



Republika e Kosovës
Republika Kosova-Republic of Kosovo
Qeveria -Vlada-Government

Zyra e Kryeministrit-Ured Premijera-Office of the Prime Minister

Zyra për Qeverisje të Mirë/Kancelarija za Dobro Upravljanje/Office on Good Governance

Justice for Children Indicators

Prishtina
2013



Republika e Kosovës
Republika Kosova - Republic of Kosovo
Qeveria -Vlada-Government

Nr. 06/129
Date: 08.05.2013

Pursuant to article 93 paragraph 4 and 93 paragraph (4) of the Constitution of Republic of Kosovo, based on the article 4 of the regulation nr. 02/2011 for areas of administrative responsibilities of the Office of Prime Minister and Ministries amended by the Regulation nr. 07/2011 and the article 19 of the Regulation of Rules and Procedure of the Government of the Republic of Kosovo nr. 09/2011, the Government of Republic of Kosovo, in the meeting held on 08 may 2013 has taken a:

D E C I S I O N

For amendment of the Decision nr. 05/117 of the date of 27 February 2013

1. The Decision of the Government nr. 05/117 of the date 27 February 2013 is amended, second point of the decision is replaced with the following text: "Mandated responsible institutions that are involved in this process are obliged for implementation, corporation and provision of support within legal competencies, in case when it is required by the Council / OGG-OPM for fulfillment of the obligations arising from "Justice for Children Indicators " .
2. The Decision enters into force on the signing date.

Hashim THAÇI

Prime Minister of Kosovo

Sent to:

- Deputy Prime Ministers
- All institutions (ministries)
- General Secretariat of OPM
- The Government archive



Republika e Kosovës
Republika Kosova - Republic of Kosovo
Qeveria - Vlada - Government

Nr. 05/117
Date: 27.02.2013

Pursuant to article 93 paragraph 4 and 93 paragraph (4) of the Constitution of Republic of Kosovo, based on the article 4 of the regulation nr. 02/2011 for areas of administrative responsibilities of the Office of Prime Minister and Ministries amended by the Regulation nr. 07/2011 and the article 19 of the Regulation of Rules and Procedure of the Government of the Republic of Kosovo nr. 09/2011, the Government of Republic of Kosovo, in the meeting held on 27 February 2013 has taken a:

DECISION

1. Approve "Justice for Children Indicators".
2. Prime Minister Office and other competent institutions are obliged to implement indicators from point 1 of this decision.
3. The Decision enters into force on the signing date.

