by the country's own constitutional legal framework as it relates to the protection of human rights and liberties, as well as to binding international legal standards set out in instruments such as the Convention on the Rights of the Child, the International Covenant on Civil and Political Rights and other relevant international legal instruments.

Without appropriate and timely data, it is impossible to know where to concentrate efforts to improve the system and protect children or determine whether important goals set for child and social protection goals are being achieved. Performance indicators for the juvenile justice system are necessary both as benchmarks and as means of mobilizing the justice system and persuading those involved to undertake the necessary reforms. An indicator can provide a common way of measuring and presenting information so as to reveal whether certain standards are being met.

In order to develop a reliable system for data collection and analysis, it is necessary to have a broad-based agreement within a country on a set of indicators to be used for monitoring the essential components of the juvenile justice system, including components for both community-based crime prevention and criminal justice. Furthermore, statistical comparisons of regions or different time periods are possible only when the integrity of the data is ensured by well-designed and standardized data collection mechanisms and when the data recorded in those mechanisms are uniformly defined and commonly understood. The more rigorous the process of information collection and analysis, the greater the usefulness of the data and the dynamic indicators that will be generated.

It is often difficult to implement mechanisms to collect the data related to a set of performance indicators. When the selected indicators require data to be collected at the

national level, a large number of people and organizations must be involved. The ongoing data collection effort must be supported by clear definitions of the data elements, good communication with the people responsible for collecting the data and sufficient training for all those involved.

Some resistance to efforts to collect information on efficiency and effectiveness is to be expected. The usefulness of such data may not be obvious to some, and some may feel threatened by the fact that such information is being gathered. The best way to deal with such resistance is to involve those who can provide data in the process of identifying the necessary data elements and defining appropriate measurements. Those individuals must be helped to understand how valuable and useful those data will be for them in the exercise of their functions and responsibilities. Providers of data, at all levels, must feel that the specific measurements that are used are capable of providing meaningful and relevant information that will help improve the service that will be delivered under their responsibility.

Finally, it is important to attempt to maximize the utilization of the data gathered at all levels of management in the juvenile justice system. Data collection can be onerous for front-line staff and their managers. People will invest more of their time and energy in the implementation of a data-gathering system if they feel that they can use those data to solve problems and improve their own performance.

The United Nations Children's Fund and the United Nations Office on Drugs and Crime have developed a manual for the measurement of juvenile justice indicators. The *Manual for the Measurement of Juvenile Justice Indicators*⁶ is based on a set of 15 indicators: 11 dynamic quantitative indicators and 4 policy indicators. Taken together, the indicators provide a framework for measuring and presenting specific information about the situation of children in conflict with the law. They were not designed to provide exhaustive information on all possible aspects of children in conflict with the law or a country's juvenile justice system. Rather, they constitute a basic data set and comparative tool providing a starting point for the assessment, evaluation and development of policies and services. Where these indicators or an equivalent have been implemented they can provide an ongoing and very useful, if limited, means of monitoring the outcomes of programmes. As such, they can be integrated into a programme evaluation design.

4.3 Programme reviews and evaluations

In general terms, evaluating a programme involves determining whether the goals of the programmes were appropriate, the activities were efficiently implemented and the goals were met.

Evaluations help us understand to what extent a particular programme or intervention has achieved its intended result. They also inform us about the broader impact, direct and indirect, intended and unintended, of these interventions on stakeholders and institutions. In addition to supporting accountability mechanisms, a proper evaluation is an important source of evidence concerning the results achieved. As such, it is a lesson-learning tool which contributes to building knowledge about how best to achieve programme goals and objectives. In the context of juvenile justice system reforms, evaluations provide a critical tool for learning how to achieve child protection and public safety objectives in an efficient and effective manner. When programme evaluation findings

⁶United Nations Office on Drugs and Crime, *Manual for the Measurement of Juvenile Justice Indicators* (2006).

are compared, good practices can be identified and lessons can be learned, and both can be widely communicated so as to improve the general quality of programming in the whole sector.

The Norms for Evaluation in the United Nations System formulated by the United Nations Evaluation Group state the following:

“An evaluation is an assessment, as systematic and impartial as possible, of an activity, project, programme, strategy, policy, topic, theme, sector, operational area, institutional performance etc. It focuses on expected and achieved accomplishments, examining the results chain, processes, contextual factors and causality, in order to understand achievements or the lack thereof. It aims at determining the relevance, impact, effectiveness, efficiency and sustainability of the interventions and contributions of the organizations of the United Nations system. An evaluation should provide evidence-based information that is credible, reliable and useful, enabling the timely incorporation of findings, recommendations and lessons into the decision-making processes of the organizations of the United Nations system and its members.”⁷

Using that definition, it is clear that several programmes, projects and interventions are the subject of reviews and assessments which do not fully amount to an evaluation. In fact, there remains confusion in the juvenile justice sector about the difference between various forms of performance monitoring, assessment and evaluation (e.g., reviews, assessments, audits and evaluations). Because so few programmes or major interventions in this programming area are the object of a rigorous evaluation, there seems to be a tendency to use the findings of informal reviews and assessments as if they carried the same credibility and weight as the findings of a proper evaluation. Less systematic assessments and reviews of juvenile justice programmes sometimes contain important lessons for future programming, particularly in relation to various implementation issues. However, the identification of good practices within that whole sector ought generally to rely on more robust data: data generated by independent, systematic and comprehensive evaluations.

The United Nations has adopted some evaluation standards which apply to the system as a whole,⁸ and some United Nations agencies have adopted their own evaluation policies which are congruent with those norms and standards.⁹ Some Panel member organizations have adopted their own policy concerning programme evaluation, and many donor organizations active in the field of juvenile justice have adopted their own results-based management schemes and their own evaluation policies and standards.¹⁰ The general principles and guidelines behind these various policies are generally consistent with each other even if some confusion might result from the use of slightly different terminology.¹¹

⁷United Nations Evaluation Group, “Norms for Evaluation in the United Nations System”, 2005, para. 1.2. Available from www.escwa.un.org/divisions/pptcd/upload/uneg.pdf.

⁸United Nations Evaluation Group, “Standards for Evaluation in the United Nations System”, 2005. Available from www.uneval.org/papersandpubs/documentdetail.jsp?doc_id=22.

⁹The evaluation policy of the United Nations Office on Drugs and Crime is available from www.unodc.org/documents/evaluation/Guidelines/Final_Evaluation_Policy.pdf; the evaluation policy of the United Nations Children’s Fund is available from www.unicef.org/evaluation/files/2008_Evaluation_Policy_English.pdf.

¹⁰Such as the criteria for evaluating development assistance of the Development Assistance Committee of the Organisation for Economic Co-operation and Development. Available from www.oecd.org/dataoecd/15/21/39119068.pdf.

¹¹Some effort has been made to clarify the evaluation terminology. See, for example, the “Glossary of Key Terms in Evaluation and Results-Based Management” of the Development Assistance Committee of the Organisation for Economic Co-operation and Development. Available from www.oecd.org/dataoecd/29/21/2754804.pdf. See also the glossary of monitoring and evaluation terms of the Office of Internal Oversight Services. Available from www.un.org/Depts/oios/mecd/mecd_glossary/index.htm.

Most of these evaluation policies recognize five main evaluation criteria. The following section reviews those criteria and makes suggestions for how to apply them specifically to juvenile justice reform.

The General Assembly has requested the United Nations system to conduct evaluations in a way that fosters evaluation capacity-building in Member States to the extent possible. Most agencies active in this sector recognize that there is much to learn from participatory approaches to monitoring and evaluation. The United Nations Children's Fund for example, has published *Country-led Monitoring and Evaluation Systems: Better Evidence, Better Policies, Better Development Results*.¹²

Similarly, with respect to programmes relating to children in conflict with the law, we should note the importance of children's participation in evaluating programmes that affect them. The Committee on the Rights of the Child has stated that it is important that children be involved in evaluation and research, in particular those who have been in contact with parts of the juvenile justice system.¹³

5. Evaluation criteria

The essence of a programme evaluation is to measure the intended and unintended outcomes of a programme and relate that to its goals and objectives. The definition of evaluation formulated by the Development Assistance Committee of the Organization for Economic Cooperation and Development has been adopted by all major international development agencies. The definition contains five evaluation criteria that should be used in assessing development interventions: relevance, efficiency, effectiveness, impact and sustainability. Most Panel member organizations explicitly use these criteria.

