



Report of the Orientation of Justice for Children Coordinators workshop held at Essella Hotel, Najjera on May 27th, 2015

1.0 Overview of the Justice for Children Program

The Deputy STA, Mr. Sam Wairagala congratulated the newly recruited Justice for Children Coordinators upon joining the Justice Law and Order Sector. He encouraged the coordinators to demonstrate total commitment to advance justice for children. He observed that there is need for them to add value by supporting the process that protects the children and advised them to be at the forefront in ensuring child protection and engaging responsibility to ensure delivery of results for children.

The UNICEF representative, Ms. Sudha, informed the Coordinators that the program is a tripartite arrangement between JLOS, DCC and UNICEF. Other development partners have high expectations but need to see results if they are to join the program. There are high expectations and emphasised that coordinators have not failed children. She emphasised the need to have clear results and timelines as well as sharing successes and challenges with each other. The performance of the Coordinators would determine if the J4C program is captured in the next country programme;

2.0 Understanding the juveniles system in Uganda

The Justice for Children Coordinators shared their experience from the first phase of the program. They highlighted the following as the things they found easier in the course of their work:-

- i. Mapping out Justice for Children service providers;
- ii. Building relationships with key actors;
- iii. Causelisting child related cases;
- iv. Ensuring zero children in adult prisons;
- v. Sharing information and best practices;
- vi. Data was available but not disaggregated;
- vii. DCC meetings were held though were not meaningful because the agenda would be adhoc;

The issues the coordinators had found difficult included the following:-

- i. Duty bearers not knowing where to divert leading to limited use of diversion. To address this diversion registers were introduced;
- ii. Age determination was a challenge leading to detaining of children in adult detention prisons. Coordinators involved doctors to undertake medical examination;
- iii. Non disaggregation of data which made identification of children cases in the system was a challenge. They engaged stakeholders though data was not clear;
- iv. Failure to conduct regular DCC meetings.

- v. Due to the dynamic nature of children cases, handling emergency cases for Children was a challenge.

3.0 The Concept and practice of diversion

An overview of the Concept and Practice of Juvenile Diversion in Uganda was presented by Ms. Agnes Wandira Ntende, the Manager of the Law Development Centre- Legal Aid Clinic. She informed the participants that Juvenile diversion is a process to channel a child offender out of the formal justice system to the informal justice system with the intention to effectively settle the case. Policy and Legal framework for the diversion program including International, regional and national legal framework for child protection;

She highlighted the benefits of Juvenile Diversion including:-

- o Reduction on the number of minor and less serious offences clogging up the formal justice system and detention;
- o Prevent stigmatization and labeling of the children and their families;
- o Child is made accountable for his or her actions and this Contributes positively to a child's development
- o Effective rehabilitation and reintegration
- o Seek local solutions for benefit of offender and community

Principles of Juvenile Diversion include it should be expedited before the child gets exposed to negative effects; adopt a child friendly approach; adopt a non-discriminatory approach-irrespective of race, gender, religion; all actions and decisions must be in the best interest of the child; and a child should be capable of forming his own view;

A child qualifies for diversion, if he has committed a minor offence as contained in the Children Act, understands the nature of the offence and accepts the consequence, is repentant. The LDC legal aid clinic model of diversion has three models;

Challenges and limitations in the current model of the diversion program include donor dependency, lack of full participation of community and all actors, high delivery costs, follow up of the children is difficult, lack of awareness about child rights, limited of faith in the informal justice system.

Sr. Alice Jacan, a Social Worker on the LDC Legal Aid Clinic shared her experience and emphasized the need for the judicial officers should consolidate all files to be done by magistrate. She noted that capital offences are handled by various courts which makes followup of children difficult. There is need for specific sensitisation for communities and parents. Parents should also sensitise to receive back the children, provide parental guidance and take responsibility. JLOS has a lot to do but the funds are limited for transport and communication;

The participants made the following comments:-

- Setting targets for diversion should be at a macro level based on the number of cases received
- Police Caution and release is not a form of diversion but there is need to keep these release and also followup these cases. This calls for proper sensitisation of the police officers and engage fit persons to followup these case and those diverted. The sensitisation can be done during the Police Parade on Monday and daily. The DCC Coordinator were advised to make use of the Police Parades in following up these cases;
- Police Bonds and Bail should not be considered as a form of diversion;

