



THE UNITED REPUBLIC OF TANZANIA  
MINISTRY OF HEALTH, COMMUNITY DEVELOPMENT,  
GENDER, ELDERLY AND CHILDREN

# NATIONAL GUIDELINE FOR IMPLEMENTATION OF COMMUNITY REHABILITATION PROGRAMME

Ministry of Health, Community Development,  
Gender, Elderly and Children  
P. O Box 573 DODOMA

July, 2019





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## ABBREVIATIONS

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ACRWC	African Charter on the Rights and Welfare of the Child
ACERWC	African Committee of Experts on the Rights and Welfare of the Child
AG	Attorney General
CWCPC	Council Women and Child Protection Committee
CJF	Child Justice Forum
CPA	Criminal Procedure Act
CRC	Convention on the Rights of the Child
CRP	Community Rehabilitation Programme
CSO	Civil Society Organization
CURT	Constitution of the United Republic of Tanzania
CWCPC	Council Women and Child Protection Committee
DED	Council Executive Director
DCMS	District Case Monitoring System
DHIS2	District Health Information System (II)
DPP	Director for Public Prosecutions
DSW	Department of Social Welfare
ECOSOC	Economic, Social and Cultural Council
FBO	Faith Based Organization
IJA	Institute of Judicial Administration
JOT	Judiciary of Tanzania
PGCD	Police Gender and Children's Desk
LCA	Law of the Child Act
LGA	Local Government Authorities
LRCT	Law Reform Commission of Tanzania
LSRP	Legal Sector Reform Programme
MACR	Minimum Age of Criminal Responsibility

MoHCDGEC	Ministry of Health, Community Development, Gender , Elderly and Children
MCT	Media Council of Tanzania
MDAs	Ministries, Departments, Agencies
MoCLA	Ministry of Constitutional and Legal Affairs
MoHA	Ministry of Home Affairs
MoU	Memorandum of Understanding
MED	Municipal Executive Director
M&E	Monitoring and Evaluation
MVCCs	Most Vulnerable Children's Committees
NPSA	National Prosecutions Service Act
NPS	National Prosecution Service
NPA-VAWC	National Plan of Action to End Violence Against Women and Children
PCSD	Probation and Community Services Department (under the MoHA)
PO-RALG	Presidents Office, Regional Administration and Local Government
RAS	Regional Administrative Secretary
RSWO	Regional Social Welfare Officer
RM's	Resident Magistrates
SIR	Social Inquiry Report
SWO	Social Welfare Officer
TPF	Tanzania Police Force
UNICEF	United Nations Children's Fund
UN	United Nations
URT	United Republic of Tanzania
VEO	Village Executive Officer
WEO	Ward Executive Officer

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## PREFACE

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Findings from a study on access to justice system for under-18s in 2012 conducted by the Ministry of Constitution and Legal Affairs (MOCLA) revealed that children in conflict with the law in Tanzania were being processed through the criminal justice system or being placed in criminal detention facilities where they have been found to be truanting.

The study recommended that community rehabilitation programmes should be established to which children can be referred as a diversionary measure, pre-trial, or through an alternative sentence by the court. These measures would focus on addressing the root causes of their offending and help children stay out of trouble. Consequently, the Child Justice Forum, the body convened by MoCLA, identified different steps that were to be taken by state and non-state actors to address gaps in justice system for children in a Five-Year Strategy for Progressive Child Justice Reform 2013 – 2017. The establishment of Community Rehabilitation Programme for children in conflict with the law and children at risk of offending was highlighted as a priority action under first strategy and is currently also featured in the 2<sup>nd</sup> Five Year Strategy for Progressive Child Justice Reform.

In 2013, two CRP programs were initiated in Temeke Council, Dar es Salaam region, and later in January 2015 in Mbeya region. A Cost-effectiveness Analysis of Community-based Rehabilitation in Temeke District, Dar Es Salaam, in 2016 revealed that the expansion of the CRP programme to other regions is likely to bring economic and security benefits to Tanzanian through reducing crime and government spending. It is comparatively cheaper to rehabilitate a child through CRP than to address a child's case through the formal justice system. The reduction in crime that results from the programme saves costs in the future by reducing the burden on the criminal justice system.

Good practices from the three CRP implementing councils have raised demand for similar programmes in other regions. Hence, there is need for implementation guidance that is realized through this guideline for community rehabilitation programmes. Investment in CRP is a cost-effective means of addressing juvenile crime in the context of Tanzania.



**Dr. John K. Jingu**  
**Permanent Secretary - MoHCDGEC**

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## ACKNOWLEDGEMENT

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The development of the National Guideline for Implementation of Community Rehabilitation Programme was made possible through collaborative efforts from different stakeholders. The Ministry of Health, Community Development, Gender, Elderly and Children (MoHCDGEC) is thankful to all their contributions.

Specifically, the MOHCDGEC appreciates technical and financial support from United Nation Children's fund (UNICEF). Experts from the Department of Social Welfare (DSW), President's Office-Regional Administration and Local Authority (PO-RALG), Regional Secretariats (RS), Local Government Authorities (LGAs), organizations, institutions and individuals are hereby acknowledged.

I would also like to commend the demonstration of a strong collaboration among justice stakeholders, through the special task force, that has enabled a deeper analysis of crosscutting issues facing children in conflict with the law and those at risk of offending. Through this analysis, proper procedures and responses have been possible to be laid down for different actors to follow with one major goal, putting the best interest of the child first. In this regard, I would like to acknowledge the task force leadership of Ms. Beatrice Mpembo, with her experiences and strategic guidance that enabled active participation, and quality contributions from different stakeholders involved in the development of this Guideline. With regard to coordination and technical input, MoHCDGEC extends its appreciation to Jonas Tarimo (DSW) and other officers Rehema Kombe, Lilian Masuha, Elector Kilusungu, Mwanaisha Moya, Caren Mita, Anna Mhina, January Kintusi, (MoHCDGEC) and Juma Mshana (IJA). Special thanks goes to Nyigulila Mwaseba (JoT), Barnabas M. Misigaro, (KI HUM BE - Mbeya) Hemed Mcheu,(TPF), for their commitment and tireless contributions during the development of this guideline.

It is with strong belief and conviction that these guidelines will be used by all stakeholders to provide standardized rehabilitation services to children in conflict with the law and child at high risk of offending.



**Dr. Naftali B. Ng'ondi**

**Commissioner for Social welfare**

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## DEFINITION OF TERMS

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**Community-based Service Provider** – A Non-Governmental Organization or Civil Society Organization in the community, which is not the Implementing Body, but has capacity to provide additional support through games, sports, vocational training or informal education to support the rehabilitation and reintegration of children attending the Programme.

**Implementing Body** – A Non-Governmental Organization or Civil Society Organization which provides non-residential structured programme of activities that address child’s social, family and educational needs to prevent them from offending and re-offending.

**Local Government Authority (LGA) Model** – Implementation of the Programme by Local Government Authority with Council Social Welfare Officer being at the centre of providing rehabilitation and reintegration services to children.

**Partnership Model** – Implementation of the Programme by a Civil Society Organization which is mandated to provide rehabilitation and reintegration services to children with direct oversight of Council Social Welfare Officer of Local Government Authority.

**Oversight Body** – A coordination structure comprised of Government representatives at the National, Regional and Council levels who are tasked with the responsibility of coordinating the Programme at different levels with a view to document progress, identify and address bottlenecks or challenges for Programme’s successful implementation.

**Programme** – The Community Rehabilitation Programme, which is a community-based rehabilitation service aimed at addressing underlying causes of child’s offending behavior in a holistic manner to: prevent (re-)offending; divert children from criminal proceedings where appropriate; and provide an alternative sentencing measure to deprivation of children’s liberty with a view to fostering child’s rehabilitation and integration in the community.

**Programme Coordinator** – A person responsible within the Implementing Body for the management, development and day-to-day implementation of the Programme, in accordance with the framework outlined in this Guideline.

**Referral** – For purposes of this Guideline, referral means directing a child in conflict with the law or a child at high risk of offending to the Programme for rehabilitation.



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# CHAPTER ONE

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## 1.0 Introduction and Background

There is a detailed framework of international standards and norms governing the administration of juvenile justice. In Tanzania, regional treaties complement this framework. The UN Convention on the Rights of the Child (CRC) 1989, and, specifically Articles 37, 39 and 40 are most pertinent in the context and set out rights of the child in conflict with the law. The CRC is supported by four main documents that supplement the Convention, providing additional detail and guidance regarding proper administration of juvenile justice systems. These are:

The UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules 1985); The UN Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules) ; The UN Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines) and the Vienna Guidelines for Action on Children in the Criminal Justice System (ECOSOC resolution (1997/30)). In 2007, the CRC Committee published its General Comment on the Administration of Juvenile Justice providing guidance on how different juvenile justice provisions should be interpreted.

The African Charter on the Rights and Welfare of the Child applies to children in conflict with the law. A key provision in the Charter in the context of juvenile justice is Article 37, which provides that “[e]very child accused or found guilty of having infringed penal law shall have the right to special treatment in a manner consistent with the child’s sense of dignity and worth which reinforces the child’s respect for human rights and fundamental freedoms of others.” Hence, a child-rights compliant juvenile justice system should focus on prevention, diversion, rehabilitation and reintegration of under 18s rather than retribution and deterrence.

## 1.1 Juvenile Justice in Tanzania

In response to these concerns, The Government of Tanzania through the Ministry of Health, Community Development, Gender, Elderly and Children (MoHCDGEC) enacted the Law of the Child Act in 2009 to stipulate rights of the child and to promote, protect and maintain the welfare of the child.

In 2012, findings from a study done by Ministry of Constitutional and Legal Affairs (MOCLA) concluded that the juvenile justice system was struggling to provide effective support and programmes to prevent offending and reoffending among children. In addition, there was no formal system allowing children to be ‘diverted’ out of the criminal justice system pre-trial and to be referred instead to rehabilitation and reintegration programmes. The range of non-custodial sentences was limited to fines, supervision, probation and corporal punishment.<sup>1</sup> Such measures did little to tackle root causes of offending and preventing further offending.

The study further found that many children were remanded in detention due to difficulties in meeting bail conditions and were held for long periods because of delays in the criminal justice system, rather than because they were a flight risk or posed a danger to society. The placement of a child on remand was rarely a matter of ‘last resort’ and frequently not for the shortest appropriate period as required by the UN Convention on the Rights of the Child.

With only one post trial juvenile detention centre and five juvenile remand homes in the country, children were often mixed with adults while detained in facilities ill equipped to meet their needs, rehabilitate them and prepare them for release. Therefore, in December 2012, MoHCDGEC, through the Commissioner for Department of Social Welfare issued a Circular, under Section 16 (q) of the LCA, to include children in conflict with law as children who are vulnerable and need protection.

## **1.2 Rationale of the Guideline**

This guideline sets standards for provision of community rehabilitation services. Thus, children in conflict with the law and those at risk of offending can access effective community-based rehabilitation services that are able to address their needs and tackle the root causes of their offending in a holistic manner. The intention is to demonstrate effectiveness of dealing with children in conflict with the law in the community as an alternative to prosecution and custodial measures, through a low-cost community run services.

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<sup>1</sup> Analysis of the Situation of Children In Conflict with the Law In Tanzania, 2012, MOCLA

### 1.3 Objectives of the Guideline

#### Main Objectives

The main objective is to ensure provision of standardized rehabilitation services that are responsive to children in conflict with the law and those at high risk of offending for their behavioral modification and reformation.

#### Specific objectives

- a) Provide guidance for establishment and operationalization of community rehabilitation programmes
- b) Set minimum standards and services necessary for rehabilitating children in conflict with the law and those at risk of offending
- c) Provide coordination and key tools that can be used by stakeholders in rehabilitation process

### 1.4 Key Components of Juvenile Justice Framework

Juvenile justice comprises, among other things, of three key components. These are: 1) prevention of juvenile delinquency; 2) interventions without resorting to judicial proceedings (diversion) ; and 3) alternatives to deprivation of liberty, pre and post-trial. The following is a summary of the juvenile justice framework surrounding these key components.