The five criteria can be summarized as follows:

- The *relevance* of a project or programme is the extent to which its objectives are consistent with the beneficiaries' requirements, country needs and priorities, relevant international standards, global priorities and the policies and objectives of partners and donors.
- *Efficiency* is a measurement of how well inputs (funds, expertise, time etc.) are converted into outputs.
- *Effectiveness* is the extent to which a project or programme attains its objectives and expected accomplishments and delivers the planned outcomes.
- *Impact* is the sum of the primary and secondary long-term effects of an intervention, positive or negative, direct or indirect and intended or unintended. Impact is the measurement of all significant effects of the programme, positive or negative, expected or unforeseen, on its beneficiaries and other affected parties.
- *Sustainability* is the extent to which the benefits of the project or programme will continue after its completion, including long-term benefits.

¹²Available from www.ceecis.org/remf/Country-ledMEsystems.pdf.

¹³Committee on the Rights of the Child General Comment No. 10 (2007), para. 99.

These criteria are interdependent and not mutually exclusive. They do not necessarily exclude other criteria that might also be used to better focus an evaluation on the specific characteristics of an intervention or its context. All five criteria are directly relevant to the identification of good practices. When attempting to identify good practices, the Committee on the Rights of the Child and Panel member organizations are interested in all of these criteria.

In the area of juvenile justice, good practices, to be good, must be relevant to both the promotion of the rights of the child and the prevention of crime. If their relevance is not sufficiently articulated and if their general objectives are not translated into coherent programme goals and activities, how can they be presented as good practices from which others can learn? Programmes which are not implemented properly or efficiently usually do not produce the expected outcomes, although they can still yield lessons about how to improve programme implementation practices. Programmes which do not yield the results or outcomes that they were designed to produce are not effective and are therefore of limited value, even if their evaluation may yet yield valuable lessons for others who are considering designing similar programmes. Similarly, how good is a good practice if it has no measurable impact or if its negative or detrimental effects have not been identified or outweigh its benefits? Finally, how good is a good practice if it is not cost-effective or sustainable or if the conditions under which it can become sustainable have not been identified?

5.1 Programme relevance

In the area of juvenile justice reforms a programme's general relevance can be assessed along two main axes: the normative axis defined by the Convention on the Rights of the Child and other international standards,¹⁴ and the public safety axis defined in terms of crime prevention and public safety. That relevance also encompasses the question of how the programme responds to the specific context in which it was developed, the nature, capacity and challenges of the local justice system and the priorities for action identified by stakeholders.

The practical relevance of a programme can be better determined by having an understanding of existing circumstances and access to good baseline data and carefully assessing the problems and challenges that the programme was designed to address. In practice, a programme's logical framework and normative and conceptual foundations are often insufficiently articulated and documented. In too many instances, the internal validity of the programme design is not well established, thus creating great difficulty in carrying out a proper evaluation. If a programme's relevance is not sufficiently articulated, evaluation issues invariably arise when the time comes to define and measure the desired outcomes of the programme or determine whether it is sustainable or transferable to another context.

The main questions that must be asked as part of articulating a programme's logical framework (or logic model) are as follows: Is the causal logic behind the choice and design of the programme activities adequately specified? What were the activities and were they fully and successfully implemented? If the activities were successfully implemented, what outputs did they produce? If outputs were produced, what outcomes were produced in the short term and the longer term? If outcomes were produced and they could be logically

¹⁴In articulating the relevance of a programme in the area of juvenile justice reforms, the basic principles summarized by the Committee on the Rights of the Child in its General Comment No. 10 (2007) are directly relevant, as are the various international juvenile justice standards adopted by the international community.

attributed to the programme, were the objectives of the programme achieved? Are the objectives achieved contributing to the larger goals or the purpose of the programme?

A programme's design should clearly identify realistic and meaningful links between its objectives and the overall goals to be achieved (with appropriate reference to the applicable normative framework, e.g., the rights of the child). In addition to being meaningful and logically linked to the goals to be achieved by the programme, programme objectives must be specific. Specific programme objectives must be realistic, measurable, achievable, verifiable and, if possible, ordered according to time phase (specifying the amount of time that it will take to achieve the objectives).

A programme's relevance is ultimately expressed by a statement of the desired outcomes and the links between those outcomes and the objectives of the programme and goals to be achieved. It is difficult to determine whether a programme, as designed, is relevant to the overall objectives of an intervention if its desired outcomes are not sufficiently and realistically defined or if their links to the relevant normative framework and prevailing conditions and circumstances have not been clearly defined.

There should be no confusion about the difference between an output and an outcome. In addition, there is not always sufficient clarity about how different outcomes are related to each other or are even interdependent. For example, one might mistakenly define a greater awareness of children's rights among justice professionals as an outcome of a programme, when it would in fact be more appropriately defined as an "intermediate outcome", which can be expected to lead to the desired outcome: a substantial change in the behaviour of those professionals, leading to a change in the manner in which children in conflict with the law are treated in the justice system.

If the objectives of a new programme and its desired outcomes are not clearly defined and the logical links between programme activities and the desired outcomes have not been rigorously articulated, programme evaluators are placed in the uncomfortable position of having to make some a posteriori assumptions about the objectives and expected outcomes of the programme.

5.2 Programme efficiency and effectiveness

There is no standard method for implementing reforms in the juvenile justice system. Sound result-oriented and evidence-based implementation practices are not always the norm in the area of juvenile justice reform. Implementation methods and practices vary considerably, and some of them are directly responsible for the poor programming results that are too frequently encountered in the juvenile justice area.

Evaluating a programme or monitoring its performance entails understanding how the programme operates and what it is intended to accomplish. In a sense, the efficiency of a programme is dependent upon the strength of the logical links between the intent of the programme, the activities undertaken as part of the programme and their expected outputs. Conceptually, these expected outputs need to be logically related to the desired outcomes of the programme. To evaluate or monitor the implementation of a programme, one looks at whether the intentions leading to that programme's creation were translated into appropriate and effective actions and whether these actions generated the desired outputs or the outputs necessary to generate the desired outcomes of the programme.

In evaluating the effectiveness of a programme, it has to be determined whether the actions undertaken translated into the desired outputs, which then produced the desired outcomes or at least made significant progress towards achieving these outcomes. In practice, it is difficult to measure the outcomes of a programme without reference to its implementation.

An evaluation focuses on the effectiveness of a programme by measuring the extent to which its intended outcomes (or even intermediate results) have been achieved. The programme's effectiveness is measured by examining the relationship between its outputs (i.e. its products or services) and its outcomes. A programme is considered effective when its outputs produce the desired outcomes; it is efficient when it uses resources appropriately and economically to produce the desired outputs. The programme is cost-effective when it is economically worthwhile in terms of what is achieved given the amount of resources expended.

One of the main reasons why it has been difficult so far to identify good practices in the area of juvenile justice reform is that many agencies have been satisfied to measure programme outputs and have not paid sufficient attention to the more controversial and difficult task of measuring programme outcomes.

Evaluating the effectiveness of a programme's intervention involves, at a minimum, three main steps:

- Measuring change in the observed situation
- Attributing the change in the observed situation to the programme (i.e. was the change a result of the programme or one of its activities?)
- Judging the value of the change by reference or comparison to standards, targets, benchmarks or other programmes

The question of how certain observed outcomes can logically and legitimately be attributed to a programme is a complex one. The task of attribution, as this question is often referred to, is often made difficult by poor internal validity of the programme. When a programme's internal validity is not well established, attribution usually becomes a significant challenge. Attribution is also complicated by the presence of the effects of multiple programmes and of various social and institutional changes, which are difficult to isolate from the outcomes of the programme being evaluated. Assessing the effectiveness of a programme obviously becomes complicated when there is only a tenuous logical basis upon which to determine the extent to which observed changes in outcomes can be attributed validly to the programme itself.