Hashim THAÇI

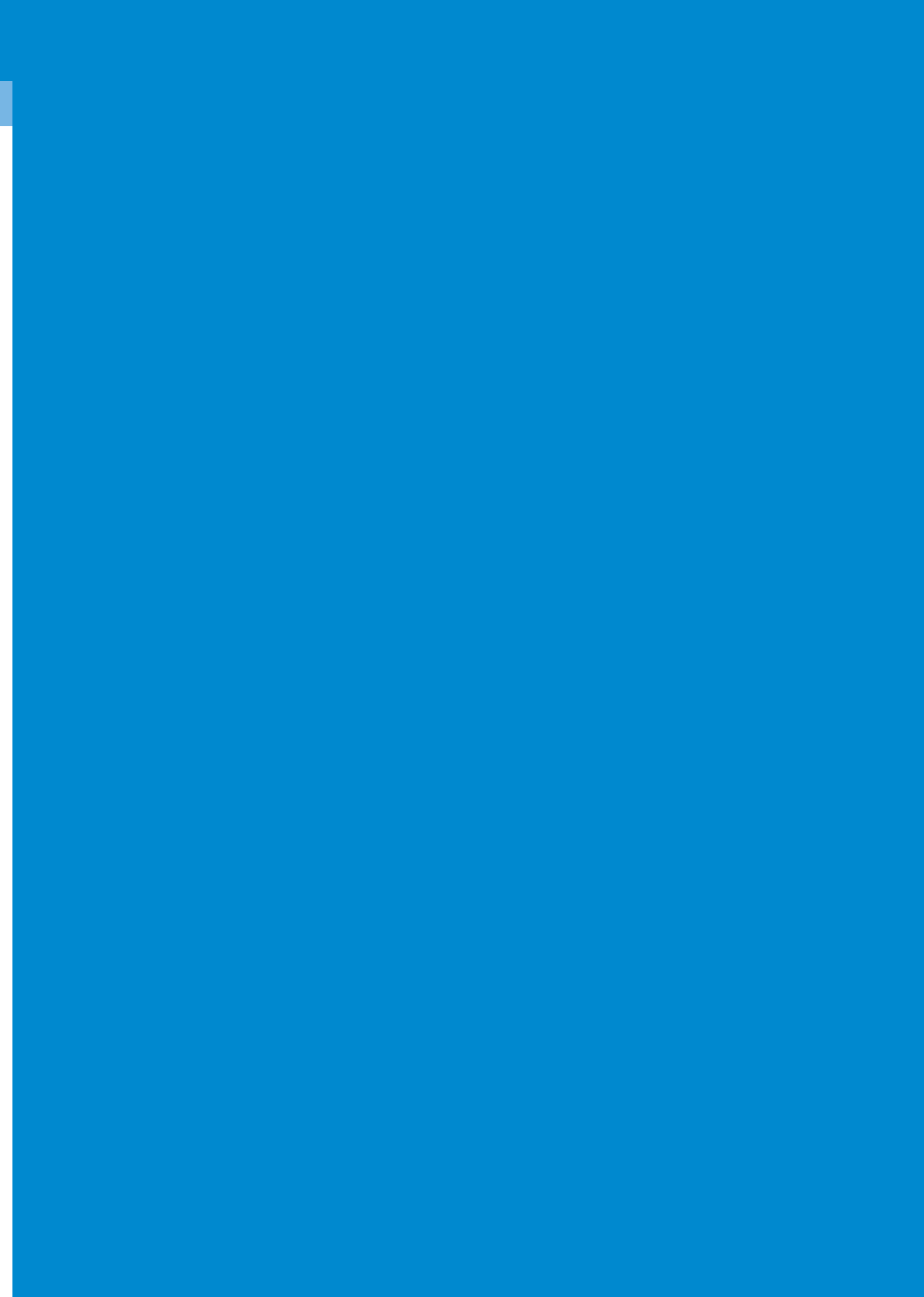
Prime Minister of Kosovo

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List of acronyms

KSA	Kosovo Statistics Agency
AIDS	Syndrome of Obtained Immunodeficiency
HIV	Human Immunodeficiency Virus
CRC	Convention of the Rights of the Child
KJC	Kosovo Judicial Council
KPC	Kosovo Prosecutorial Council
NGO	Non Governmental Organisation
KP	Kosovo Police
CSW	Centre for Social Work
KCS	Kosovo Correctional Service
KPS	Kosovo Probation Service
UNICEF	United Nations Children's Fund
OGG	Office for Good Governance

1. INTRODUCTION

“Indicator is a measure that helps to respond to the question of how much, or if progress has been achieved against a certain objective”.

Global Context Situation

Global number of children¹ deprived from liberty as a result of conflict with the law has been estimated to be not less than a million. These children may face the authorities for law enforcement for a wide range of reasons. Committing a criminal offence, including political acts and specific violations are a reason for children to be in conflict with the law. However, more than this, children can be deprived from liberty if they are seen to be “at risk of criminality” or in an “irregular situation”. They may even end up in detention as a result of action by the law enforcement authorities in an improper or arbitrary manner. Main social reasons that lead children to conflict with the law include poverty, separated families, domestic violence, lack of opportunities for education and employment, emigration, abusing with drugs or narcotic substances, pressure from the peers, lack of parents’ guiding, violence, abusing and exploitation.

In order to respond to the needs of the children in conflict with the law, governmental systems differ in name and approach based on the circumstances of the area. Children can be dealt with through the formal justice or judicial systems, from the social protection system, or for minor offences by an administrative system. Such systems may function within the system of criminal justice for adults or may mainly act outside from the judicial system through committees, commissions or administrative panels. In all cases when the system includes a degree of specialisation for children, either when the system is based on courts, system

of social protection, or the administrative system, that is frequently known as a juvenile justice system.

“Juvenile justice system” is every time used to refer to the laws, policies, guidelines, common norms, systems, professionals, institutions and applicable treatment specifically for the children in conflict with the law.