#### 1.4.1 Prevention of Juvenile Delinquency

The juvenile justice framework recognizes that prevention of delinquency is an essential part of crime prevention in society.<sup>2</sup> The prevention of offending among children is essential in reducing chances that they will go on to come into conflict with the law as adults. Prevention of juvenile delinquency should be approached as a multi-agency and inter-disciplinary task involving “interaction between economic, social, education and health agencies and services, the justice system, youth, community and development agencies”<sup>3</sup>.

States are encouraged to develop community-based services and programmes to prevent children coming into conflict with the law.<sup>4</sup> In addition, data collection

<sup>2</sup> UN Guidelines on the Prevention of Juvenile Delinquency (Riyadh Guidelines, 1990).

<sup>3</sup> Ibid, Guideline 60

<sup>4</sup> Ibid, Guideline 6

and collation mechanisms need to be in place as well as research and evaluation to understand trends and causes of juvenile crime.

### **1.4.2 Diversion**

The CRC requires States to develop Measures and mechanisms for dealing with children in conflict with the law outside of the formal justice system. They are required to ensure that children who are alleged to have, or accused of, or recognized as having infringed the penal law can be dealt without resorting to judicial proceedings, wherever appropriate and desirable, providing that human rights and legal safeguards are fully respected.<sup>5</sup> This requirement reflects the fact that the trial process focuses on determining guilt and on punishing the offender rather than on ensuring rehabilitation and reintegration of the child or understanding and addressing the causes of the offending behavior. Options available to law enforcement agencies include community-based rehabilitation and reintegration programmes. These programmes can provide a key opportunity to uncover and address reasons for offending behaviour, assess and target needs of the child and effectively rehabilitate the child, through individually targeted and group activities. Diversion from formal criminal justice proceedings allows rehabilitative work with the child to begin much sooner, without being subject to the delays of what can often be a lengthy trial process.

### **1.4.3 Alternatives to Deprivation of Liberty, Pre and Post-Trial**

The framework on juvenile justice explicitly provides that children must only be institutionalized as a last resort and for the shortest appropriate period.<sup>6</sup> The primary purpose of imposing a custodial sentence must be the child's rehabilitation rather than punishment or retribution. This principle is based on the recognition that institutional settings can have negative effects on children that cannot be outbalanced by treatment efforts. Additionally, conditions within prisons and provisions for education or training can be limited, with minimal rehabilitative activities, making reintegration of the child post-sentence extremely difficult. Table 1 illustrates differences between diversions and alternatives to deprivation of liberty, pre and post-trial.

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<sup>5</sup> Article 40(3)(b) CRC, Rule 6 and 11 Beijing Rules, s.7 Recommendation (2003)20 of the Committee of Ministers to member states concerning new ways of dealing with juvenile delinquency and the role of juvenile justice

<sup>6</sup> Article 37(b) Convention on the Rights of the Child.

**Table 1.**

	<b>Diversion</b>	<b>Alternative to Deprivation of Liberty, Pre and Post</b>
a)	Diversion requires consent of the child and their parent or guardian and usually does not result in a criminal record.	Alternatives to pre-trial detention can be imposed by the police or prosecutor regardless of consent; alternative sentences can be imposed by the court regardless of consent and alternative sentences generally result in a criminal record.
b)	Diversion can be used for children committing first or less serious offences.	Persistent offenders who have already experienced diversion in the past, but which has failed to address the offending behaviour, may require formal judicial intervention to help them get back on track.
c)	Diversion can be instigated from the time of apprehension (before arrest) to any point up until the final disposition hearing (including after pre-trial detention).	Alternatives are resorted to at the time of sentencing.
d)	Diversion should take place as soon as possible in the process.	Alternatives take place at a later stage of formal trial.
e)	Diversion is to hinder the potential negative effects of formal judicial proceedings, for example, the stigma of conviction and sentence.	For repeated offenders, alternative sentencing may be more appropriate.

### 1.5 Eligibility for a Child to be on the Programme

Children in conflict with the law and those at risk of offending who fulfil criteria may be referred to the Programme whenever the following criteria are met.

- i. Age ; In this guideline, the minimum age of criminal responsibility is from 10 years, but not exceeding 18 years, basing on the Minimum Age of Criminal Responsibility (MACR) as provided under the Penal Code.
- ii. Resident in the Programme area;

- a) A child must be resident in the Programme area, to allow Programme workers to carry out their roles effectively. It is important for children and their families to be visited and that children can travel to fulfil their programme of activities with relative ease.
  - b) The programme will admit children who are in conflict with the law and children who are at high risk of offending who fulfil the eligibility criteria. Children living and working on the streets will be considered for referral to the programme provided they fulfil the eligibility criteria and upon assessment by a SWO.
- iii. Offences: All non-predicate or serious offences. A child will be subject to the Programme (pre-trial) once committed an offence other than those under the laws and provisions mentioned hereunder, which are not eligible for referral to the Programme:
- a) Section 148(5) of the Criminal Procedure Act, (Cap 20 R.E. 2002) i.e. Murder, Treason, Armed Robbery, Defilement
  - b) The Drugs and Prevention of Illicit Traffic in Drugs Act, 2015;
  - c) The Prevention of Terrorism Act, 2002.
  - d) Anti-money Laundering Act, 2006
- It should be noted that eligibility for post-trial rehabilitation will be subject to assessment and sentencing consideration by court.
- iv. Confession; In pre-trial, a child must admit his/her offence(s). This is important as it encourages the child to take responsibility for his/her actions and work with him on how to change his/her offending behaviour. Without a free admission of guilt, the rehabilitation goal will not be achieved.
- v. Consent; A child need to consent to being referred to the Programme by virtue of Beijing Rules, “Any diversion involving referral to appropriate community or other services shall require the consent of the juvenile, or her or his parents or guardian” a fundamental principle of the programme is that children and/or their parents/legal guardian/primary caregivers consent to participate in the Programme. Consequently, all steps must be taken to ensure that the consent of the child and the parents, legal guardians or primary caregivers is informed and given freely without coercion or intimidation. Active steps must be taken by each referring body to ensure that the child and his parents/legal guardian/

primary care giver have sufficient information and understanding about the Programme to enable them to make a fully informed decision.

However, street children pose a big challenge for judicial authorities and communities. Yet, not every child living and working in streets is eligible for CRP. Hence, their cases need to be dealt with first and foremost in the child protection systems.

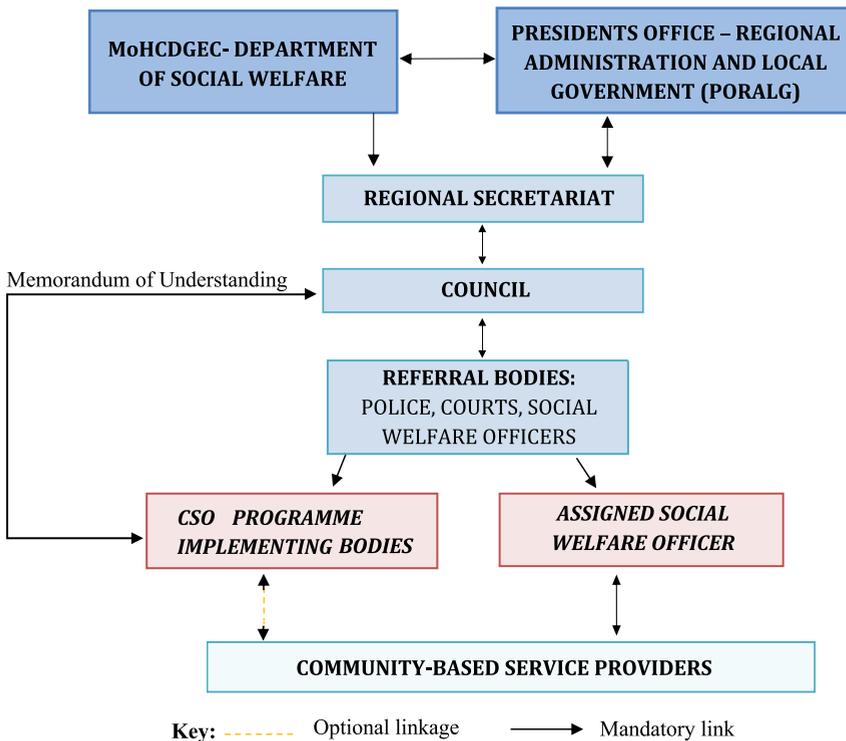
# CHAPTER TWO

## 2.0 Structure of the Programme

Implementation of the Programme requires the involvement of various stakeholders from the National level up to the community level. The following stakeholders have been identified to oversee, refer and provide effective services to children attending the Programme:

- a) Oversight and Monitoring Bodies
- a) Referral Bodies
- b) Programme Implementing Bodies (CSO and Council)
- c) Community-based Service Providers

The diagram below provides an overview of the Programme structure. The composition, roles and responsibilities of each stakeholder is described after the diagram.



## **2.1 Oversight and Monitoring Bodies**

In collaboration with PORALG, the programme shall be monitored and overseen by MoHCDGEC (The Department of Social Welfare), Regional secretariat and Council.

### **2.1.1 MoHCDGEC (The Department of Social Welfare):**

The Ministry through the DSW, has overall responsibility for supervising implementation of the Programme. Specifically, the Department of Social Welfare shall;

- a. Conduct coaching and mentoring to implementing bodies on the implementation of the programme.
- b. In collaboration with PORALG, conduct monitoring and supervision to regional and councils
- c. Promote the implementation of the Programme model at the national level;
- d. Monitor the implementation of the Programme through the review of periodic reports submitted by PO-RALG.
- e. Ensure that quality social welfare services are provided throughout the implementation of the Programme;
- f. Collate data on juvenile offending submitted by the PO-RALG
- g. Prepare and review policies, laws, regulations and guidelines relating to community rehabilitation programmes for children in conflict with the law and children at high risk of offending; and

### **2.1.2 Regional Secretariat**

The Regional Secretariat, through the Regional social welfare officer, is responsible for monitoring, coordination, supervision and reporting. The reporting should use available reporting tools, including District Case Management Systems.

The functions of Regional Secretariat shall be to:

- a. Report on the progress of the Programme to the PO-RALG;
- b. Ensure that quality social welfare services are provided throughout the implementation of the Programme
- c. Disseminate policies, laws, regulations and guidelines for juvenile justice
- d. Promote the implementation of the Projects at the Council level
- e. Monitor the implementation of the Programme through the review of

- periodic reports submitted by the Social Welfare Section;
- f. Support the programme in overcoming obstacles for successful implementation at the council level;

### 2.1.3 Local Government Authority

The Council is responsible for implementation and sustainability of the programme.

The Council shall:

- a) Plan and budget for child protection, including CRP activities
- b) Facilitate the establishment of rehabilitative facilities in its area of jurisdiction such as having special counselling room, playing grounds and any other related rehabilitative facility.
- c) Collaborate with other stakeholders by entering into partnership through cooperation modalities available under this guideline
- d) Establish and strengthen linkages with stakeholders to refer eligible children to available support services in the community
- e) Create awareness to the LGA standing committees on CRP issues and other referral bodies.
- f) Maintain and update data entry, data analysis and data use through DHIS2-DCMS.
- g) Collaborate with potential CSOs for implementation of CRP
- h) Conduct quarterly meetings to Monitor the implementation of the Programme through the review of periodic reports
- i) Manage funds to facilitate implementation of the programme;
- j) Ensure sustainability of the programme by mobilizing resources
- k) Propose to the relevant authority the review or amendment of policies, laws, regulations and guidelines for juvenile justice
- l) Provide recognition letter to the implementing bodies where necessary
- m) Disseminate policies, laws, regulations and guidelines for juvenile justice
- n) Ensure that quality social welfare services are provided throughout the implementation of the programme
- o) Sign Memorandum of Understanding (MoU) with the implementing bodies for provision of rehabilitation services;

## 2.2 Referral Bodies

Bodies that have the authority to refer children who meet the referral criteria to the Programme are the Tanzania Police Force, Social Welfare Department and Courts (Juvenile court, District Court, and Resident Magistrate's Court).