5.3 Programme impact

Impact is a measure of all significant effects of a programme—whether positive or negative, expected or unforeseen, intended or unintended—on its beneficiaries and other affected parties. Whereas assessment of effectiveness focuses on the intended outcomes of a programme, impact is the measure of the broader consequences of that programme. Because some outcomes are unintended or unexpected, they are particularly difficult to measure, and the data that would capture a change in the observed situation are rarely available. In some instances, a programme will have both positive outcomes and less positive outcomes, and it may become a matter of determining what an acceptable balance between those outcomes is.

In some instances, the potential side effects of a particular type of programme may have been identified in advance, usually on the basis of past experience. In such cases, the programme design may incorporate features and activities to minimize or prevent any such negative effects. For example, in the area of juvenile justice, past experience may have revealed a risk associated with the implementation of a diversion programme (e.g., “net widening”), the creation of a specialized juvenile justice system (e.g., marginalization of that new system from the mainstream justice system and depletion of resources) or a programme to improve conditions of youth detention (e.g., greater public willingness to incarcerate youth). In such instances, programme evaluations must pay particular attention to these effects and outcomes, and the lessons thus learned will be of great benefit to other programming initiatives.

5.4 Programme sustainability

Sustainability is a measure of whether the benefits of a programme (e.g., compliance with internal standards and reduction in recidivism) are likely to continue after external support has ended or a specific intervention has been completed or discontinued. Measuring sustainability involves asking questions about the extent to which capacity has been successfully developed (e.g., through participation, empowerment or ownership), local resources are available and sustained political support exists. It also involves asking difficult questions about whether the positive outcomes and impacts generated by a programme justify the investments required for that programme to be continued and whether stakeholders and the rest of the community value those benefits sufficiently to devote resources to generating them. Finally, measuring sustainability involves addressing questions such as how long it may take for a programme to yield sustainable results (sustained intervention) and how long the impact should be expected to last (sustained outcomes or benefits). Long-term sustainability is rarely addressed by programme evaluations.

5.5 Programme transferability

The last criterion is transferability. Although this is not one of the main criterion of a standard programme evaluation, an evaluation may assess the potential transferability of a programme. This is often necessary in order to identify prevailing conditions and factors in part responsible for the success of the programme, as well as the relative relevance, efficiency, effectiveness and sustainability of the programme.

Assessing the transferability of a programme from one context to another is complex. It is an attempt to identify the necessary conditions required for the same or a similar programme to produce similar results in a different context. It can also be explained as the lessons learned about those specific aspects of the design and implementation of a programme, the context and circumstances in which the programme was implemented or even the characteristics of the justice system in which it took place that made the programme successful.

Assessing transferability is a matter of answering the question: “How does a successful programme need to be modified and adapted before implementing it in a new context, in different circumstances or in a different social and institutional environment, in order to achieve similar or better results?”. The question of transferability cannot be dissociated from the goal of identifying good practices, because a good practice is rarely independent of the conditions in which it is applied.

Certain contexts may impose programming constraints that require specific consideration when developing new interventions. This is the case, for example, with juvenile justice reform programmes in post-conflict situations or in societies in transition. The unique conditions and constraints which tend to prevail in those contexts are often quite different from those in which most programming experience is obtained. The question of the transferability of programmes and methods thus becomes crucial in the context of post-conflict societies and societies in transition. Given that Panel member organizations are often called upon to assist in post-conflict societies and societies in transition, it would make eminent sense to attempt to identify good practices in juvenile justice reforms which are specifically relevant to such situations.

5.6 Translating evaluation findings into statements of good practices

In the area of juvenile justice, the findings of one evaluation are rarely so definitive and uncontroversial that they can be automatically translated into authoritative statements about good practices. In most instances, the findings of an evaluation are based on incomplete data, measurements that can be described as “best under the circumstances”, and imperfect evaluation design. Juvenile justice programmes rarely lend themselves to the more rigorous evaluation methods (i.e., experimental and quasi-experimental designs). Measurements of the situation before and after the programme often suffer from the near absence of reliable baseline data. Finally, many reforms promoted in the area of juvenile justice are more likely to yield long-term rather than short-term outcomes, and long-term outcomes are typically very difficult to measure within the short and finite period of time usually devoted to an evaluation. For example, a shift towards a restorative justice approach to resolving conflicts involving children may have an impact on public attitudes towards the rights of children or on the long-term recidivism patterns of the children involved (both as youth and later as adults). That impact may not be sufficiently captured by the measurements applied in a typical evaluation.

These considerations should serve as a reminder that a single evaluation, just like any single scientific study, must be replicated in various contexts before more definitive conclusions can be drawn. Similarly, lessons about the most efficient and effective programme designs and good programme implementation practices need to be progressively validated as programme evaluation findings are accumulated and analysed. Thus, a valid empirical basis can eventually be developed to promote evidence-based—and thus more efficient, effective and sustainable—programming in the field of juvenile justice.

6. Preliminary identification of goals, objectives and outcomes

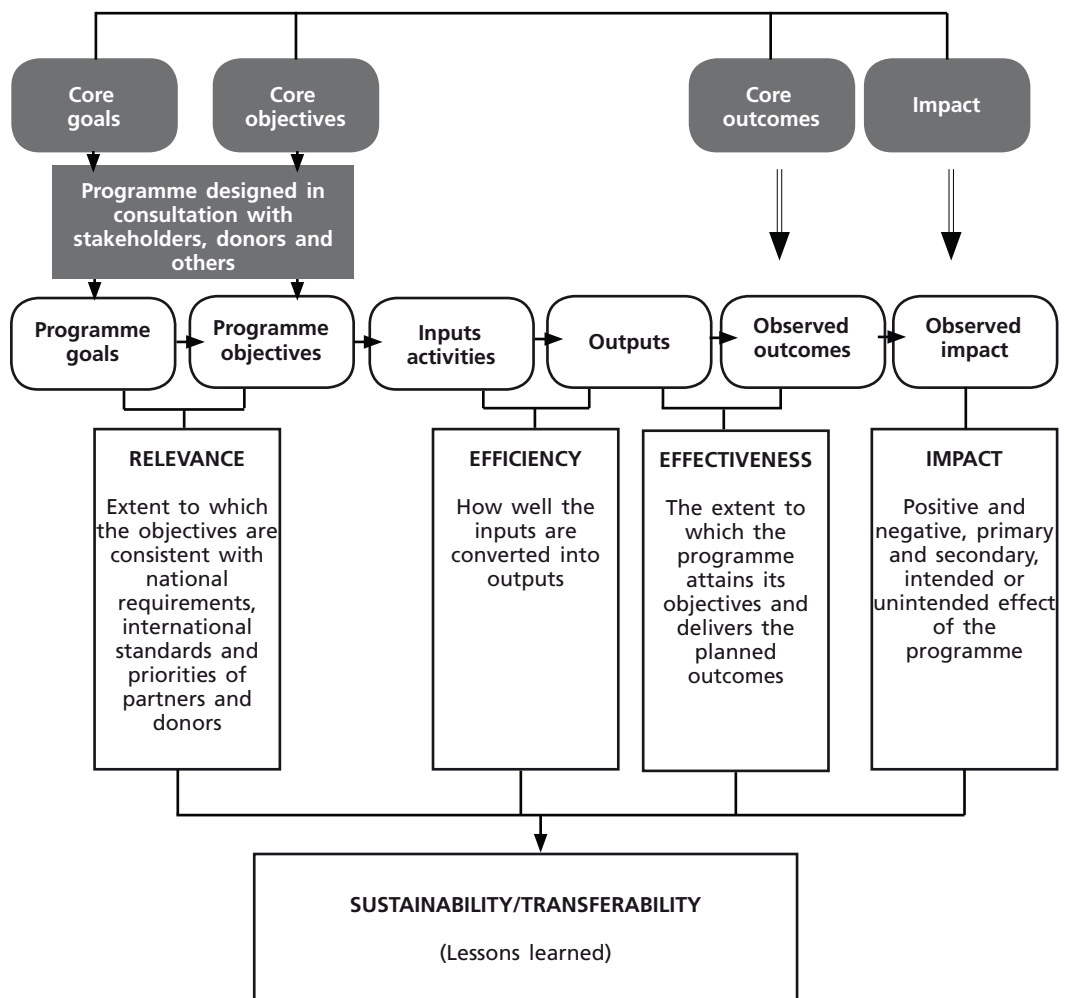
The main criteria relevant to programme evaluation and the identification of good practices, as identified above, must then be applied specifically to the area of juvenile justice reform. Are there specific measures that could be used more systematically to measure the efficiency, effectiveness and impact of juvenile justice reform programmes and, ultimately, to identify good practices and support evidence-based programming in that sector?