4.0 Experience sharing on lessons learnt from 1st phase of implementation of J4C Program Roles of Different Actors

The Coordinators identified their roles as follows: -

- i. Acting as a link between the different DCCs actors and JLOS structure on issues of justice for children;
- ii. Ensure a system through regular stakeholders
- iii. Spearhead J4C program;
- iv. Identification of gaps in handling of cases of children;
- v. Sensitise stakeholders on diversion and children rights;
- vi. Networking and advocacy on issues of children;
- vii. Tracing children in contact with the law;
- viii. Working with fit persons;
- ix. Preparing reports

The participants identified the following key stakeholder and their roles:-

Inform Justice Stakeholders	Roles
<ol style="list-style-type: none"> i. Fit Persons ii. Traditional leaders/elders iii. Religious Leaders iv. Opinion Leaders including Schools, Health, Development Partners 	<ul style="list-style-type: none"> - Counselling - Fit persons - Protecting children
National Stakeholders	
<ol style="list-style-type: none"> i. Health Workers, MoH ii. Local Government iii. Ministry of Gender iv. The Judiciary v. DPP vi. Prisons vii. UHRC viii. UPF ix. 	<ol style="list-style-type: none"> i. Multi sectoral approach in providing services including age determination, Facilitation of Surgeons; ii. Provision of probation and welfare services; iii. MoGLSD is the lead MDA for child protection iv. Facilitation of remand homes and rehabilitation centres v. Expeditious handling and Settling of cases related to children; vi. Expeditious perusal and sanctioning of cases relating to children; vii. Guiding and directing investigations relating to children viii. Handling diversion; ix. Identify children in adult correction centres; x. Resettlement of children with their mothers in prisons; xi. Establish standards of living in detention centres xii. Keeping law and order xiii. Protect children; xiv. Investigation of cases;
Other JLOS Agencies	
UHRC Administrator URSB	<ol style="list-style-type: none"> i. Sensitisation of communities on human rights; ii. Administration of Estates; iii. Issuing letters of Administration; iv. Issuing birth certificates;

To further illustrate, a role play of all actors in the justice for program was made by the coordinators. The role play brought key issues including: -

- i. lack of awareness of the community on child protection; .

- ii. Identification of the gaps and how to engage the DCCs. The delayed involvement of Probation Officers and the need to centralise the probation function in MoGLSD as a policy direction;
- iii. How Coordinators can play their role in engaging all actors and building rapport;
- iv. The need to emphasise recording all actions on children cases;
- v. It was observed that there is need to involve MoLG who supervise the PWO;
- vi. That the community is generally poor in minding children;
- vii. Information relating to Justice for Children should be shared with MoLG and the CAOs.

5.0 The Gulu Experience in the Justice for Children Program

The experience of Gulu in the Justice for Children was presented by Lady Justice Margaret Mutonyi, Resident Judge-Gulu. She informed participants that Gulu had implemented the Pilot Program for three Years and as a result Gulu has registered a steady improvement in justice delivery for the children compared to pre- J4C situation where Child justice was perceived with general reluctance by JLOS stake holders in Gulu who also comprise the DCC. The achievements include:-

- Increased diversion rates with more than 95% diversion rates;
- Zero tolerance to detention of children with adults and detention beyond statutory period;
- Increased number of children granted non-custodial orders compared to those granted custodial orders;
- All children seeking services are handled in a child friendly manner

She highlighted the challenges and made the following recommendations:

- Efforts towards issuance of age determination guidelines should be expedited to guide the process across board.
- Advocate for provision of logistical support for departments or institutions that support the general welfare of children
- More engagement needed at national Level regarding posting of judicial officers and state Attorneys in districts that have none (Nwoya and Agago).
- Expedite at national level the process of formalizing the RCC platform to support the supervisory role of DCCs.

Participants made the following observations:-

- The coordinators would provide support to the DCCs as well as RCCs
- The RCCs would be facilitated;
- Individual attitude will determine how far they will achieve;
- Continuous engagement is necessary;
- Team work is essential if results are to be achieved;
- Pay attention of the depth of information got on each case to help in assessing the root cause of problem;
- Pay attention to child in conflict with the law as well as victims of crime;
- Determination of age is essential both in adults claiming to be children as well as children treated as adults. In other cases children who are not criminally liable are kept in remand homes;

5.0 J4C Program design and human resource management issues

The Criminal Justice Technical Advisor, Ms. Lucy Ladira, emphasised the need for the Coordinators to fully understand their responsibility and illustrated how a typical day in the life of a DCC Coordinator would present. The major issues for them to focus on included:-

- i. Understanding the system and have awareness of timelines of all processes;
- ii. Understanding of the roles and mandate of each stakeholder;
- iii. Building relationships with all stakeholders;

- iv. Follow up and giving feedback; and
- v. Prepare a to do list as DCC coordinators.