## 2.3 Programme Implementing Body

Programme Implementing Body/Social Welfare Officer is required to provide structured care addressing triggers for child's offence, including child's social, family and educational needs to prevent reoffending. The Programme is on a non-residential basis and thus the child continues to live with family or fit persons throughout their programme of rehabilitation. Roles and responsibilities of the Implementing Body include to,

- a) Plan and budget allocation for child protection activities
- b) Establish rehabilitative facilities in his area of jurisdiction such as having special counselling room, playing grounds and any other related rehabilitative facility.
- c) Establish and strengthen linkages with stakeholders to refer eligible children to available support services in the community.
- d) Create awareness to the LGA standing committees on CRP issues and other referral bodies.
- e) Maintain and update data entry, data analysis and data use through DHIS2-DCMS.
- f) Participate in quarterly meetings to Monitor the implementation of the Programme through the review of periodic reports
- g) Manage funds to facilitate implementation of the programme;
- h) Ensure sustainability of the programme by mobilizing resources
- i) Propose to the relevant authority the review or amendment of policies, laws, regulations and guidelines for juvenile justice
- j) Ensure that quality social welfare services are provided throughout the implementation of the programme
- k) Sign Memorandum of Understanding (MoU) with the Council for provision of rehabilitation services;
- l) Receive referral from different referral bodies

## **2.4 Community based Service providers**

During rehabilitation processes, a child should have access to a range of vocational and other apprenticeship activities, which can be provided by service providers, who agree to co-operate in the Programme. Where a comprehensive rehabilitation service cannot be provided either by the Council Social Welfare Officer or the Implementing Body, or where additional support is required by the child, the Programme shall link a child who is attending the Programme to available support services in the community. Community-based service providers shall undertake the following responsibilities:

- a) Assign activity leaders with expertise in a range of life skills and basic vocational skills such as machine knitting, shoe making, tailoring, social drama and other skills.
- b) Arrange and run social and sport activities according to a child's rehabilitation plan which will be developed by the Council Social Welfare Officer;
- c) Provide feedback to the Council Social Welfare Officer or the Implementing Body regarding progress of assigned child.

## **2.5 Rehabilitation Programme**

The Programme should be located within the area to which rehabilitation services are provided. In choosing a location for the Programme and the geographical coverage, consideration must be given to the proximity with which children and families will be able to access rehabilitation premises.

### **2.5.1 Staffing**

Under the LGA Model, staffing should be composed of a Social Welfare Officer and Service providers. In the partnership model, community rehabilitation programme personnel should include, but not be limited to, programme coordinator, programme social worker, service providers and social welfare officer.

### **2.5.2 Capacity of the programme**

Each Programme must determine the maximum number of children it can work with at any one time. It is important that the Programme Co-ordinator shall inform the referral bodies when the Programme has reached its capacity. The capacity of the programme will be determined by each centre based on the facilities available and

staff however the standard should be 4 children per case worker per day.

### **2.5.3 Duration for a child to attend rehabilitation programmes**

Weekly and monthly programmes are developed depending on the individual needs of each child. A child should attend the programme as per the agreed timetable for four (4) months. An assessment of the child's behaviour changes should be conducted after 3 months where it will be decided whether the child is ready to graduate from the programme. Where the programme worker(s) is of the opinion that the child would benefit from additional time on the programme, extension of 1 to 2 months would be added to the child's care plan. The child and their parent/guardian will be consulted before the decision to extend the child's programme is made.

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## CHAPTER THREE

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### 3.0 Programme Models and Case Management

For the purpose of rehabilitation of children in conflict with the law, this chapter sets models with minimum standards of services that need to be provided to meet rehabilitation results for children. Such minimum services can be provided through two implementation modalities as described hereunder.

### 3.1 Models

#### A) Partnership Model (Local Government Authority and CSO)

Rehabilitation services under this model shall not omit the below described minimum services;

- a) Individual/group advice and psychosocial care and support, including counselling, social support depending on the nature of offence and background of a child;
- b) Life skills which include self-awareness, problem solving, self-care, vocational and game and sports skills, and any other reasonable skills;
- c) Reintegrating children with their families/communities, schools;
- d) Engaging a child with vocational training and community youth groups where necessary

For a CSO to provide Programme services, it must fulfil the following conditions:

- a) Have been registered under the relevant laws
- b) Have qualified staff;
- c) Have capacity to conduct case management process including initial assessment, social investigation, need and risk assessment;
- d) Conduct monitoring and evaluation based on M&E Tool issued by government from time to time;
- e) Have required rehabilitative facilities depending on the environment and child situation including special room with privacy;

A Council Director through a social welfare officer, shall be obliged to satisfy him/

herself on the criteria stated in this Guideline before permitting any implementing body to provide CRP services.

### **B) Local Government Authority Model (Social Welfare Officer)**

Under this model rehabilitation services shall not omit the below described minimum services;

- a) Individual/group advice and provide psycho social care and support, including counselling depending on the nature of offence and background of a child;
- b) Reintegrating children with their families/communities, schools;
- c) Where necessary social welfare officer shall link the child to available services in the community. The services may include; life skills such as self-awareness, self-care, vocational training, games and sports skills, and any other reasonable skills;

### **3.2 Case Management**

Case management for children in conflict with the law and those at risk of offending are as per Child Protection Regulations and has the following steps:

#### **a) Case intake**

This involves receiving a child from a referral body. When a child is referred to the Programme, the implementing body/ SWO officer shall register information of the referrals using Form B, as per Annexure IV: Case Forms Templates. This form entails the following;

- i. Child's name, age, tribe and address, sex, religion;
- ii. Referring body;
- iii. Education status;
- iv. Parents/carer information;
- v. Reason for referral/ type of offence and;
- vi. Opening of child's file

#### **b) Assessment**

The implementing body/SWO shall arrange for the initial assessment within 24 hours after the child has been accepted by the programme with a child, parents/ caregivers and any other relevant body including the child's school. This is to

identify, triggers for child's offence, immediate needs of a child child's strengths and skills to build on, strength and weakness of the family, how community member view a child and family, behaviours which need to be worked on with a child during the rehabilitation process. The second assessment shall be conducted after three months to determine whether a child can graduate from the programme or extend time for a child to continue with the programme. The programme worker/SWO during the assessment will be required to maintain confidentiality, humanity and fill information immediately after the assessment. Therefore, assessment should involve to;

I. Plan the assessment

- a) Make arrangement with the family of a child on the date of the assessment;
- b) Prepare questions and tools which will be used during the assessment like form F, G, H, I and J. Refer to Annexure IV: Case Forms Templates;
- c) Know where to get information and who will be involve in the assessment;
- d) Know best methods for obtaining information

II. Collect/Gathering information

The information is conducted through interviewing the child, family members, neighbours and others such as teachers, community and religious leaders. At this stage the following shall be considered; Check records of schools, health status, behaviours of a child, family economic status and environment surrounding him/her if it was a root cause for child's offence.

III. Analyzing information

These involve the following aspects;

- a) What major needs to be addressed during the rehabilitation processes
- b) What triggers have to be dealt with during the process of rehabilitating a child;
- c) What are the strengths and resources to build upon in helping a child to change his/her behaviors timely?

In conducting the assessment, a SWO shall pay close consideration to other special needs that may be relevant to a child which may include; shelter, psychosocial care and support services, economic strengthening, health, food, nutrition and protection

### **c) Develop Care plan**

Care plan shall be developed immediately after the assessment, which sets main objectives for the child's individual programme. This care plan must be developed with the full participation and agreement of the child, parents/caregivers, and programme social worker/Social welfare officer. Care plan shall be kept on the child's file and a copy shall be given to the child/ the child's family. Programme social workers/ Social welfare must aim to begin the child's care plan no more than one week after the case is accepted by the Programme.

A weekly programme, which sets specific goals for each week, shall be developed and agreed by the programme worker/ Social welfare officer and a child under the framework of the care plan for the child and must be kept on the child's file. The weekly programme shall include any combination of the following activities:

- a. Educational assistance through programme activities such as life skills
- b. Reintegrating a child back into school and vocational facilities present in the community
- c. Intensive direct work with the child to address offending behaviour
- d. Provide psychological assistance
- e. Family support
- f. Case conference, where necessary
- g. Victim-offender mediation and
- h. Link a child with any other relevant programmes from community based service providers.

### **d) Implementation**

While implementing the care plan, the service plan may change over time depending on the child's behavioral changes. The Programme Social worker/Swo may also refer a child, with their consent to the community based service providers to meet the child's specific needs such as vocational training course not provided by the implementing Body/Social welfare officer. The implementation stage has the following components;

#### *A) Programme social workers/social welfare officer*

They are responsible for;

- i. Working directly with the child to address his/her offending behaviours

- ii. Working with the child's parents / caregivers
- iii. Liaising with all other relevant bodies and people in the child's life where appropriate (e.g. school, religious leaders) and addressing the needs of the child; and
- iv. Writing a monthly progress report and the final report at the end of the child's programme and submit a report to the referring body, informing them that the child has completed the programme;
- v. Visiting child's residential home to monitor progress of a child's behaviours, resolve conflict if happen, conduct second assessment, discuss challenge affecting child's behavior change and set work plan for the identified challenges.
- vi. Where necessary, reintegrating a child with schools and vocational training with a consent of a child and parents/guardians
- vii. Fill information to the child's files and update such information in the District Case Management System.

*B) Management of the programme*

- i. The implementing body/Swo shall have day to day management of the programme
- ii. They shall inform the referral bodies when the programme has reached its capacity and cannot accept any more children.
- iii. Conducting programme monthly meeting to monitor progress of the programme and offer support to staff members.
- iv. The Programme aims to address the educational, family, social, medical, and legal needs of the child. The Women and Children Protection Committee should endeavour to support the Programme workers/Swo in order to meet the needs of children referred to the Programme
- v. At the meeting of the DWCPC, report should be available to update its members on the progress of the programme. Representative from the implementing body/Swo is responsible for reporting at this meeting.
- vi. The implementing body/Swo has the responsibility to ensure all necessary forms are available to Programme staff as per Annexure IV: Case Forms. They will also be responsible to make sure the availability of the children case files
- vii. With regard to access to child files, the following considerations should be

taken into account;

- a) All documentation relating to children participating in the Programme is confidential and must be stored securely. Case files should only be made available on a need to know basis to; programme staff and referring bodies.
- b) Children have the right to access their case files and progress reports. It is good practice to share information with the children in the programme to help them plot their progress. Showing them written information can be a helpful tool when children are expressing doubts about their achievements or to confront children with the lack of achievement.
- c) Parents (legal guardians or primary caregivers) may request access to the file, but access will be granted at the discretion of the Programme staffs. In a situation where the Programme staff is concerned that a child will be placed at risk if parents have access to the files, the information causing concern can either be removed from the file prior to giving the parents access or the programme staff can verbally give the parents information from the file without divulging the potentially damaging information.

A child's non-attendance on any part of the Programme must be recorded. The Programme worker/Social welfare officer must find out the reason for non-attendance and record the reason on the child's attendance record. The child's non-attendance on his/her Programme must NOT result in the case being referred back to the referring body automatically. The Programme workers/Swo has an obligation to make reasonable attempts to work with the child and his/her family to address non-attendance the case should only be referred back to the referring body where reasonable steps have been taken to ensure the child's attendance on the programme but the child is persistently absent without justification.