Some of these measures are likely to vary depending on the specific objectives and the circumstances of the programme being evaluated. However, it should be possible to identify programming objectives frequently found in this particular programming area and specify the outcomes and other measures of impact and sustainability typically associated with those objectives.

If it is agreed, as suggested here, to focus on determining whether core programming goals and objectives are achieved (programme effectiveness), we must pay special attention to whether those objectives are achieved (outcomes) and, if so, how (through what activities and outputs) and with what general impact. The main measures likely to be used are measures of programme outcomes and impact. The question of assessing the sustainability and transferability of programmes will be addressed separately.

It is proposed to start with 11 of the most common programming goals pursued by juvenile justice reform programmes, referred to as “core goals”. They correspond to the core elements of programming discussed above. There are probably hundreds of ways to translate those programming goals into specific objectives for juvenile justice reform programmes. Some programmes focus on more than one goal and are based on an integrated approach to juvenile justice reforms. Any of the goals in question can be pursued through different types of programming, different methods and different activities.

Figure 1. General programming framework for juvenile justice reforms in 11 core programming areas



The figure above illustrates the logic behind the use of general statements of goals and objectives and their relationship to evaluation criteria.

The 11 general objectives selected are derived from the dual goals of juvenile justice programming: (a) child protection and children's rights; and (b) public safety and crime prevention. Although a number of intermediate objectives could be set for each general objective, that level of complexity will not be addressed here. By working initially with those 11 general programming objectives, it is hoped to illustrate how this approach can focus future discussions about programme evaluation and the identification of good practices.

When a programme evaluation is being designed, the various types of measurements used to assess the programme's outputs, outcomes and impact are chosen taking into account the specific characteristics and objectives of the programme, as well as the availability of data, existing resources and time and other constraints under which the evaluation is to be conducted. Nevertheless, it can be assumed that all programme evaluations may benefit from the prior identification of general outcomes and impact measures related to the main goals typically being pursued by juvenile justice reforms.

6.1 Measuring outcomes

Outcomes are measured to obtain data relevant to the goals and objectives of a programme and the evaluation criteria. The measurements usually take the form of variables or indicators. An indicator of outcome is a measurement (qualitative or quantitative) of variables relevant to the objectives of the programme. In a programme evaluation, outcome indicators provide empirical evidence showing, with a great degree of accuracy and reliability, the nature and extent of the changes produced by a particular programme. Some of these indicators may also reveal the broader impact of a programme, including unexpected or unintended effects. Evaluation indicators are selected to measure whether programme objectives are being achieved. Some of those indicators may be the same as the performance indicators regularly being produced in a country to monitor the performance of various institutions.

Normally, every outcome indicator is linked to some of the main, general objectives of the programming area as a whole (either in relation to the rights of the child or to crime prevention). Every indicator should be defined as precisely as possible and lend itself to empirical verification. In many instances, it makes sense to define and express an indicator as a standard or benchmark with which the outcomes can be compared.

In deciding on indicators and measurement procedures, evaluators are typically confronted by two types of problems. The adequacy of a measurement procedure is usually judged in terms of validity (does the procedure measure what it is intended to measure?) and reliability (the stability of the measurement procedure itself when applied under standard conditions). The two conditions are linked: to the extent that a measurement is unreliable, it is not a valid measure of an outcome.

Furthermore, the choice of indicators is sometimes complicated by the problem known as "attribution of results". The choice of indicators must be informed by a reasonably good knowledge of factors—other than the programme itself—which are likely to affect an indicator. Indicators likely to be affected by numerous factors independent from the programme being evaluated may be problematic when determining which observed outcomes can be attributed to the programme and which to other factors. A change may be measured,

but it may be near impossible to determine whether the change is the result of the programme or some other factor or intervention.

In the following pages, some general examples of indicators are proposed for measuring outcomes and the potential impact of juvenile justice reforms in relation to various programming objectives. However, it should be understood that ideal indicators are not always possible or available and that, in practice, evaluators must make their own decisions about what is the best way to measure a programme against a given criterion or its stated objectives. In many instances, multiple imperfect measurements are used to present a composite picture of the effect of the programme. Furthermore, measuring the outcomes of a programme solely against its own stated specific objectives is not always sufficient. If programme-specific objectives and intended outcomes have not been conceptually related to the more general objectives of the relevant juvenile justice programming area, that link must be specified a posteriori by the evaluators.

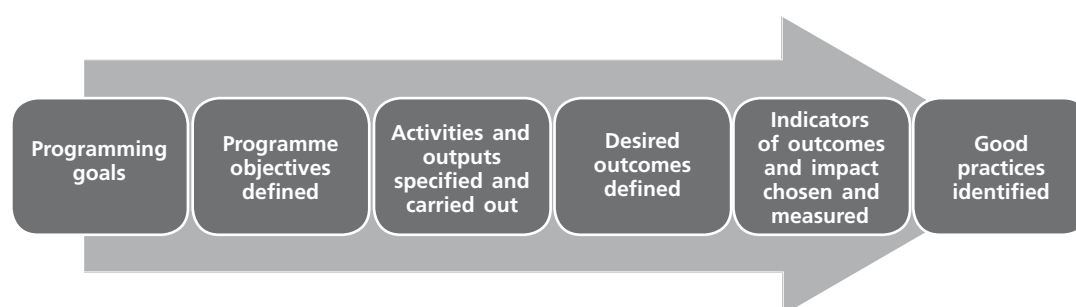
6.2 Collecting information on good practices

Many different kinds of lessons can be drawn from a programme evaluation. Some lessons concern good practices related to the relative efficiency of various types of programming or how their efficiency can be improved (i.e., what is the best and most effective way of achieving certain outputs and outcomes). Other lessons concern the kind of programming activities and outputs that are most likely to produce particular desired outcomes (i.e., good practices likely to yield a certain desired outcome). Other lessons may concern the undesired impact of certain programmes or programming approaches or what makes a programme sustainable or transferable to another context.

As a starting point, for identifying good practices, it may be useful for the Panel to do the following:

- (a) Identify the main programme goals that are likely to help achieve progress in the area of juvenile justice;
- (b) Specify how these general goals are typically translated into specific programme objectives (sometimes on the basis of international standards);
- (c) Begin to specify how these objectives can be translated, at least conceptually, into desired programming outcomes that can be measured by commonly used indicators.

Figure 2. Process to identify good practices



6.3 Goals, objectives, outcomes and indicators

The annex to the present publication articulates, in the form of a table, some general approaches for identifying and measuring desired outcomes and impacts. Once fully developed, that table could serve as a framework for designing and evaluating juvenile justice reform programmes. The table in its present form is largely illustrative and does not contain all the specific information that must be included in such a framework. The table does not specify the activities that would typically be undertaken in any of the relevant areas (training, policy development, drafting of legislation, capacity-building, awareness-raising etc.) or the inputs required. It does not attempt to define concrete outputs for the various areas of juvenile justice reform. Such details of programme design must be left to local stakeholders, who are those most aware of local resources, challenges and assets, as well as the circumstances in which the programme is to be defined.

At a later date, the Panel could add to the basic framework provided in the annex by further defining a protocol and a methodology for assessing and gathering information on the cost-effectiveness, sustainability and transferability of various juvenile justice reforms programmes.