Other key issues mentioned included: -

- i. Coordinators to identify mentors to guide them;
- ii. Specify specific outputs and targets;
- iii. To support the key actors but should not take over their responsibility. A typical example is where a Probation and Welfare officer is absent, then the CAO can be requested to ask the CDO to step in for the PWO;
- iv. Coordinators should develop alliances with the stakeholder and engage them to expedite J4C cases;
- v. It was observed that PWO are too few and do not have an adequate understanding of their roles. It was proposed that the role of Probation and Welfare should be separated. The PWO are also reluctant to transport children from courts to remand homes. It was proposed that remand homes should take that responsibility. The coordinators should table and discuss these issues in the DCC meetings;
- vi. The Judiciary should use its powers to compel PWO to do their work;
- vii. The coordinators should have a positive attitude and engage and coordinate from the top regional level to the lower levels;
- viii. Justice Mutonyi emphasised that coordinators must learn to have love for the children if they are to succeed. And also understand that children make mistakes and can learn and change;
- ix. The DCC coordinators will collect baseline data for each DCC based as at 1st April 2015. It was decided that the Secretariat should coordinate this process by end of June 2015;
- x. Building a cordial relationship between coordinators and the institutions and other actors in the regions was very essential. For communication, Coordinators should work through the existing systems especially the DCC letterheads signed by DCC chair;
- xi. Accountabilities should be made as soon as possible preferable within the month provided;
- xii. Administratively Coordinators will: -
 - o Be responsible for regions more than one DCC and report to the Chief Magistrates for their day to day supervision;
 - o Coordinators report to the M&E Specialist;
 - o Office space would be provided by the Magistrates;
 - o Responsible for a JLOS region, with specific DCCs;
 - o Responsible for supporting the RCCs;
 - o Facilitation for office running will be facilitated as well as special assignments given by the Secretariat;
 - o Advised to plan for the peculiar issues in each region especially advocacy;

The expected results include:-

- a. DCC Performance reports including monthly reports to RCC and Quarterly reports to the Secretariat covering performance in case management, advocacy, outreach, innovations and best practices;
- b. Submission of disaggregated data on J4C indicators from all actors. A simplified template will be provided. Working tools including laptops will be provided to the coordinators;
- c. DCC and RCC six months action plans and task schedules for three months;
- d. Individual activity reports fortnightly;
- e. Mapping of J4C actors in the DCC and link it to individual activity reports;
- f. Track the implementation of the DCC and action plans and provide progress reports;
- g. Identify issues that have been agreed to by DCCs as matters for consideration by the RCC. When RCC meets, identify issues for consideration by the Advisory Board;

Sam expressed gratitude to the UNICEF for funding the program and attending the workshop. Ms. Sudha expressed gratitude to the Sector for the partnership and called upon the Coordinators to go and cause change in the DCC and demonstrate results so that the program can be incorporated into the new Country Programme in 2016.

List of Participants

Name	Position	Place
Agudo Betty	J4C Coordinator	Mbale
Faith Namono	J4C Coordinator	Lira
Bazinzi Noume	J4C Coordinator	Kampala/Wakiso
Arombo Linda	J4C Coordinator	Masindi
Helen Edimu	J4C Coordinator	Gulu
Rose Okaka	J4C Coordinator	Jinja
Fatuma Nalubega Matovu	J4C Coordinator	Soroti
Nankinga Caroline	J4C Coordinator	Kabale
Kyomigisha Brenda Patience	J4C Coordinator	Fortportal/Kyenjojo
Amongusho Rachael Hope	J4C Coordinator	Mbale
Ampaire Gloria	J4C Coordinator	Masaka
Masinde Fred Derrick	J4C Coordinator	Arua
Legkwo Francis	J4C Coordinator	Moroto
Sam Wairagala	DSTA, JLOS Sec.	Kampala
Lucy Ladira	TA, Criminal Justice	Kampala
Charles Mugobera	DCC Coordinator, JLOS Sec.	Kampala
Barbara Kitui C	RP, Family Justice	Kampala
Grace A Chelimo	RP, Land Justice	Kampala
Francis Luswata	SA, JLOS	Kampala