#### **e) Care plan review**

A review is conducted by the Programme workers/Social welfare officer in collaboration with a child at the rehabilitation programme. When conducting review the following shall be considered;

- a. A review of the specific objectives, success achieved, challenges in achieving these goals, activities the child has participated in during the last month must be made every month to monitor progress of the child at the programme. This will enable Programme workers/Social welfare officer to update care plan for the next month.
- b. Where the programme social worker/ social welfare officer finds the care plan is not working well, the officer shall conduct re-assessment and review care plan based on information obtained;
- c. After three months, a review must be made to decide whether a child can graduate from the programme or continue to participate in the programme.
- d. A child should not continue to participate in the Programme unless the Programme social workers/Social welfare officer agrees to the extension of the child's programme and the authorisation of the referring body, if required.

#### **f) After care plan and follow up**

##### **I. After care plan**

Normally after graduation, the programme social workers/social welfare officer shall prepare after care plan to make a close follow up for a period of three months. In preparing after care plan, the following might be included:

- a) Tracing the child's behavior after graduating in the programme,
- b) Tracing if a child is attending the school/vocational training.
- c) In schools, check their development and trace if the child has re-offended or likely to re-offend
- d) Tracing if parents/caregivers are responsible for parental duty and maintain a child after graduation from the programme.

##### **II. Follow up**

The following procedures shall be considered when conducting follow up;

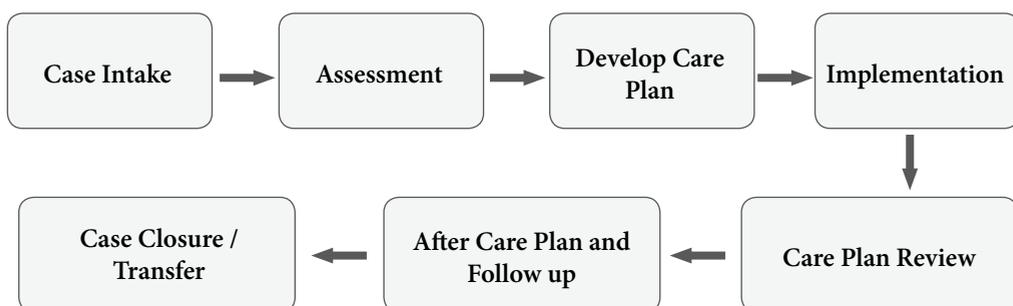
- i. The Programme social worker/Social welfare officer has the obligation to visit/communicate with a child/family member on the progress of child after the completion of the programme.
- ii. The first visit/communication must take place one month after the end of the programme.
- iii. These visits will involve family meeting and discussions with other relevant

- parties such as school and vocational teachers.
- iv. Programme social worker/Social welfare officer shall fill information immediately after the home visit/communication in the child's after care plan.
  - v. The need for and frequency of any subsequent reviews will be determined by the programme social workers/Social welfare officer.
  - vi. If there is a belief that the child is still at a high risk of re-offending, the implementing body / Social Welfare officer will communicate with Council Social Welfare Officer to determine further appropriate interventions
  - vii. All programmes must endeavor to keep a record children who reoffend after the programme.

**g) Case closure / transfer**

The implementing body/Social welfare officer shall maintain the child's file following the completion of the Programme. Documentation on children's cases may be kept in the District case information management system. The file shall be closed when the child has been rehabilitated, attained the age of 18 years or has died. Prior to the closure of the file, Programme social worker/Social welfare officer shall endeavor to meet with the child and the family to evaluate the impact of the Programme on the child and to investigate whether the child has committed any further offences. Where a child has been transferred or has reallocated place of residence, the case shall be transferred to the SWO in the relevant council.

**Diagram 2.** Summary of case management steps



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## CHAPTER FOUR

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### 4.0 Referral Procedures

Referrals to community rehabilitation programme can be made directly or indirectly. Direct referrals can be made by the Police, Social Welfare Officers and the Court. Indirect referrals can be made by Director for Public Prosecutions, Court Social Welfare Officers and Community Development Officers and community leaders through Council SWOs.

### 4.1 Direct Referrals

#### 4.1.1 Referral from Police

Subject to paragraph 6(a) and (c) of Police General Orders No. 240, the Police have the authority to refer children in conflict with the law to the Programme. Pursuant to the Referral Criteria set out in this guide, the Police shall endeavour to avoid formally charging children and shall seek to send a child for rehabilitation within the local community, where appropriate. Throughout this referral procedure, where available at a particular Police Station, the Police Gender and Children's Desk (PGCD) or other suitable officer shall have conduct of each case.

#### 4.1.2 Referral Criteria

As for general Police referral, the following criteria shall be considered;

- i. There is evidence that the child has committed an offence;
- ii. The evidence is such that, if prosecuted for the offence, there would be a realistic prospect of conviction;
- iii. The Police must be satisfied that it would not be in the public interest to prosecute the child and that there is a reasonable prospect of a child responding positively to rehabilitation within the community; and
- iv. If the child and the parents/guardian/carer/child's representatives must consent to the child being referred to the Programme.

If the child and his parents/guardian do not agree to the child's participation in the Programme, the Police may deal with the case in any other way that is prescribed in law; include charging the child for the offence.

### 4.1.3 Referral Process

- a. Preliminary assessment: On the arrest of or receipt of a child at the Police station, the Police are obliged to carry out a preliminary assessment of the case as soon as possible. Available support<sup>7</sup> should, if possible, be present to represent the interests of the child at this stage.<sup>8</sup>
- b. If the case fulfils the referral criteria, the Police shall contact the CSO Implementing Body or the Council Social Welfare Officer as soon as possible and, in any event, within 24 hours after the arrest/apprehension of the child in order to:
  - i. The Police shall inform the Social Welfare Officer within 24 hours of the arrest/receipt of the child.
  - ii. Establish whether the CSO Implementing Body or the Council has the capacity for the child to attend the Programme;
  - iii. If there is, to agree a time and place for the child to undergo a full assessment by the Programme;
  - iv. On receipt of the child, the CSO Implementing Body or the Council Social Welfare Officer shall conduct a pre-referral assessment to determine the suitability of the child to attend the Programme.
  - v. On completion of the assessment, the Implementing Body or Council SWO shall communicate the decision to either accept or reject the child's case with reasons. Where the child has been accepted by the Programme, the Police shall refer the child to the Programme.

### 4.2.1 Referral from the Social Welfare Department

Pursuant to Section 94(1) of the LCA local government authorities have a duty to safeguard and promote the welfare of the child. When undertaking this function, the Social Welfare Officer in the local government has authority to refer children at high risk of offending to the Programme as per S 94(2) LCA and 16(q) of the LCA and the Commissioner's Directive adding children in conflict with the law and children at high risk of offending to the list of children in need of care and protection. Where a child is assessed as being at a high risk of offending, the Social Welfare Officer may consider the child to be appropriate for referral to the Programme.

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<sup>7</sup> Any adult person/volunteer who is trained and is willing to support the child at the police station to help the child understand the process, his/her rights and to advocate for non-custodial measures where appropriate. These include: child supporters, paralegals, para-social workers and child justice facilitators

<sup>8</sup> If a Child Supporter cannot be present, this should not delay the referral process and a balance should be struck between unnecessary delay and protecting the interests of the child.

The following criteria must be met for the Social Welfare Officer to make a decision to refer a child to the Programme:

- (i) There must be evidence that the child is at high risk of offending, e.g., the child has:
  - a. Previously committed an offence but was not charged;
  - b. Previously committed an offence but the situation was resolved through an informal process; and/or
  - c. Behaviour displaying a combination of high risk factors such as persistent truancy, anti-social acts, disorderly conduct, without parental control, acts of violence and lack of self-control that collectively are likely to lead to a child being in conflict with the law.
- (ii) The child must agree that the evidence produced (item i) applies to the child;
- (iii) The Social Welfare Department must be satisfied that there is a reasonable prospect of a child responding positively to rehabilitation in the community; and
- (iv) The child and the parents/guardian/carer/child's representatives must consent to the child being referred to the Programme;

However, there is no obligation on the Council Social Welfare Division to refer all children who meet these criteria to the Programme. A determination must be made to decide whether the Programme is suitable for each child. The advice of the CSO Implementing Body or Council Social Welfare Officer shall be sought in order to make this determination.

If the child and his parents/guardian/carer/child's representatives do not agree to the child's participation in the Programme, the Social Welfare Officer may deal with the case in any other way prescribed by the Department of Social Welfare.

#### **4.2.2 Referral Process**

- a. When reviewing a case of a child thought to be at high risk of offending, the Social Welfare Officer shall apply the referral criteria set out in this guideline in order to determine whether the child may be suitable for involvement in the Programme.
- b. If the case fulfils the referral criteria, the Social Welfare Officer shall contact Implementing Body or Council Social Welfare Officer in order to:

- (i) Establish whether there is the capacity for the child to attend the Programme;
- (ii) If there is, to agree a time and place for the child to undergo a full assessment by the Programme; and
- (iii) Send the referral form and the Social Investigation Report to the CSO Implementing Body or Council Social Welfare Officer's assessment to the Programme Co-ordinator

If consent to participate in the Programme is not given or the child does not fulfil the additional considerations, Council Social Welfare Officer shall deal with the child in accordance with child protection procedures.

#### **4.3.1 Referral from The Juvenile Court**

The Court has the authority to refer children in conflict with the law to the Programme and to monitor their progress. When considering the sentence of a child for an offence, the court has the power to impose an alternative sentence pursuant to section 119 (2) LCA and, in particular, in addition to or as an alternative to any other order which may be made, to order a child to be handed over to the care of a fit person or institution as per section 119 (2)(c) of the LCA). As such, the Court has the power to refer children to the Programme.

The following criteria must be met for the Court to make a decision to refer the child to the Programme by way of alternative sentence:

- i. For purposes of these Guidelines, the minimum age for criminal responsibility is from 10 years but not exceeding 18 years. However, the age at which the child committed the offence shall be considered for referral by the Court;
- ii. The child must make a clear and reliable admission to all elements of the offence (enter a plea of guilt) or be found guilty and convicted of an offence by the Court.
- iii. The Court must be satisfied that it would be in the public interest to impose a referral to the Programme by way of an Alternative Sentence and that there is a reasonable prospect of the child responding positively to rehabilitation within the community; and

#### **4.3.2 Referral Process**

- 1) If, at the first hearing before the Juvenile Court, the child admits the offence and if the Court is satisfied that the offence is proved, the Court shall convict the child and adjourn the case for sentence. Where the Court is satisfied that

the Programme has the capacity for the child to attend the Programme, the Magistrate shall adjourn the case for a period of 14 days for the Social Welfare Officer to prepare a Social Inquiry Report

- 2) The Court shall fix a date, no later than 14 days after the hearing at which the child is convicted, for the matter to be returned for the sentence of the child. The Court shall release the child on bail pursuant to section 111(2) LCA wherever possible.
- 3) The Court shall consider the Social Inquiry Report and its addendum in determining whether to refer the child to the Programme.
- 4) Referral to the Programme is made by Order of the Court at the sentence hearing and after the child has given written consent to abide by the terms of the Programme.
- 5) The Order must NOT specify a period of time that the child should participate in the Programme but attendance shall not be required for a period longer than six months.
- 6) The Court must send a copy of the Order, Social Inquiry report and the Alternative sentence court form child's file to the Programme within 3 working days of the sentence.
- 7) The Programme shall not accept a child without these documents.

#### **4.4.1 Referral from The Resident Magistrates' Court**

The Resident Magistrate's and District Court have authority to refer children in conflict with the law to the Programme as per section 119(2)(c) of the LCA.

When a child is jointly charged with an adult, the case shall be heard either at the Resident Magistrates' Court or District Court as per section 100 of the LCA. When hearing and determining the case, these courts shall proceed in accordance with the provisions of the CPA but shall consider the best interests of the child. However, when considering the sentence of the child, the RM's Court and District Court may order the child to be handed to the care of a fit person or institution as an alternative sentence. As such, the RM's Court and District Court have power to refer children to the Programme.