Annex:
Juvenile justice reforms
Programming goals, objectives, outcomes
and potential impact

<i>Programming goals</i>	<i>Objectives of programmes</i>	<i>Desired outcomes</i>	<i>Indicators for measuring outcome</i>	<i>Impact</i>
1. Advocate and plan for juvenile justice reforms (preferably comprehensive and integrated reforms)	Raise public awareness of the rights of children in conflict with the law.	Increased public awareness of the rights of children in conflict with the law. Local media take on the task of promoting children's rights.	Public survey findings on awareness of children's rights. Incidents of abuse of children's rights are publicly reported.	Support for some juvenile justice reforms or a comprehensive reform programme. Public support for comprehensive juvenile justice reforms.
	Raise awareness of public officials, such as parliamentarians and politicians.	Increased awareness among public officials of the rights of children in conflict with the law and the need for reforms.	Expressions of support (surveys, votes etc.) for measures to protect the rights of children in conflict with the law.	Public officials are willing to proceed with significant reforms or are actively opposed to reforms. Potential backlash against proposed reforms.
	Suggest reforms; provide examples; and develop political and public support for reforms.	Public and political support for specific or comprehensive reforms. Comprehensive and integrated reforms are considered and agreed to. Greater awareness among justice and law enforcement officials of the rights of children in conflict with the law. Proposed new laws are drafted. Political promises are made (e.g., during an election campaign).	Public opinion polls show increased support for proposed reforms. Level of support among justice and law enforcement officials for specific or comprehensive juvenile justice reforms. People are aware of some of the ways in which the rights of the children in conflict with the law are not sufficiently protected.	Some proposed reforms are accepted while others may not be. Some groups adopt the role of advocacy. Some groups openly advocate against the reforms. Possible polarization of positions concerning proposed reforms.
	Develop a plan for implementing proposed reforms and planning for an evaluation.	The need for reforms is documented and specified. Children participate in the planning. An implementation plan is prepared and agreed upon by main stakeholders. An evaluation plan is developed and agreed upon by main stakeholders.	There is a plan to which stakeholders are committed.	Greater understanding of the need for reforms to protect the rights of children in conflict with the law. Fear that reforms to protect the rights of children may weaken the role of the justice system in ensuring public safety.
	Initiate pilot projects to demonstrate the benefits of different approaches.	Pilot projects are successful and demonstrate benefits of proposed new programmes.	Outcomes of the projects are positive and valuable. Public support for the programme. Public awareness of the demonstration project and its outcomes. The pilot projects are sustainable, replicated and/or implemented on a wider scale.	Resistance to proposed reform. Greater support for the proposed reform. Willingness to experiment with different reforms. Development of a core group of supporters for reforms (champions).

<i>Programming goals</i>	<i>Objectives of programmes</i>	<i>Desired outcomes</i>	<i>Indicators for measuring outcome</i>	<i>Impact</i>
2. Prevent juvenile crime	Contribute to the creation of a gender-sensitive, protective environment for children.	Children's access to child protection, education, health, and other services essential to their development. Access is not affected by gender bias or discrimination. All agencies that have a role in creating a gender-sensitive, protective environment are involved and accept ownership of a plan of action and a responsibility in implementing it.	Child protection indicators available in the country. Changes in juvenile crime rates.	Note: The impact is likely to be a long-term one and thus difficult to measure.
	Improved access to education, including early and remedial education.	Greater access to education (as well as early education and remedial education). Access to education is not affected by gender bias or other basis of discrimination.	Involvement in criminal activity by children with greater access to education. Gender disaggregated data to measure the change in access to education.	Access to education improves the situation of children and contributes to reducing juvenile crime.
	Have a comprehensive plan for juvenile crime prevention.	All concerned agencies are actively involved and consulted in the planning. Children participate in the planning. A comprehensive and evidence-based juvenile crime prevention plan enjoys wide support and brings together all the relevant stakeholders and agencies and is applied consistently.	Existence of a national plan for the prevention of child involvement in crime.* Evidence that the plan is applied. Impact of plan on juvenile crime rates (e.g. number of children arrested during a 12-month period per 100,000 inhabitants).*	A national plan is implemented, setting out the desired outcomes in terms of crime prevention, child protection and the rights of children in conflict with the law. Note: Public support must be monitored.
	Have in place a scheme gathering, analysis and reporting data in order to monitor juvenile crime prevention and measure the performance of the juvenile justice system.	Juvenile justice indicators are developed and applied regularly to measure the performance of the juvenile justice system. Juvenile justice statistics are disaggregated by age and gender. A system for developing juvenile justice statistics is developed and implemented. Juvenile crime and juvenile justice statistics are regularly made public.	Reliable data on juvenile crime, the juvenile justice system and the impact of crime prevention initiatives, disaggregated by age and gender, are available on a timely basis.	The information on the juvenile justice system, the performance indicators and the juvenile crime statistics inform public decisions and provide support for the protection of the rights of children in conflict with the law. Alternatively, data and information generated have little impact on decision-making and policies.

	Improved access to literacy and vocational training.	Greater access to training. Equal access for boys and girls.	Number of boys and girls who have access to literacy training, primary education and vocational training.	Children with greater access to literacy training and vocational training may be less likely to be involved in criminal activity.
	Extend special care or support to children at risk.	Children at risk are identified and receive appropriate support.	Children at risk who receive support and special care and come in conflict with the law.	Children at risk may be prevented from engaging in criminal activities. Note: Children at risk may be stigmatized, and their social adaptation may be further complicated or compromised by the intervention.
	Provide treatment and assistance to children involved in substance abuse.	Children with substance abuse problems are treated and are less susceptible to committing crime to support their substance abuse habit.	Number of children with substance abuse problems who are helped. Reduction in the number of crimes committed by children with substance abuse problems (focusing perhaps on one or two types of crime, e.g. theft).	Note: There is a risk that children with a substance abuse problem may be further stigmatized. Children with a substance abuse problem may be unfairly targeted by law enforcement and justice agencies. Possible secondary deviance (children forming a self-identity incorporating deviant values).
	Provide assistance to children who are sexually exploited.	Prevent children from being sexually exploited or becoming involved in illegal sexual activities. Prevent crimes that are committed by children who are sexually exploited and involved in illegal sexual activities.	Number of children involved in the sex trade. Number of children who are criminalized for their involvement in illegal sexual activities (e.g. prostitution).	Danger of stigmatizing children who are sexually exploited and unfairly criminalizing their conduct.
	Provide assistance to families of children at risk.	Parents are supported and receive assistance when necessary. Children are prevented from getting involved in crime. Parents develop greater parenting skills.	Number of children who must be removed from their family. Number of children leaving their family or becoming street-attached.	Children of families which receive assistance may be less likely to be involved in criminal activities. Potential stigmatization of the whole family. Parenting in general is improved, particularly in the cases of children at risk.

<i>Programming goals</i>	<i>Objectives of programmes</i>	<i>Desired outcomes</i>	<i>Indicators for measuring outcome</i>	<i>Impact</i>
2. Prevent juvenile crime <i>(cont'd)</i>	Early intervention to prevent criminal involvement of children at risk.	Children are identified early and assisted to prevent their future involvement in crime.	Number of children identified. Number of children assisted. Children's involvement in criminal activities.	Potential stigmatization of children and their self-identification as deviant.
	Prevent children from abandoning school (compulsory school attendance, preventing school truancy, providing incentives to attend school, palliative school programmes, special education).	Children's education needs are met and their social integration is successful, resulting in less criminal activity.	Level of school adaptation or school attachment. Number of children dropping out of school. Youth crime rates. Criminal activities in school (bullying, theft, assaults etc.).	The schools are prepared to play a more active role in preventing youth crime.
	Prevention of recidivism by offering programmes which reduce the likelihood of reoffending by a juvenile offender (secondary prevention, building the child's resiliency, etc.)	First-time offenders are not committing additional crimes after the intervention.	Percentage of juvenile offenders against whom a case has been initiated in a given year who have at least one prior conviction. Percentage of children who participated in prevention programmes who are not arrested in the year following the intervention.	Increased public support for criminal justice reforms. Safer environment for children and their families. Fewer children in conflict with the law and in the juvenile justice system.
	Provide support for orphans and street children.	Prevent street-attached children from becoming involved in crime or being recruited by criminals.	Number of street children who receive assistance. Number of street children involved in crime. Number of street children who are victims of crime. Victimization survey.	Orphans are better protected and the programme contributes to rescuing or supporting street children. Victimization of street children may be reduced.
	Prevent children from being recruited by criminal organizations and street gangs.	Children are not recruited by street gangs. Police actively engage in gang prevention activities.	Number of gangs. Self-report study on crime.	Gangs do not involve children in their activities.