In countries where there is no specialisation grade for children justice, the children in conflict with the law are significantly treated in the same manner like the adults. Both justice systems for adults and children justice systems may often use depriving from liberty as an opportunity for the main punishment. Both systems may fail at considering the needs, higher interest of a child for getting treatment for the essential causes for the conflict with the law.

Indeed, in countries where “special procedures” are in place for the children in conflict with the law, an effective justice system for the children requires assessment of various needs children have, in order for the children in conflict with the law to refer to suitable services and to offer them care and help for reintegration in the community. Moreover, a juvenile justice system must operate in an environment that is ‘children friendly’, using a suitable language and potentially using the minimum physical restrictions. Upon making contact with a non-reacting judicial system toward children’s needs, the children deprived from liberty are at a higher risk from abuse, violence, exploitation and health concerns including injuries and HIV/AIDS infection. They are also at risk of getting isolated further on by the

1 Global number of children

society, especially in cases when social protection, education and reintegration of a child are not an integral part of the formal justice system.

Situation of the children in conflict with the law is unique, in regard to the number of international applied standards. These standards have led and continue to do so as actions of governments and

also the work of active organisations in the field of justice for children, including also those members of the coordination panel between the agencies for children rights. Reduction of application of depriving from liberty through promotion of alternative programs, restorative justice and other alternatives is a frequent goal of panel members amongst the agencies.

Development of indicators and their importance

The need to develop the global and unique indicators for the children in conflict with the law and justice for children has been often raised as an urgent need. Luckily following some working years, this need has become a reality under the professional care of UNICEF and UNODC, and such a professional work has resulted into drafting and finalisation of 15 global indicators.

These indicators are going to facilitate the work for the states to compare the progress in a better protection for the children in conflict with the law and better administration of the justice system. The data that shall come out from measuring these indicators are going to create quite a good base for the dialogue in the local, national and international level. Measuring would help to make obvious and touchable the issues that are related to the children in conflict with the law, and furthermore would help the progress in direction of improving the protection, in order to make them in compliance with international standards.

Most probably the indicators are going to be used by the Committee for Children Rights as a guideline for development of the state report regarding implementation of the Convention of the Rights of a Child and reporting before the bodies of UNO bodies. They are also thought to serve as support for the monitoring process of implementation of Juvenile Justice Code, relevant articles of the Convention of the Rights of a Child from the states party of this convention and other standards from the justice for juveniles, with particular emphasis to United Nations Guideline for Juvenile Delinquency Prevention (Riad Guideline), Minimum Standard Rules of United Nations for Juvenile Justice Administration (Beijing Rules) and United Nations Rules for Protection of Liberty Deprived Juveniles.

These indicators are also expected to be beneficial for monitoring and improvement of the justice system in country level. This immensely helps increase of the responsibility in case of violating rights of the children in conflict with the law. Indicators are also very useful for raising the awareness and advocacy in the country, regional and global level. By all means the indicators play quite an important role in researches, publication of issues related to children rights and children justice.

Children justice indicators provide a framework for measuring and presentation of the specific information related with the situation of the children in conflict with the law. This information is related to quantity values – as such as the number of children detained on a particular registration date – in the same way also with the existence of respective policies. Indicators have not been drafted to ensure full information in all possible aspects for the children in conflict with the law in a given country. In contrary, those representing one group of basic data and comparative mean providing a starting point for policy evaluation and development.

The need for indicators and their aim

When officials of the governments and institutions constituting the juvenile justice system do not have information related to functioning of the system or for the children in contact with it, violence, abusing and exploitation can occur without being punished, and the experience of a child is not probable to be in the highest of his/her interest.

A child may spend a long period of time deprived from liberty or may be sentenced with a measure that is unsuitable to assure his or her welfare. A delay in the child case at court may not be noticed for months or even years. Officials of the government may face difficulties when assessing the influence of the new policies or guidelines of juvenile justice. Saying it short, a failure to carefully register and to strategically use the respective information of the juvenile justice contributes to failure to assure protection of a child from conflict with the law.

The aim of this document is to present the juvenile justice indicators, to clarify their reasonability and benefit. It explains the manner of how measuring of indicators can contribute to failure to assure protection of a child from conflict with the law by actions in local and central level. It provides guidance, strategy and practical means for collection of information, systemising the information and calculation of indicators.

An **indicator** provides a common manner to measure and present the information indicating whether standards have been met and complied with.