The following criteria must be met in order for the District Court to make a decision to refer the child to the Programme by way of Alternative Sentence:

1. For purposes of these Guidelines, the minimum age for criminal responsibility is from 10 years but not exceeding 18 years. However, the age at which the child committed the offence shall be considered for referral by the Court;
2. The child must make a clear and reliable admission to all elements of the offence (enter a plea of guilt) or be found guilty and convicted of an offence by the Court.;
3. The RM's Court and District Court must be satisfied that it would be in the public interest to impose a referral to the Programme by way of a Probation Order and that there is a reasonable prospect of the child responding positively to rehabilitation within the community

#### **4.4.2 Referral Process**

1. If, at the first hearing before the District Court, the child admits the offence and if the Court is satisfied that the offence is proved, the Court shall convict the child and adjourn the case for sentence. Where the Court is satisfied that the Programme has the capacity for the child to attend the Programme, the Magistrate shall adjourn the case for a period of 14 days in order for a Social welfare officer to prepare A social inquiry report
2. The District Court shall fix a date, no later than 14 days after the hearing at which the child is convicted, for the matter to be returned for sentence of the child. The District Court shall release the child on bail pursuant to section 148 (1) CPA wherever possible.
3. The District Court shall consider the Social Inquiry Report and its addendum in determining whether to refer the child to the Programme.
4. Referral to the Programme is made by Order of the District Court at the sentence hearing and after the child has given written consent to abide by the terms of the Programme.
5. The Order must NOT specify a period of time that the child should participate in the Programme but attendance shall not be required for a period longer than six months.
6. The Court must send a copy of the Order and the child's alternative sentence form to the Programme within 3 working days of the sentence.

## 4.5 Indirect Referrals

### 4.5.1 Referral from Director of Public Prosecutions

The DPP has no direct power to refer children in conflict with the law to the Programme. However, the DPP has been vested with power to control criminal proceedings by virtue of section 9 of the National Prosecutions Service Act 2008 (Control of Criminal Proceedings) and to coordinate investigations by virtue of section 16 of the National Prosecutions Service Act.

The National Prosecution Services (NPS) Office has the power to identify at an early stage those cases that may satisfy the criteria set out below and either:-

- (a) Defer the charging of a child on receipt of the file and refer the file back to the Police with a directive that the case be reviewed again with a view to referring the child to the Programme; OR
- (b) Charge the child but thereafter *FAST-TRACK* the case to the Juvenile Court or District Court so that such cases can be dealt with by way of *EARLY GUILTY PLEA and SENTENCE* with a view to the child being referred to the Programme.

The NPS office should ensure that all State Attorneys and public prosecutors are aware of the nature of the Programme and the referral process to the Programme from the Police, the Juvenile Court the District and Resident Magistrates Court.

### 4.5.2 Additional Considerations for Referrals by the Director Of Public Prosecutions

The following criteria must be met for the DPP to either (a) defer charging and send a case back to the Police OR (b) fast-track a case to the Juvenile Court or District Court with a view to that child being sentenced to rehabilitation on the

- a. There is evidence that the child has committed an offence;
- b. The evidence is such that, if prosecuted for the offence, there would be a realistic prospect of conviction.

### 4.5.3 Referral Process

- i. When a case file first arrives at the NPS, it should be reviewed by the Prosecutor as soon as possible after its receipt. When carrying out this preliminary

- assessment, the Prosecutor shall have regard to the Referral Criteria as set out in 3.2 and the Additional Considerations outlined above in order to determine whether the child may be suitable for inclusion in the Programme.
- ii. If the case fulfils the referral criteria or if it appears that it may fulfil the criteria, and the Prosecutor takes the view that the child should not be charged at this stage, the Prosecutor shall direct the Police to review the file again with a view to the child being referred to the Programme by the Police.
    - a) If the Police, after reviewing the case file decides to refer the child to the Programme, the NPS shall defer charging the child and the Police shall refer the child to the Programme by following the referral process.

**or**

    - b) In circumstances where the Police are of the opinion that the child should be charged with an offence, this should be done as soon as possible.

#### **4.5.4 Referral by Court Social Welfare Officers**

A social welfare officer may recommend to the Court through a Social Inquiry Report the referral of a child to the Programme

#### **4.5.5 Referral Criteria**

In addition to the general referral criteria, the following specific criteria shall be considered by Social welfare officers at juvenile court

1. When the court requests a social inquiry report or where a Social Welfare Officer decides to undertake a social inquiry in respect of a child, the Social Welfare Officer shall conduct a preliminary assessment to determine whether the case fulfils the referral criteria set out in this chapter.
2. If the case fulfils the criteria or if it appears that it may fulfil the criteria, the Social Welfare Officer shall contact the Programme Coordinator as soon as possible to establish whether there is capacity for the child to attend the Programme. Where there is capacity the Social Welfare Officer shall proceed to compile the social inquiry report. The Social Welfare Officer shall liaise with the Programme Coordinator in order to facilitate this inquiry.

This preliminary assessment stage is designed to determine whether the case fulfils the criteria to include necessary information in the social inquiry report to enable the court to arrive at a decision.

#### **4.5.6 Referral by Community Development Officers and Community Leaders**

Community Development Officers and Community Leaders (including: Ward Executive Officers and Village Executive Officers) may recommend to the Council Social Welfare Officer the referral of a child at high risk of offending to the Programme.

Before recommending the referral of a child to the Programme, the Community Development Officer or Community Leader must conduct a preliminary assessment to determine the eligibility of the child attending the Programme based on the following factors:

- i. That the child displays behavior that does not constitute a criminal act but has reasons to believe that the child is likely to commit a crime in the future;
- ii. There is evidence that the child is at high risk of offending e.g. the child has:
  - a. Previously committed an offence but was not charged;
  - b. Previously committed an offence but the situation was resolved through an informal process; and/or
  - c. Behaviour displaying a combination of high risk factors such as persistent truancy, anti-social acts, disorderly conduct, without parental control, acts of violence and lack of self-control that collectively are likely to lead to a child being in conflict with the law.
- iii. There is reasonable prospect of the child responding positively to rehabilitation in the community.

#### **4.5.7 Referral Process**

1. Where a Community Development Officer or a Community Leader identifies or comes in contact with a child at high risk offending, he/she shall refer such child to the Council Social Welfare Officer for assessment with a view to the child being referred to the Programme;
2. Upon receiving the child or child's case, the Council Social Welfare Officers shall conduct a thorough assessment of the child in accordance with the criteria in chapter three
3. Where it is determined that the child fulfils the criteria for referral, the Council Social Welfare Officer shall refer the child to the Programme by following the referral process outlined in this chapter.

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## CHAPTER FIVE

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### 5.0 Monitoring and Evaluation

The MoHCDGEC, and PO-RALG through the Local Government Authorities (LGA) are obliged to ensure quality and adherence to standards of CRPs by adequately supervising and monitor agencies and individuals implementing CRP. The relevant government social welfare structures at national, regional, council, ward, and Village/Mtaa levels are responsible in:

- a) Maintaining supervision at all levels of service provision
- b) Setting up systems of peer support at all levels of service provision
- c) Integrating adequate monitoring systems into all levels of service delivery

Monitoring and evaluation of CRP is critical for continued improvement and determination of the results associated to behavioural changes of children. Monitoring will involve routine tracking of approaches and methods used for implementing CRP in line with procedures provided in this guideline. Evaluation will be done periodically, to examine the process and determine the effect of CRP in behavioral changes. Indicators to measure and track changes in behavior of children will be monitored. Indicators should be integrated into strategic plans of government departments and into existing information management systems such as DCMS, and DHIS2.

### 5.1 Role of National, Regional and Council Level in Monitoring

Data collection and reporting of CRP implementation is aligned with the procedures that are put in place by the National Plan of Action to End Violence Against Women and Children (NPA-VAWC). In reference to the function of national implementation oversight assigned under chapter two of this guideline, the MoHCDGEC-DSW and PO-RALG shall monitor implementation of the programme through the review of quarterly reports submitted by the regional secretariat.

The regional secretariat will receive quarterly report from Councils and will develop quarterly progress reports of the programme and submit to PORALG and MOHCDGEC-DSW.

The Council will collect and collate data submitted by the Programmes through the Programme Manager/Social Welfare Officer and co-ordinate the collection of juvenile offending statistics on monthly basis. The Council will incorporate CRP statistics to its quarterly report and forward to the Regional Secretariat.

### **5.2 Alignment to NPA-VAWC Monitoring Structures**

As indicated in this chapter, monitoring of CRP programmes is aligned to the NPA-VAWC. Hence, the Women and Children Protection Committee, shall also discuss and monitor the progress of the Programme. The Programme Co-ordinator/SWO shall attend their meetings that are chaired by the Ward Executive Officer to provide an update on the progress of the Programme.

### **5.3 Data Collection**

In collecting CRP data, referral bodies and Programme Social Worker/SWO shall prepare data as outlined below on monthly basis and submit the data to the Council Director. This data will be submitted to regional level, as described above, by the Council SWO. To collect data prescribed hereunder, Referral bodies and Programme Social Worker/SWO shall use tools and templates that are provided under **Annexure V M&E Data Collection Tools (A-D)**.

Table 2 – Description of CRP Data to be collected

Responsible Body	Type of data to be collected monthly
<p><b>Programme Social Worker / SWO</b></p>	<ul style="list-style-type: none"> <li>● Number of children referred to the Programme – total and by age, sex, offence and referring body</li> <li>● Type of case referred – total and by age, sex, offence and referring body</li> <li>● Number of children accepted to the Programme - total and by age, sex, offence and referring body</li> <li>● Number of case files failing to meet referral criteria – total and per reason for failure</li> <li>● Number of cases referred back to the referring body and reasons for referral back</li> <li>● Number of cases referred back to the referring body for failing to attend the programme</li> <li>● Number of children graduating from the programme</li> <li>● Re-offending rates of children who are taking part or have taken part in the Programme. Children who have been on the Programme shall be monitored for two years.</li> <li>● Cases transferred to another council</li> <li>● Children attending schools or vocational training</li> </ul>
<p><b>Police</b></p>	<ul style="list-style-type: none"> <li>● Number of referred cases</li> <li>● Type of offence</li> <li>● Number rejected cases at the programme</li> <li>● Re-offending cases of children who are taking part or have taken part in the Programme</li> </ul>
<p><b>The Juvenile Court</b></p>	<ul style="list-style-type: none"> <li>● Number of cases appearing before the Juvenile Court –offence</li> <li>● Sentence imposed by type (highlighting alternatives imposed)</li> <li>● Number of cases referred to the Programme – and by offence</li> </ul>
<p><b>The District Court/ Resident Magistrates Court</b></p>	<ul style="list-style-type: none"> <li>● Number of children appearing before the Court –offence</li> <li>● Sentence imposed by type</li> <li>● Number of cases referred to the Programme – and by offence</li> </ul>

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# ANNEXURES

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## **ANNEXURE I: MEMORANDUM OF UNDERSTANDING (MOU) STANDARD TEMPLATE**

### **MEMORANDUM OF UNDERSTANDING FOR THE PROVISION OF REHABILITATION SERVICES BETWEEN THE GOVERNMENT AND IMPLEMENTING BODY**

Use of this Memorandum of Understanding (MoU)

This MoU is intended for use when a Local Government Authority (LGA) wants to provide rehabilitation services to children in conflict with the law and does not have its own facility to provide rehabilitation services. This MoU is mainly intended to be used to expand the availability and access to rehabilitation services.

#### **Objectives of the MoU**

1. To increase availability and accessibility of quality community rehabilitation services
2. To agree with Implementation Body to deliver rehabilitation services on behalf of the Government (LGAs)
3. To ensure that Community Rehabilitation services are continuously available for children in conflict with the law and those at risk of offending in their respective LGAs
4. To strengthen Collaboration and Partnership between Government and Implementing Body through PPP.