<i>Programming goals</i>	<i>Objectives of programmes</i>	<i>Desired outcomes</i>	<i>Indicators for measuring outcome</i>	<i>Impact</i>
3. Set age of criminal responsibility	Establish a reasonable age of criminal responsibility and ensure that children under that age are not criminalized.	<p>The population is informed and supportive of the change in the age of criminal responsibility.</p> <p>The law is amended and a minimum age is set (or the previous minimum age is raised, or exceptions under the law are removed).</p> <p>Law enforcement and justice officials are aware of the minimum age of criminal responsibility and respect it in their decisions.</p> <p>Children under the age of criminal responsibility are not treated as criminals.</p>	<p>The law is amended in accordance with the Convention on the Rights of the Child.</p> <p>Number of children under the age of criminal responsibility who are treated as criminals.</p> <p>Number of children under the age of criminal responsibility who are in detention.</p>	<p>Public support for this and other related reforms may vary and should be monitored.</p> <p>Note: How criminal incidents involving children under the age of criminal responsibility are treated will influence the implementation of the change.</p> <p>The age of criminal responsibility is or is not respected by law enforcement agencies or the criminal justice system.</p> <p>Children under the age of criminal responsibility may still be deprived of their liberty, but without the legal guarantees offered by the justice system.</p>
4. Develop a capacity to offer appropriate and effective educational, protective and rehabilitative interventions to children in conflict with the law, based on proper assessments of their needs and circumstances and focused on the best interest of the child	Encourage the use of discretion by police officers in responding to incidents of juvenile crime (made possible by policies, legislation, training, special directives, etc.)	<p>Police use their discretion to ensure that the response to criminal incidents involving children is focused on the best interest of the child (while not neglecting the needs and rights of victims).</p> <p>Accountability mechanisms are in place to guide and monitor the use of discretionary authority by officials.</p>	Frequency of informal police responses (disaggregated by type of offence, age and gender of offenders).	<p>Public reaction/support for the use of that discretion.</p> <p>Greater public tolerance or intolerance for youth crime.</p> <p>Potential corruption in incidents involving the use of discretionary authority for personal gain.</p> <p>Potential for discrimination by officials in incidents involving the use of discretionary authority.</p>

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4. Develop a capacity to offer appropriate and effective educational, protective and rehabilitative interventions to children in conflict with the law, based on proper assessments of their needs and circumstances and focused on the best interest of the child (cont'd)	Encourage the use of discretion by prosecutors and judges in responding to incidents of juvenile crime (made possible through policies, legislation, training, special directives, etc.)	Prosecutors use their discretionary authority to ensure that the response to criminal incidents involving children is focused on the best interest of the child (while not neglecting the needs and rights of victims).	Statistics on the use of prosecutorial and judicial discretion. Statistics on children who commit crimes after benefiting from the use of discretion by authorities.	Note: Public support must be monitored. The attitudes and behaviour of prosecutors and judges may be transformed over the long term. The potential for corruption and discrimination must be monitored.
	Reduce discrimination based on gender or other factors in using discretion and responding to youth crime. Establish ongoing training, monitoring, and accountability mechanisms to guide and control the use of discretionary authority throughout the juvenile justice system.	Fewer incidents of discrimination on the basis of gender, race, minority status etc.	Number of complaints. Disaggregated juvenile justice statistics examined for proportionality according to ethnic background, religion, gender, etc.	Discrimination may be reduced. Note: Discrimination within the juvenile justice system is often a reflection of a more general social discrimination.
	The needs and circumstances of young offenders are properly assessed (children with special health, mental health, emotional, educational and developmental needs are identified).	Adequate assessment facilities are available. Professional resources are available to assess children. Valid assessments of children in conflict with the law are produced in time to inform decisions about interventions. Assessments are considered in determining the proper response to each child in conflict with the law. Children with serious disorders are identified and receive appropriate treatment.	Number of children assessed. Reports produced to inform court decisions. Number of psychological assessments conducted. Number and quality of pre-sentence reports prepared for the courts.	The responses to child crime are informed by an assessment of the child's needs and circumstances. Justice and law enforcement officials, as well as child protection workers, are enabled to make better decisions about the children.
	Education, vocational training, mental health care, health care, emotional support and practical assistance are offered to children in conflict with the law.	Social adaptation of children receiving these services. Less recidivism (short-term and long-term recidivism).	Recidivism of children who receive training.	Potential reduction in juvenile crime.

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	Mechanisms are developed to monitor the progress of children.	Children in conflict with the law are monitored closely to respond to their needs and changes in their circumstances.	Measurements of the monitoring mechanism (e.g. for programme completion statistics, programme drop-out rates, completion of court ordered community sentences and number of breaches of probation).	Officials and service providers may develop a better understanding of the performance of the interventions that they practice.
5. Diverting children from the juvenile justice system	<p>Alternatives to formal legal proceedings are developed and utilized (through legislative changes, the development of community-based services, policies and regulations, training, development of procedures and agreements between the agencies involved, etc.). This may include youth programmes, treatment programmes for children with substance abuse problems, restorative justice and mediation programmes, among other things.</p> <p>This may also include building on traditional or customary justice systems.</p>	<p>Services exist to respond to children's needs and problem behaviour outside the formal justice process and system.</p> <p>Alternative dispute mechanisms exist in the community (e.g., restorative justice programmes, mediation programmes).</p> <p>Effective referral mechanisms exist for the police, prosecutors and the judiciary to refer children to alternative mechanisms.</p> <p>Alternative mechanisms are used frequently and successfully to resolve situations of children in conflict with the law.</p> <p>Alternative mechanisms are designed to prevent future criminal activity by the child.</p>	<p>Number of programmes available.</p> <p>Frequency of referrals to services and to alternative programmes for conflict resolution.</p> <p>For example, percentage of children who came to the attention of the police (or the prosecutors) in whose cases legal proceedings were suspended or withdrawn.</p> <p>For example, percentage of juvenile offenders dealt with by the courts in a given year whose case was suspended by the court.</p> <p>Percentage of children who enter a formal pre-sentence diversion scheme.*</p> <p>Frequency of recidivism among children referred to alternative programmes.</p>	<p>It is important to ensure that children are required to consent to participating in these programmes and have the right to appeal any such decisions (referrals).</p> <p>There is a potential problem with the issue of "net widening" (i.e., children who would not normally be subjected to any intervention are subjected to an alternate intervention simply because it exists).</p> <p>Public support for such activities may not be present or may waver.</p>
6. Ensuring that children's rights are protected throughout the criminal justice process, including the guarantee of a fair trial	<p>Prohibiting the retroactive criminalization of a conduct (constitutional and criminal law reform).</p> <p>Affirming the presumption of innocence throughout the process (law reform and training of justice officials).</p>	<p>The law is changed.</p> <p>The law is changed accordingly and in compliance with international human rights principles and standards.</p> <p>Justice officials are aware of the law and its basis on human rights.</p>	<p>Appropriate amendments to the law come into force and are effectively implemented.</p> <p>Appropriate amendments to the law come into force and are effectively implemented.</p> <p>There are no cases in contravention of the law.</p> <p>Appellate courts uphold and apply the principles rigorously.</p>	<p>The law is applied consistently, throughout the country, or neglected.</p> <p>Public attitudes/opinions about the juvenile justice system are changed.</p> <p>Changes in the criminal justice system in general and to existing practices.</p>