#### **Benefits of this MoU**

1. The MoU will allow LGA to monitor the rational use of funds to ensure value for money.
2. The Implementing Body will access additional resources for the provision of services in their centre when available.
3. The MoU will strengthen the partnership between the LGA and the Implementing Body.

**MEMORANDUM OF UNDERSTANDING FOR  
THE PROVISION OF REHABILITATION SERVICES  
BETWEEN THE GOVERNMENT AND THE IMPLEMENTING BODY**

This MoU is made this..... day of .....20.....

**BETWEEN**

the Government of the United Republic of Tanzania through the Regional Administrative Secretary /District/ Town /Municipal/ City Council of.....  
P. O.Box.....(hereinafter referred to as “the Government”) of the one part

**AND**

..... [insert name of the owner of rehabilitation facility] of.....P.O.Box.....

(hereinafter referred to as the “**IMPLEMENTING BODY**” of the other part)

**WHEREAS** the Government is desirous of working in partnership with the **Implementing Body** to deliver cost effective and quality rehabilitation services to its children.

**AND WHEREAS** the **Implementing Body** is ready and capable to deliver cost effective and quality rehabilitation services to the intended target group in accordance with existing guidelines and other legal instruments that may be issued by the Government from time to time.

**NOW THEREFORE THE PARTIES HAVE AGREED AS FOLLOWS:**

**Article 1: APPLICATION**

This MoU shall be valid and applicable to and in respect of the rehabilitation services to be provided as basing on the National CRP Costing (Cost-effectiveness Analysis of Community-based Rehabilitation). Other services, outside of those listed in the Costing can be included in this MoU provided that both parties agree to their inclusion in writing.

## Article 2: DEFINITION OF TERMS

In this MoU, unless the context otherwise requires:

**“Accreditation”** means action of accepting centres that meet standards of quality set forth by an accrediting agency.

**“Government”** means Local Government Authorities

**“Rehabilitation facilities”** means community centres, homes, and any other facility related to the provision of rehabilitation services for children.

**“Implementation Body”** means a qualified and permitted person, firm, company or organisation, approved to provide rehabilitation services

**“Memorandum of Understanding”** An agreement stating clearly the responsibilities of the parties, the range of services to be provided, time span, the performance standards to be achieved, procedures for performance monitoring, terms of payment and costs, quality, arbitration and exemptions.

**“Partnership”** means the formal relationship between two or more parties who have agreed to work together towards attainment of a common goal

**“Public”** means belonging to Central Government or Local Government Authority or funded by the Government.

**“Public funds”** means funds that are from government sources or from the general public and are managed through public financial management systems

**“Private Sector”** means not belonging to or run by either central or local government and it is part of the national economy that is not under direct state control

## Article 3: PERIOD

### 3.1 Effectiveness of the MoU

This MoU shall come into effect on the.....day of .....20.....and shall be in force until the..... day of .....20..... .

### 3.2 Expiry of the MoU

Unless terminated earlier pursuant to Article 10, this MoU shall expire on the .....day of .....20.....

### 3.3 The parties may extend the MoU period to such further period to be agreed in writing.

#### **Article 4: DUTIES AND OBLIGATIONS OF THE GOVERNMENT**

The Government shall be responsible to:-

- a) Provide to the Implementation Body with all relevant policies, legislations and their regulations, guidelines, circulars and other necessary documents for the implementation of this MoU.
- b) Recruit or appoint or allocate, retain, motivate and supervise Social Welfare officers for the provision of quality rehabilitation services provided at the centre/ institution depending on the available resources.
- c) Approve centre annual plan and budget of the Implementation Body relating to the agreed services to be provided under the MoU.
- d) Disburse funds to the Implementation Body as based on agreed plans and budget. Prior to entering into MoU with the Implementation Bodies, Government needs to ensure that the centre meets the required standards as stipulated into the CRP guideline 2012.
- e) Conduct regular joint supportive supervision of the Implementation Body, including coaching and mentoring of Social workers and supporting staff.
- f) Ensure adherence by Implementation Body to adapt government procedures relating to financial management duties, including procedures relating to internal financial control, budgeting, and transparent, accountability and reporting.

#### **Article 5: DUTIES AND OBLIGATIONS OF THE IMPLEMENTING BODY**

The Implementing Body shall be responsible to:-

- a) Adhere to and implement National Policies, legislation and their regulations and relevant guidelines.
- b) Mobilize resources from within and outside the Country.
- c) Deliver agreed rehabilitation services.
- d) Observe and adhere to children's rights and protection in accordance with International, Regional and National Instruments.
- e) Maintain confidentiality of children records and information at all times.
- f) Obtain prior Government approval for any CRP related extension or improvement of the centre and its related services which will entail additional resources from internal or external sources.
- g) Prepare, keep, maintain and submit for audits books of accounts, financial reports, management and other related records.

- h) Participate in regular joint centre supportive supervision, coaching and mentoring of Social workers and other staff at the centre.
- i) Prepare and submit quarterly, annual and any other report to respective LGA's.

#### **Article 6: WARRANT**

- 6.1 That the Parties warrants to execute and perform this MoU with due diligence, utmost good faith and in accordance with the existing laws and in the manner conducive to achieve the intended objectives, duties and obligations.
- 6.2 That the Parties warrants to provide optimum cooperation for joint coaching and mentoring and at all times the Implementing Body shall submit to the Government the required information as per MoU.

#### **Article 7: MANAGEMENT OF THE MOU**

The Parties agree that for effective execution of this MoU and for ensuring that resources are used appropriately and efficiently, the management shall follow the following principles: -

- (a) That the Government shall disburse funds or other resources based on approved annual Implementing Body plans or any other methodology to be agreed by the parties and in accordance with the existing laws.
- (b) That the Parties shall jointly monitor the progress of the MoU implementation through quarterly technical and financial progress reports.
- (c) That the Government shall indicate data required, format, frequency and mode of transmission
- (d) That the Implementing Body shall provide satisfactory audit reports quarterly, annual narrative and financial reports of previous year
- (e) That the Implementing Body shall ensure that expenditures under this MoU are in accordance to the approved plan and budget ceiling agreed with the contracting authority annually.
- (f) That the Accounting Officer of the contracting authority Government side shall be responsible to oversee the overall implementation of the MoU on behalf of the Government.
- (g) That the Accounting Officer may undertake spot checks in the rehabilitation centre at any time.
- (h) That the Parties shall hold biannual meetings comprising of Senior Executive members representing each party to review the progress of the implementation

of the MoU. Ad hoc meetings can be called when need arises.

#### **Article 8: VARIATIONS**

No variations or modification shall be made to this MoU except by mutual agreement of the parties in writing and upon such terms and conditions to be agreed by the parties.

#### **Article 9: LAWS AND REGULATIONS**

This MoU shall be governed and construed in accordance with the relevant laws and regulations of Tanzania.

#### **Article 10: TERMINATION**

10.1 Termination of this MoU shall be made by either party with reasonable cause by giving a written notice of not less than six (6) months to the other party.

10.2 Where the Implementing Body breaches any term of this MoU or fails to perform, the Government may end this MoU and the Implementing Body shall pay back any funds paid to them that remained unspent for the period of which the MoU has been terminated.

10.3 Where the Government breaches any term of this MoU or fails to perform the Implementing Body may end this MoU and the Government shall pay any debts owed to the due amount remained unpaid to the Implementation Body prior to the period of which the MoU has been terminated.

#### **Article 11: TERMS AND CONDITIONS OF PAYMENT**

Disbursement will be made to the specified account of the Implementing Body. Expenditure of the funds under this MoU will be made in compliance with the existing Public Procurement Act and Public Finance Act.

#### **Article 12: DISPUTE RESOLUTION**

12.1 In case any dispute or differences shall arise between the parties, either party shall give to the other party seven days' written notice of such dispute or differences and the parties shall resolve the dispute amicably.

12.2 If amicable dispute resolution fails, either party may resort to any other legal action in accordance with laws and regulation in force in Tanzania.

**IN WITNESS WHEREOF**, the parties have set their respective hands and seals on this day and year first above written.

***FOR THE GOVERNMENT***

SIGNED, SEALED AND DELIVERED BY:

.....  
(for and on behalf of the Government this .....day  
of..... 20..... **SIGNATURE**

**IN PRESENCE OF:**

Name:.....  
Signature.....  
Title:.....  
Postal Address:.....

**FOR THE IMPLEMENTING BODY**

SIGNED, SEALED AND DELIVERED BY:

.....  
(for and on behalf of the  
Implementation Body this .....day of..... 20... **SIGNATURE**

**IN PRESENCE OF:**

Signature: .....  
Name: .....  
Title: .....  
Postal Address: .....

**ANNEXURE II: APPOINTMENT LETTER**

President`s Office  
Regional Secretariat  
District/ Town /Municipal/ City council  
of.....  
*(All letters to be addressed to the Council Director)*  
P.O.BOX.....  
Telephone No.....  
Fax No.....  
Email:.....

**To**.....  
A Social Welfare Officer

**RE: APPOINTMENT TO SERVE FOR/BE RESPONSIBLE  
WITH CRP SERVICES**

Refer the captioned subject above.  
In accordance with paragraph..... of the Guideline, you are hereby appointed to be responsible/oversee CRP services /placed at the CRP in your working area for.....days/months/daily. Your responsibilities in relation to CRP are as provided for under paragraph.....of CRP Guideline  
Kindly be appointed and informed.

Signature:.....  
Name:.....  
Title:.....

**ANNEXURE III: RECOGNITION LETTER**

President`s Office  
Regional Secretariat  
District/ Town /Municipal/ City council  
of.....  
*(All letters to be addressed to the Council Director)*  
P.O.BOX.....  
Telephone No.....  
Fax No.....  
Email:.....

**To whom it may concern:**

**RE: RECOGNITION OF CRP IMPLEMENTING BODY  
NAMELY.....**

Refer the captioned subject above.

The Council in collaboration with the Ministry of Health, Community Development, Gender, Elderly and Children, through the Department of Social Welfare and other stakeholders implement CRP for the purpose of rehabilitating children in conflict with the law or at risk of offending behavior.

With this is letter, be informed that, the mentioned Implementing Body herein above is recognized by the Council and that, it provides CRP services in accordance with ***paragraph.....of CRP Guideline of 2018*** in my area of jurisdiction. So, kindly provide it with any required assistance for the purpose of facilitating CRP services provided that, it is in your capacity.

Kindly be informed.

Signature:.....  
Name:.....  
Title:.....

## ANNEXURE IV: CASE FILES TEMPLATES (A – Q)

- A. Steps to be taken for every child referred to the programme
- B. Referral Form
- C. Consent Forms
- D.1. Case Acceptance Form
- D.2. Non-Acceptance Form
- E. Case File Opening Form
- F. Assessment Form
- G. Parental Evaluation Form
- H. General Programme Plan for Child
- I. Monthly Individual Programme
- J. Weekly Programme Plan and Record
- K. Home Visit Notes
- L. Monitoring and Data Collection
- M. Monthly Progress Review
- N. Case Closing Evaluation Form
- O. Monthly Report to The Referring Body
- P. Final Report to The Referring Body
- Q. Follow Up Form

### **A. PLAN OF ACTION: STEPS TO BE TAKEN FOR EVERY CHILD REFERRED TO THE PROGRAMME**

1. STUDY THE CHILD'S CASE (I.E. THE MATERIALS PROVIDED BY THE REFERRING BODY).
2. MEET WITH CHILD, PARENTS AND FAMILY (INDIVIDUALLY AND AS A GROUP).
3. ASSESS AND DETERMINE THE CHILD'S NEEDS (EDUCATION, SOCIAL, EMOTIONAL, PSYCHOLOGICAL, FAMILY, LEGAL ETC.)
4. PREPARE THE CHILD'S INDIVIDUAL PROGRAMME (BEARING IN MIND THE TIMES CONVENIENT FOR THE CHILD AND HIS/HER FAMILY TO PARTICIPATE IN THE PROGRAMME).
5. PROVIDE THE CHILD WITH THE OPPORTUNITY TO CHOOSE VOCATIONAL COURSES TO BE ENROLLED ON.
6. LIAISE WITH THE CHILD'S SCHOOL AND PREPARE A PLAN FOR REINTEGRATION WHERE NECESSARY. PROVIDE (OR ARRANGE) EDUCATIONAL SUPPORT FOR THE CHILD WHERE NECESSARY.