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6. Ensuring that children's rights are protected throughout the criminal justice process, including the guarantee of a fair trial (cont'd)	Ensuring that behaviour which is not criminalized for adults is not criminalized for children (abolition of status offences).	Children are no longer criminalized for status offences (e.g. vagrancy, incorrigibility, disobeying their parents).	Audit and review of existing laws. Are there children who are convicted of status offences? If so, how many?	The substantive part of the criminal law is essentially the same for children and adults. Potential backlash of the population (public opinion).
	Making sure that all justice agencies and officials respect the child's right to be heard in any judicial proceedings affecting him or her. Respecting the child's right to effective participation in proceedings and to be informed of charges held against him or her.	Children are heard effectively in all judicial proceedings that concern them (and also in non-judicial decision-making processes that affect them, their safety, their freedom or their rights).	Percentage of children in conflict with the law who are satisfied that they were heard in proceedings concerning them. Percentage of children in detention who are aware of the exact nature of the charges against them.	Transformation of the criminal justice process as it affects children. Cultural changes (views concerning the rights of the child).
	Ensuring that accused children are never compelled to give testimony or to confess or acknowledge guilt (through law reform, guidelines for police and prosecutors, training of officials, right to appeal, presence of legal counsel).	Children are not compelled to admit guilt or incriminate themselves. Children are represented by legal counsel or advocate. The law is changed.	Number of appeals. Incidents of children being compelled or threatened. Reports to public complaints commission, office of ombudsman or human rights organizations. Number of trials in which a judge has used information obtained under torture or other ill treatment.	Greater respect for the rights of the child. Involuntary admission of guilt, under duress or intimidation may continue. Detention and threats may be used to compel children to plead guilty. Note: Some alternative conflict resolution programmes can come dangerously close to compelling children to admit guilt. Note: This may also be the beginning of a review of police practices in relation to children in conflict with the law.

	<p>Ensuring that children in conflict with the law are offered adequate legal and other appropriate assistance (e.g. interpretation of proceedings).</p> <p>Improving funding for public legal defenders and legal aid.</p>	<p>Children receive legal assistance as required.</p> <p>There are clear and fair criteria of eligibility for assistance.</p> <p>Resources are made available to support legal assistance services.</p> <p>No discrimination in the provision of legal assistance to children.</p> <p>Access to legal assistance is not limited to some regions or cities.</p> <p>Children receive the services of an interpreter as required.</p>	<p>Number of lawyers available to represent and defend children in conflict with the law.</p> <p>Number of boys and girls who are not represented in court.</p> <p>Number of children who have access to legal counsel during criminal proceedings (categorized by type of offence, age, gender and geographical location).</p> <p>Perceptions of members of the defence bar of the country or region.</p>	<p>Improved legal representation.</p> <p>Fewer children placed in detention because of lack of assistance.</p> <p>Children's legal rights may receive greater protection as a result of the legal assistance that children receive.</p>
	<p>Encouraging, when appropriate, the presence of parents or guardians during legal proceedings.</p>	<p>Children are supported by friendly adults.</p> <p>Parents and guardians are informed of proceedings and can attend proceedings.</p>	<p>Number of children who are accompanied by an adult or guardian in court (and/or at the police station).</p>	<p>Children's legal rights may receive greater protection as a result of the presence of parents or legal guardian during legal proceedings.</p> <p>Note: The presence of the parents cannot be assumed to always be favourable to the protection of the child's rights.</p>
	<p>Ensuring that appropriate measures are taken to respect the privacy of the child during all stages of the proceedings (e.g. procedural law amendments, changes to court procedures and facilities, training for police prosecutors and judges, directives and guidelines to prosecutors and the police, effective representation of children by counsel, education of the public media, enforcement of the privacy rules by the courts).</p>	<p>The identity of juvenile offenders is protected.</p> <p>The private character of juvenile justice proceedings is respected.</p> <p>Law enforcement and justice officials understand how to protect the privacy of children in conflict with the law.</p> <p>Public information media comply with privacy rules.</p>	<p>Cases reported in the media where the identity of the child in conflict with the law is revealed.</p>	<p>Change in public perception of the justice system and its credibility.</p>

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6. Ensuring that children's rights are protected throughout the criminal justice process, including the guarantee of a fair trial (cont'd)	Giving effect to the child's right to appeal a verdict or a sentence.	Children have access to legal representation for an appeal. Appeal courts hear cases of juvenile offenders in a timely manner.	Number of appeals involving juvenile offenders. Number of appeals heard. Number of children acquitted. Number of children acquitted on appeal. Length of time before appeal is heard.	The appellate courts take cases of young offenders seriously.
	Eliminate unnecessary delays in reaching a decision concerning a child in conflict with the law (case scheduling, preliminary enquiries, notification of witnesses, securing counsel, etc.).	Reduced delays in processing juvenile crime cases. Reduced delays before charges and beginning of trial. Children are provided with early opportunities to plead guilty if they wish to do so. Children who are awaiting a disposition of their case while in custody see their cases dealt with more expeditiously. The overall time it takes for the system to reach a decision or to decide to divert a child is reduced.	Average time between initial arrest and laying of charges. Average time between laying of charges and beginning of trial. Average age of juvenile offenders at time of proceedings. Size of backlog of cases (juvenile offenders). Number of children detained while awaiting disposition of their case. Average length of pretrial detention of children accused of having committed an offence.	A more efficient justice system which does not impose unnecessary hardships on children and their families.

<i>Programming goals</i>	<i>Objectives of programmes</i>	<i>Desired outcomes</i>	<i>Indicators for measuring outcome</i>	<i>Impact</i>
<p>7. Ensure that children are deprived of their liberty while awaiting a disposition of their case only when necessary and for the shortest possible period of time</p>	<p>Develop and encourage the use of alternatives to detention while awaiting trial or the final disposition of a case (e.g. bail, community supervision, residence in an open institution, etc.).</p> <p>Ensure that children are assessed during their stay in detention.</p> <p>Provide for regular reviews of cases of children held in detention while awaiting a disposition of their case.</p> <p>Develop a case monitoring system to track and schedule cases more efficiently.</p> <p>Provide guidelines to law enforcement and prosecutors (and perhaps also establish by law time limits for certain proceedings).</p> <p>Reduce unnecessary delays in the proceedings to ensure that the detention is as short as possible.</p>	<p>Reduction of the number of children who are detained while awaiting a disposition of their case.</p> <p>Reduction of the length of time for which children are detained while awaiting trial or a disposition of their case.</p> <p>Development of alternatives to pretrial detention (bail, temporary placement in homes, etc.).</p>	<p>Number of children accused of having committed a crime who are released (on bail or their own recognizance or to the custody of their parents) while awaiting a disposition of their case.</p> <p>Number of children in detention while awaiting trial or a disposition of their case.</p> <p>Percentage of accused children who await disposition while in detention.</p> <p>Number of children in pre-sentence detention per 100,000 children among the general population.</p> <p>Number of children who committed a further crime while released on bail or on their own recognizance.</p> <p>Average length of time spent in detention while awaiting trial (categorized by age, gender, geographical area, type of case, etc.).*</p>	<p>Pretrial detention of children is kept to a minimum.</p> <p>Note: There are many forms of detention. They should all be accounted for in measuring outcomes.</p> <p>Note: The public is often in favour of relying heavily on detention. That attitude of the public must be taken into account and monitored.</p> <p>Note: Public opinion in these matters is quite important and may fluctuate.</p>