7. ORGANIZE LEISURE ACTIVITIES FOR THE CHILD (E.G. SEMINARS, DISCUSSIONS, INDIVIDUAL AND GROUP GAMES, VARIOUS RECREATIONAL ACTIVITIES, TRIPS TO MUSEUMS AND THEATRES, ETC.).
8. PROVIDE THE CHILD WITH PSYCHOLOGICAL ASSISTANCE WHERE APPROPRIATE.
9. PROVIDE THE CHILD WITH ACCESS TO MEDICAL CARE WHERE APPROPRIATE.
10. MONITOR THE PROGRESS OF THE CHILD ON A PERIODIC BASIS, ADJUSTING THE PROGRAMME TO BEST SUIT THE NEEDS OF EACH CHILD.
11. KEEP THE CHILD'S FILE UP TO DATE.

ALL PROGRAMME STAFF SHALL ENDEAVOR TO CREATE A POSITIVE ENVIRONMENT FOR THE CHILDREN PARTICIPATING IN THE PROGRAMME, PROMOTING RESPECT AND TRUST AMONG ALL THOSE INVOLVED IN THE PROGRAMME.

## B. COMMUNITY REHABILITATION PROGRAMME

**NOTE: THIS FORM SHOULD BE TITLED ACCORDING TO REFERRING INSTITUTION**

### REFERRAL FORM

Name of Referrer: Agency and contact details: Date of Referral:	
NAME OF CHILD: DATE OF BIRTH: SEX: RELIGION: PLACE OF DOMICILE: EDUCATION: TRIBE: CURRENT ADDRESS:	
NAME AND ADDRESS OF PARENT/ GUARDIAN:	
REASON FOR REFERRAL/TYPE OF OFFENCE: RB OR CASE NUMBER:	
BACKGROUND INFORMATION (ANY PREVIOUS HISTORY OF OFFENDING):	
DOES THE CHILD MEET THE CRITERIA FOR REFERRAL TO THE PROGRAMME?	
<b>FOR PROGRAMME USE ONLY - DO NOT WRITE BELOW THE LINE</b>	
REFERRER CONTACTED AND A TIME AND PLACE FOR ASSESSMENT AGREED	

Signed by referrer .....

### C. CONSENT FORMS

CONSENT OF THE CHILD TO PARTICIPATE IN THE PROGRAMME

I \_\_\_\_\_ ADMIT MY GUILT FOR COMMITTING A CRIME/OFFENCE. I AM AWARE OF THE GOALS AND OBJECTIVES OF THE PROGRAMME, AND I CONSENT TO BE INVOLVED IN THE ACTIVITIES OF THE COMMUNITY REHABILITATION PROGRAMME.

SIGNATURE OF A CHILD: \_\_\_\_\_

DATE: \_\_\_\_\_

CERTIFIED BY:

NAME: \_\_\_\_\_

SIGNATURE OF PROGRAMME WORKER/SWO: \_\_\_\_\_

DATE: \_\_\_\_\_

CONSENT OF CHILD'S PARENTS/GUARDIAN FOR CHILD'S PARTICIPATION  
IN THE PROGRAMME

I/WE

NAME OF FATHER AND/MOTHER/GUARDIAN \_\_\_\_\_ OF  
(NAME OF CHILD) \_\_\_\_\_

ACKNOWLEDGE THAT MY/ OUR CHILD HAS COMMITTED AN OFFENCE/CRIMINAL ACT. I AM/WE ARE AWARE OF THE GOALS AND OBJECTIVES OF THE PROGRAMME, AND CONSENT TO MY/OUR CHILD'S PARTICIPATION AND FURTHER INVOLVEMENT IN THE COMMUNITY REHABILITATION PROGRAMME.

I/WE PLEDGE TO FULLY CO-OPERATE WITH THE PROGRAMME IN ORDER TO ACHIEVE THE OBJECTIVES OF THE PROGRAMME.

SIGNATURE(S) OF PARENT AND/MOTHER/GUARDIAN: \_\_\_\_\_

DATE: \_\_\_\_\_

CERTIFIED BY (PROGRAMME WORKER):

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

DATE: \_\_\_\_\_

## D1. CASE ACCEPTANCE FORM

ACCEPTANCE OF CASE ON THE COMMUNITY REHABILITATION PROGRAMME

THIS IS TO CONFIRM THAT THE PROGRAMME ACCEPTS THE REFERRAL/ALTERNATIVE SENTENCE OF \_\_\_\_\_ (NAME OF CHILD) FROM \_\_\_\_\_ (NAME OF REFERRING BODY).

THE PROGRAMME WILL SUBMIT MONTHLY PROGRESS REPORTS TO THE REFERRING BODY ON THE \_\_\_\_\_ (DATE) OF EACH MONTH THAT THE CHILD IS PARTICIPATING IN THE PROGRAMME.

A FINAL REPORT ON THE PROGRESS OF THE CHILD WILL BE SUBMITTED ON HIS/HER GRADUATION FROM THE PROGRAMME.

SIGNED BY (PROGRAMME WORKER/SWO):

DATE:

## D2. CASE NON-ACCEPTANCE FORM

NON-ACCEPTANCE OF CASE ON THE COMMUNITY REHABILITATION PROGRAMME

THIS IS TO CONFIRM THAT THE PROGRAMME HAS NOT ACCEPTED THE REFERRAL OF \_\_\_\_\_ (NAME OF CHILD) FROM \_\_\_\_\_ (NAME OF REFERRING BODY).

THE REASONS FOR NON-ACCEPTANCE ARE:

<b>E. CASE FILE OPENING FORM</b>	
<b>NAME OF CHILD (THREE NAMES)</b>	
<b>NAME OF PROGRAMME WORKER</b>	

SIGNED BY (PROGRAMME WORKER/SWO):

DATE:

**NB:** If you wish to discuss this further please do not hesitate to contact the Programme Manager at .....

## CASE ACCEPTANCE FORM

PERSONAL DETAILS	
1. REFERRING BODY	
2. DATE OF REFERRAL/ALTERNATIVE SENTENCE TO THE PROGRAMME	
3. FOR WHICH CRIME, OFFENCE OR BEHAVIOUR HAS THE CHILD BEEN REFERRED TO THE PROGRAMME (THEFT, ADMINISTRATIVE OFFENCES ETC.)	
4. IDENTIFICATION DOCUMENTS	
5. PLACE AND DATE OF BIRTH	
6. ADDRESS	
7. INFORMATION ABOUT PARENTS AND RELATIVES	
8. RELIGIOUS AND ETHNIC ORIGINS OF THE CHILD	
9. CHILD'S NATIVE LANGUAGE	
10. SCHOOL AND GRADE	
11. OCCUPATION (WHERE RELEVANT)	

*TO BE COMPLETED WITH THE CHILD*

ADDITIONAL INFORMATION (ASK THE CHILD TO COMMENT ON THE FOLLOWING ISSUES/QUESTIONS)
1. WHAT ARE YOUR CURRENT INTERESTS/PROBLEMS/DIFFICULTIES?
2. WHO ARE YOUR FRIENDS? WHAT ENVIRONMENT DO YOU SPEND YOUR TIME IN?
3. WHERE DO YOU LIKE SPENDING TIME?
4. WHO IS YOUR IDEAL PERSON (HERO)?
5. WHAT BOTHERS YOU AND WHY?
6. WHAT ARE YOUR DREAMS AND ASPIRATIONS FOR THE FUTURE?
7. WHAT WOULD YOU LIKE TO CHANGE IN YOUR LIFE?
8. WHAT DO YOU EXPECT OR HOPE THAT THE PROGRAMME WILL BE ABLE TO HELP YOU WITH?
9. ACTIVITIES THAT YOU WOULD LIKE TO TAKE PART IN (COURSES, SEMINARS, TRIPS ETC.):
10. ANY OTHER COMMENTS:
DATE OF COMPLETION:
SIGNED BY
PROGRAMME WORKER/SWO: _____
NAME OF A CHILD: _____

## F. ASSESSMENT FORM

NAME OF CHILD	
NAME OF PROGRAMME WORKER/SWO	
1. HOME LIFE (COMMENT ON THE SITUATION FOR THE CHILD WITHIN THE HOME AND THE FAMILY):	
2. RELATIONSHIP WITH EXTENDED FAMILY AND FRIENDS	
3. ASSESSMENT OF THE REASONS FOR THE CHILD COMMITTING THE CRIMINAL OFFENCE/ACT SOCIAL: PSYCHOLOGICAL:  OTHER:	
4. MEDICAL OR PSYCHOLOGICAL PROBLEMS AND NEEDS:	
5. EDUCATIONAL PROBLEMS AND NEEDS:	
PROGRAMME WORKER'S OPINION:  IMMEDIATE ACTION:	
OTHER RELEVANT INFORMATION	
7. IS S/HE REGISTERED IN ANY CHILDREN AND YOUTH SERVICES? NEEDS: COMMITTING THE CRIMINAL OFFENCE/ACT	
8. HAS S/HE SPENT PERIODS AWAY FROM HOME? HOW LONG WAS S/HE LIVING ON STREETS?	
9. HAS S/HE EVER USED DRUGS? (WHICH, FOR HOW LONG, HOW FREQUENTLY)	
DATE OF QUESTIONNAIRE COMPLETION:  SIGNED BY:  PROGRAMME WORKER/SWO: _____	

## G. PARENTAL ASSESSMENT FORM

- THIS FORM SHOULD BE FILLED IN BY THE PARENTS/GUARDIANS AT THE BEGINNING OF THE CHILD’S PROGRAMME. THIS FORM WILL ALSO HELP THE PROGRAMME WORKER IDENTIFY THE AREAS WHICH NEED TO BE WORKED ON WITH THE CHILD.
- A SECOND FORM SHOULD BE FILLED IN BY THE PARENTS/GUARDIANS AT THE END OF THE CHILD’S PROGRAMME.
- IN THIS WAY, THE IMPACT THAT THE PROGRAMME HAS HAD ON THE CHILD CAN BE EVALUATED.

ASK PARENTS/GUARDIANS TO FILL OUT THE FOLLOWING FORM, INDICATING THE SEVERITY OF EACH OF THE FOLLOWING PROBLEMS FOR THE CHILD IN THE VIEW OF THE FAMILY ON A SCALE OF 1-10, WHERE:

1= THE ISSUE IS NOT A PROBLEM AT ALL; 10=THE ISSUE IS A BIG PROBLEM

BEHAVIOURS	NO PROBLEM ----- BIG PROBLEM									
Stealing	1	2	3	4	5	6	7	8	9	10
Lying	1	2	3	4	5	6	7	8	9	10
Violence	1	2	3	4	5	6	7	8	9	10
Arguing	1	2	3	4	5	6	7	8	9	10
Discipline	1	2	3	4	5	6	7	8	9	10
Staying out late	1	2	3	4	5	6	7	8	9	10
No self-control	1	2	3	4	5	6	7	8	9	10
Not helping in family	1	2	3	4	5	6	7	8	9	10
Family conflicts	1	2	3	4	5	6	7	8	9	10
Refusing to go to school	1	2	3	4	5	6	7	8	9	10
Personal hygiene	1	2	3	4	5	6	7	8	9	10
Swearing	1	2	3	4	5	6	7	8	9	10
	1	2	3	4	5	6	7	8	9	10
	1	2	3	4	5	6	7	8	9	10

AT THE CONCLUSION OF THE CHILD----- ASK THE PARENTS/LEGAL GUARDIANS/ CARE GIVER TO ANSWER THE FOLLOWING ADDITIONAL QUESTIONS:

DO YOU THINK YOUR CHILD HAS CHANGED POSITIVELY, AFTER PARTICIPATING IN THE PROGRAMME?

WHAT DO YOU THINK THE PROGRAMME COULD DO TO IMPROVE THE WAY IN WHICH IT WORKS?

CHILD'S OPINIONS

WE REALLY APPRECIATE YOUR IDEAS.

PROGRAMME WORKERS'/SWO'S OPINIONS

## H. GENERAL CARE PLAN

NAME OF CHILD:

DATE OF REFERRAL:

NAME OF NAME OF PROGRAMME WORKER/SWO:

REVIEW DATE:

GOALS: 1.  
2.  
3.

OBJECTIVES	ACTIONS	RESPONSIBILITY	TIMELINE
1.1			
1.2			
2.1			
2.2			
3.1			
3.2			

DATE OF DEVELOPING PLAN:

NAME OF PROGRAMME WORKER/SWO:

NAME OF CHILD:

NAME OF PARENT/CAREGIVERS:

## I. MONTHLY INDIVIDUAL PROGRAMME PLAN

(TO BE FILLED IN WITH THE CHILD. ONE COPY SHOULD BE PROVIDED TO THE CHILD/PARENTS AND ONE COPY SHOULD BE KEPT ON FILE). THIS FORM CAN ALSO BE USED AT THE BEGINNING OF THE PROGRAMME TO DEVELOP THE OVERALL PLAN FOR THE CHILD.

NAME:		NO. OF MONTHLY PLAN
PARENTS/CAREGIVERS' INFORMATION AND CONTACT DETAILS:		
DATE OF MEETING		
DATE OF WRITING REPORT		
NAME OF PROGRAMME WORKER/SWO		
MAIN GOALS OVER THE NEXT MONTH		
GOALS	HOW WILL WE ACHIEVE THE GOAL?	WHO WILL IMPLEMENT THE ACTIVITY?
ACTIVITIES (COURSES, SEMINARS, TRIPS, WORK EXPERIENCE ETC.)		
GOALS FOR THE FUTURE:		
DATE OF NEXT MONTHLY PLANNING SESSION		

SIGNED BY:

NAME OF PROGRAMME WORKER/SWO: \_\_\_\_\_

NAME OF CHILD: \_\_\_\_\_

NAME OF PARENT/LEGAL GUARDIAN; \_\_\_\_\_

## J. WEEKLY PROGRAMME PLAN AND RECORD

ONE COPY SHOULD BE PROVIDED TO THE CHILD, SO THAT THEY KNOW THEIR SCHEDULE FOR THE WEEK, AND ONE COPY SHOULD BE KEPT ON THE

AT THE END OF THE WEEK, THE PROGRAMME WORKER MUST INDICATE WHETHER THE CHILD ATTENDED EACH ACTIVITY AND RECORD ANY COMMENTS, DIFFICULTIES, PROGRESS ETC., IN THE “COMMENTS OF THE PROGRAMME WORKER” COLUMN. THE PROGRAMME WORKER SHOULD ALSO INCLUDE INFORMATION ON MEETINGS HE/SHE HAS HAD WITH THE CHILD’S FAMILY AND SCHOOL AND ON ANY RELEVANT WORK THAT THE CASE WORKER HAS PERFORMED ON THE CASE.

NAME OF CHILD: \_\_\_\_\_

NAME OF THE PROGRAMME WORKER/SWO: \_\_\_\_\_

DATE OF DEVELOPING PLAN: \_\_\_\_\_

DATE	TIME	ACTIVITY	ATTENDED√	COMMENTS OF PROGRAMME WORKER

SIGNED BY: CHILD’S FILE.

PROGRAMME WORKER: \_\_\_\_\_

DATE: OF DEVELOPING PLAN \_\_\_\_\_

## K. CASE NOTES

NAME OF CHILD:

DATE OF VISIT/COMMUNICATION:

PURPOSE OF HOME VISIT/COMMUNICATION:

INFORMATION COLLECTED AT HOME VISIT/COMMUNICATION

PROGRAMME WORKER'S/SWO'S OPINIONS

IMMEDIATE ACTION

FUTURE ACTION

NAME OF PROGRAMME WORKER/SWO \_\_\_\_\_

SIGNATURE \_\_\_\_\_

## L. MONITORING AND INFORMATION COLLECTION

OBJECTIVE	KEY PERFORMANCE INDICATOR	INFORMATION TO BE COLLECTED	FROM WHOM	WHEN
1.1				

NAME OF THE PROGRAMME WORKER/SWO \_\_\_\_\_

SIGNATURE \_\_\_\_\_

## M. MONTHLY PROGRESS REVIEW

*(TO BE FILLED IN WITH THE CHILD)*

NAME OF CHILD:		NO. OF MONTHLY REVIEW
CONTACT DETAILS:		
DATE OF MEETING		
NAME OF PROGRAMME WORKER		
PROGRESS REVIEW		
ACTIVITIES THE CHILD HAS PARTICIPATED IN DURING THE LAST MONTH (COURSES, SEMINARS, TRIPS, AND WORK EXPERIENCE ETC.):		
WHAT WERE THE GOALS OF THE LAST MONTH?	WHAT HAS BEEN ACHIEVED? WHAT WORKED? WHY?	WHAT HAS NOT BEEN ACHIEVED? WHAT HAS NOT WORKED? WHY NOT?
DID YOU EXPERIENCE ANY DIFFICULTIES IN ACHIEVING THE GOALS? Yes/ No		
DETAILS:		
HAVE YOU COMMITTED AN OFFENCE DURING THE LAST MONTH? Yes/ No		
DETAILS:		
DO YOU FEEL THAT YOU HAVE PROGRESSED IN ACHIEVING YOUR OVERALL GOALS? Yes/ No		
DETAILS:		
COMMENTS (INCLUDING AN EVALUATION OF YOUR CURRENT SITUATION AND ANY ADDITIONAL ASSISTANCE THAT YOU THINK THAT YOU NEED)		
DATE OF NEXT MONTHLY REVIEW SESSION		

SIGNATURE:

NAME OF PROGRAMME WORKER/SWO: \_\_\_\_\_

NAME OF A CHILD: \_\_\_\_\_

NAME OF PARENT/GUARDIAN: \_\_\_\_\_

## N. REPORTS TO THE REFERRING BODY

NAME OF CHILD	NO. OF MONTHLY REVIEW
DATE OF REFERRAL TO THE PROGRAMME	
REFERRING BODY	
PROGRESS REVIEW	
ACTIVITIES (COURSES, EDUCATIONAL ASSISTANCE, MEETINGS WITH THE CHILD, MEETINGS WITH THE FAMILY, MEETING WITH THE PSYCHOLOGIST, MEDICAL ASSISTANCE ETC.)	
PROGRESS (COMMENT ON THE PROGRESS OF THE CHILD ON THE PROGRAMME)	
OBSTACLES AND DIFFICULTIES (INCLUDING NON-ATTENDANCE)	
DATE OF NEXT REPORT	

SIGNATURE:

NAME OF PROGRAMME CO-ORDINATOR: \_\_\_\_\_

DATE: \_\_\_\_\_

## O. CASE CLOSING ASSESSMENT FORM

TO BE COMPLETED WITH THE CHILD. ONE COPY SHOULD BE PROVIDED TO THE CHILD AND ONE SHOULD BE KEPT IN THE FILE.

NAME OF CHILD	
NAME OF PROGRAMME WORKER	
PROGRAMME REVIEW	
WHAT DO YOU FEEL HAVE BEEN YOUR MAJOR ACHIEVEMENTS SINCE STARTING THE PROGRAMME?	
HAVE YOU WITNESSED ANY POSITIVE CHANGES IN YOUR LIFE? (FOR EXAMPLE, OVERALL IMPROVEMENT IN EDUCATION, DOMESTIC RELATIONSHIPS OR OVERALL COMMUNICATION WITH PEOPLE) YES/ NO	
DETAILS:	

WHAT WAS THE BEST THING(S) ABOUT THE PROGRAMME?
WHAT DID YOU LIKE LEAST ABOUT THE PROGRAMME?
ANY OTHER COMMENTS (E.G. HOW DO YOU THINK THAT WE COULD IMPROVE THE PROGRAMME?)

NAME OF PROGRAMME WORKER: \_\_\_\_\_

NAME OF A CHILD: \_\_\_\_\_

NAME OF PARENT/GUARDIAN: \_\_\_\_\_

DATE: \_\_\_\_\_

<b>P. FINAL REPORT TO THE REFERRING BODY</b>	<b>FINAL REPORT</b>
NAME OF CHILD	
DATE OF REFFERAL TO THE PROGRAMME	
HAW LONG HAS THE YOUNG CHILD PARTICIPATED IN THE PROGRAMME	
REFFERING BODY	
<b>EVALUATION</b>	
SUMMARY OF ACTIVITIES THAT THE CHILD HAS TAKEN PART IN:	
IMPACT OF THE PROGRAMME ON THE CHILD (PLEASE COMMENT ON BEHAVIOUR, SOCIAL INTERACTION, FAMILY RELATIONSHIP, EDUCATIONAL DEVELOPMENT ETC.):	
DO YOU THINK THE CHILD WILL REOFFEND? (PLEASE GIVE YOUR REASONS)	

SIGNATURE:

NAME OF PROGRAMME WORKER/SWO: \_\_\_\_\_

DATE OF WRITING FINAL REPORT: \_\_\_\_\_

<b>Q. FOLLOW UP FORM</b>	
Name of the child	
Referring body	
Type of offence	
Date of admission to the programme	
Date of completion	
Parents' /caregivers' information and contacts	
Dates of home visits/communications	
<i>To be filled soon as possible after home visit/communication by the programme workers</i>	
1. Monitor progress of child's behaviors after the programme	
2. Monitor progress of a child at school/vocation training centre and its development	
3. Monitor if Parents/ caregivers are responsible to their child after the programme	
4. Final conclusion/recommendation on the child progress	
Date of the next visit/communication	

Date; \_\_\_\_\_

Signed by; \_\_\_\_\_

Name of the Programme worker \_\_\_\_\_

**Annexure V: M&E Data Collection Tools (A-D)**

**A – CRP Reporting Tool for Social Welfare Officer**

Duration	Referral body	No. of referrals		Type of offence	No. of admitted cases		No. of rejected cases		No. of graduates		No. of children Failed to graduate		No. of children re-offended		Currently attending CRP		No. of cases transferred		Number of children in school/vocational training				
		M	F		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	TOTAL	TOTAL	
	Social welfare officer	AGE RANGE			M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	TOTAL	TOTAL	
		10-12																					
		13- Below18																					

**B – CRP Reporting Tool for Police**

Duration	Referral body	No. of referrals		Type of offence	No. of admitted cases		No. of rejected cases		No. of graduates		No. of children Failed to graduate		No. of children re-offended		Currently attending CRP		No. of cases transferred		Number of children in school/vocational training				
		M	F		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	TOTAL	TOTAL	
	Social welfare officer	AGE RANGE			M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	TOTAL	TOTAL	
		10-12																					
		13- Below18																					

**C – CRP Reporting Tool for Juvenile Court**

Duration	Referral body	No. of cases appearing before the court			No. of cases (by offence) referred to the programme		Sentencing imposed		Number of children in school/vocational training														
		AGE RANGE	M	F	TOTAL	M	F	TOTAL	M	F	TOTAL												
	Juvenile court	10-12																					
		13- BELOW 18																					

**D – Reporting Tool for District and Residents Magistrate Court**

Duration	Referral body	No. of children appearing before the court				No. of cases (by offence) referred to the programme			Sentencing imposed			Number of children in school/vocational training			
		AGE RANGE	M	F	TOTAL	TYPE OF OFFENCE	M	F	TOTAL	M	F	TOTAL	M	F	TOTAL
	District court	10-12													
		13- BELOW 18													
	Residents' Magistrate court	10-12													
		13- BELOW 18													