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8. Reduce the use of detention as a sentence	<p>Ensure that imprisonment is used only as a last resort and for the shortest period of time necessary (through legal reform, criminal law amendments, sentencing policies and guidelines, training).</p> <p>Abolish indeterminate sentences.</p> <p>Abolish fixed sentences which do not allow the early release of offenders to facilitate their social reintegration.</p> <p>Develop early and conditional release schemes (with or without supervision) in order to reduce the amount of time that children are held in prison.</p>	<p>Reduction in the number of children sentenced to a custodial sentence.</p> <p>Reduction in the amount of time children are held in detention as a custodial sentence.</p> <p>Increase in the number of children who are released before the end of their sentence.</p>	<p>Percentage of sentenced children who receive a custodial sentence (categorized by age group and type of crime).*</p> <p>Duration of sentences of detention (categorized by type of crime and characteristics of offenders).*</p> <p>Rates of reoffending for each type of sentence (by age, gender, and type of crime).</p> <p>Total number of children in detention per 100,000 children among the population.*</p> <p>Number of children arrested during a 12-month period per 100,000 children among the population.*</p> <p>Number of children who are released before the end of their sentence (early or conditional releases).</p> <p>Number of children who commit a further offence after serving a custodial sentence.</p> <p>Number of children who commit a new offence while under conditional supervision.</p>	<p>Fewer children are sentenced to a form of detention.</p> <p>Note: The public response to such a sentencing policy must be monitored carefully.</p> <p>Note: There may be a greater tendency to transfer juvenile offenders to the adult system (to satisfy a perceived need for greater punishment).</p>

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9. Encourage the use of alternative sentences	<p>Develop a range of community-based sentences that are available to apply in cases of juvenile crime.</p> <p>Develop a capacity for community supervision (e.g. probation).</p> <p>Promote public support for alternative sentences.</p>	Children who are found guilty are sentenced to alternative measures (fine, probation, community service orders, restitution, etc.).	<p>Percentage of sentenced young offenders who are sentenced to a term of probation.</p> <p>Percentage of sentenced young offenders who are sentenced to a fine (with no other sentence).</p> <p>Percentage of children who are detained as a result of a court order failing to pay a fine or compensation.</p> <p>Percentage of children who are held in detention for failure to pay a fine.</p> <p>Percentage of children who fail to complete a term of probation (because of a new offence or a breach of the conditions of their release).</p>	<p>Changes in overall sentencing patterns.</p> <p>Greater reliance on community-based sentences.</p> <p>Greater involvement of the community in the administration of the sentence.</p> <p>Note: Level of public support for community-based sentences may fluctuate.</p>

<i>Programming goals</i>	<i>Objectives of programmes</i>	<i>Desired outcomes</i>	<i>Indicators for measuring outcome</i>	<i>Impact</i>
10. Improve conditions of detention	<p>Ensuring that the treatment of children in detention is fair and respectful of their rights, takes into account their best interest and is conducive to their prompt rehabilitation and successful reintegration.</p> <p>Ensuring that conditions of detention are monitored regularly by independent bodies.</p> <p>Ensuring that adequate complaint mechanisms and review process exist.</p> <p>Ensuring that children are protected against violence and risk of suicide.</p> <p>Ensuring that children have access to education, health care, mental health care, etc. (see standards).</p> <p>Ensuring that children can receive regular visits from parents, guardians and relatives.</p>	<p>All cases of detention are lawful.</p> <p>Increased safety and security of detention institutions.</p> <p>Improved facilities that meet at least the minimum standards.</p> <p>Children have access to proper health care and mental health care during detention.</p> <p>Children have frequent visits from family and can contact their family.</p> <p>Children can continue schooling or vocational training while in detention.</p> <p>Children are provided with sufficient nutritional food.</p> <p>Children can participate in appropriate recreational activities.</p> <p>Psychological services are available.</p> <p>Policies concerning disciplinary measures are in place and complied with.</p> <p>There is no corporal punishment or other physical abuses of children.</p> <p>The detention centres are inspected regularly and are open for inspection by human rights and child protection agencies.</p> <p>Staff discipline is maintained.</p> <p>Staff is adequately trained and fully aware of the rights of children.</p>	<p>Existence of a system ensuring the regular, independent inspection of places of detention.*</p> <p>Percentage of places of detention operating a complaints system.*</p> <p>Existence of a complaint mechanism for children in detention.*</p> <p>Number of child deaths in detention during a 12-month period, per 1,000 children in detention.*</p> <p>Number of children held in detention who are not wholly separated from adults.*</p> <p>Percentage of children in detention who have been visited by, or have visited, parents, a guardian or an adult family member during the last three months.*</p> <p>Number of independent visits to places of detention.</p> <p>Number of children getting appropriate medical treatment for diseases.</p> <p>Number of children getting appropriate medical treatment for reasons other than diseases (accidents, beatings, etc.).</p>	<p>The conditions of detention of juveniles are vastly improved.</p> <p>The detention centres are satisfactorily managed.</p> <p>The rights of children deprived of their liberty are respected.</p> <p>Detention considered as more acceptable by professionals and the general public.</p> <p>Public opinion considers that children in conflict with the law are treated too leniently.</p>

<i>Programming goals</i>	<i>Objectives of programmes</i>	<i>Desired outcomes</i>	<i>Indicators for measuring outcome</i>	<i>Impact</i>
<p>11. Improve the social reintegration of juvenile offenders after a period of detention</p>	<p>Offer assistance and interventions while the child is being detained in order to prepare the child for return to society.</p> <p>Help children prepare for their release.</p> <p>Offer day-release programmes for children to continue their education in a normal setting.</p> <p>Help children acquire education and vocational skills.</p> <p>Facilitate the re-entry of children into society, in particular into the family.</p> <p>Develop early release (programmes for conditional or supervised release) to facilitate the social reintegration of juvenile offenders.</p> <p>Develop aftercare support and services for children who are being released from an institution (even if they are no longer children at that point).</p>	<p>Detention institutions have the capacity to assist children and prepare them for their release.</p> <p>Institutions of detention are able to work with the police and community organizations to facilitate the release and reintegration of children into their family and community.</p> <p>Successful social reintegration of young offenders who abstain from committing further crimes.</p> <p>Child protection services are prepared to assist children returning to their community.</p> <p>The child's reintegration into the public school system is possible and facilitated.</p> <p>Children are assisted with living arrangements (placement) at the time of their release.</p>	<p>Offences committed by children during an early release programme.</p> <p>Offences committed by children in the 12 months following their release (some of them will be adults by the end of that period).</p> <p>Community acceptance of juvenile offenders released from detention.</p> <p>Number of children who return to regular school after their release from detention.</p> <p>Rates of recidivism for young offenders.</p> <p>Average length of time that children serve in detention.</p> <p>Number of children released before the end of their sentence (with or without special conditions and/or supervision).</p>	<p>The release and reintegration of children into their community is properly planned and facilitated.</p> <p>Through the use of early and conditional release programmes, the children's terms of detention are significantly shortened and, in accordance with existing human rights standards, children are detained for the shortest period of time necessary.</p> <p>Potential reduction in the overcrowding of detention centres and related improvements in conditions of detention.</p> <p>The population progressively accepts and supports early release programmes.</p> <p>Communities are better prepared to accept responsibility for facilitating the reintegration of young offenders.</p>

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11. Improve the social reintegration of juvenile offenders after a period of detention (cont'd)	Increase community awareness of and support for reintegration programmes (in particular the day release, early release and conditional release programmes).	<p>Short-term financial support is available to children at the time of their release.</p> <p>Early releases (or conditional releases) are possible and administered fairly, with clear criteria of eligibility.</p> <p>Measures are taken to ensure the proper supervision of children released conditionally and to offer them support.</p> <p>There are fair, clear, unarbitrary and non-discriminatory procedures for dealing with breaches of release conditions.</p> <p>The police do not create obstacles to the reintegration of the child into his or her community and even facilitate that reintegration.</p> <p>Establishment of good communication between detention institutions, the police and community organizations, including child protection organizations, in order to plan and ease the reintegration of children into their family, school and community.</p> <p>Children without a family to return to can receive support in finding an alternate placement.</p> <p>The community is supportive of social reintegration programmes and understands their importance.</p>	<p>Number of children who complete their sentence in the community under supervision.</p> <p>Number of breaches of conditions set for children released conditionally.</p>	<p>Families are assisted as part of facilitating the reintegration of young offenders.</p> <p>Incidents of recidivism may weaken public support for reintegration programmes.</p> <p>The juvenile justice system may begin to invest its resources differently (more emphasis on community-based interventions).</p>

* Part of the list of indicators reviewed by a group of experts and contained in the *Manual for the Measurement of Juvenile Justice Indicators*, developed by UNODC and United Nations Children's Fund.



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