Benefit from the juvenile justice indicators exists in a range of levels, as listed below:

- **A global definition of "basic conditions"**
First of all the indicators provide a clear global definition of the information on "basic conditions", that every country must be able to produce. Availability of credible and sustainable information within and among countries is essential for planning and monitoring of policies and programs, national and global avocation, and to guarantee focusing of various stakeholders that are involved. Use of standard indicators allows comparison of the situation on different countries.
- **Inclusion of local stakeholders.** A national process of collection of information on juvenile justice that leads to measurement of indicators

engages for collection of information the local institutions as follows: police stations, courts and detention facilities. The request for the local level institutions to develop, collect and report individual information for the children related to cases they are responsible for, contributes to protection of these children by assuring that they don't "slip out of the net", so that the institution takes into consideration and reviews the treatment provided to the child. Information reporting represents a level of responsibility for the source of information.

- **Policy review.** Measurement of indicators enables existence of respective policies that need to be assessed by the local and central institutions. Indicators may be used as a starting point for national estimation of how the treatment was for the children in conflict with the law, for identification of the areas in need for improvement or reform. When indicators are measured by determined time limits, drafting of new laws, standards or policies may be monitored, the indicators also support states that are party for complying with international standards. All states that have ratified CRC are encouraged to use global indicators where possible in the state reports to the United Nations Committee for the Rights of a Child.

Process of adapting and developing indicators in country level.

Kosovo is in an early stage of developing a sustainable system for data management. therefore creation of a sustainable system for data management would help on creation of evidence based policies, monitoring and measuring the progress compared to goals and aims. Definition of indicators that are internationally recognised would also help on comparison of data and achievements of Kosovo to the states of the region and in the international level.

Being aware for the importance of this component, the Government of the Republic of Kosovo in cooperation with UNICEF office in Kosovo have been committed to creation of a sustainable statistical base and strengthening the inter-institutional connection for data management.

Development and adaption process of global indicators for Kosovo has been initiated by the end of 2010 by the Institutions of the Republic

of Kosovo with the support from UNICEF office in Kosovo, as part of the project "Support to juvenile justice reforms in Kosovo-Phase 2" co-financed by EU and UNICEF, managed by the Office of European Union in Kosovo and implemented by UNICEF.

Implementation of this process has been divided into two stages. In the first stage the system for data management was assessed for the juvenile justice sector. With the engagement by Good Governance Office / Prime Minister's Office, Ministry of Justice, Kosovo Probation Service, Kosovo Correctional Service, Ministry of Education, Science and Technology, Kosovo Judicial Council, Courts, Prosecutions, Kosovo Police, Kosovo Statistics Agency, with the assistance from the international and local consultants, relevant stakeholders and other partners the report got finalised² where challenges and recommendations for this issue were specified. The aim of this report is discussing and reviewing the issue of collection and management of juvenile justice data in Kosovo, inter-institutional data exchange within that system and using them for policy making. Collection and analysing data found in the report has enabled identification of problems in the system and manner how in fact the

² Technical assessment report for data collection for juvenile justice in Kosovo

juvenile justice system is applied and how concrete recommendations for system improvement are offered.

The second stage has continued with the review of the global indicators, their adapting and analysing into local indicators in conformity with the local needs. Taking into consideration the complexity and importance of this process, it was deemed necessary to include and consult all relevant institutions and other important partners. As a result of this work, the global indicators have been specified and adapted to the local needs based on the local and international legislation, by assigning responsible institutions for data collection, importance of measuring them and the benefit from measuring them. In addition to it, during this process the need has been raised to add local indicators which would assist on reflecting the situation of the children in the child justice system and monitoring of the applicable legislation.

To present it as clearly as possible, and to find it easy to use in practice these indicators, "Table of Indicators" has been developed, sample of which has been introduced in the following part of this document, whereas the detailed specification of global and local indicators is introduced in chapter 2 and 3.

Juvenile Justice Indicators

Indicators		Definition
Global Indicators		
Quantity Indicators		
1	Children in conflict with the law	Number of arrested children during a 12-month period out of population of 100,000 children.
2	Juveniles in detention (depriving from liberty)	Number of juveniles in detention out of population of 100,000 children
3	Juveniles pre-sentence detention (depriving from liberty)	Number of juveniles pre-sentence detention before pronouncement of sentence out of population of 100,000 children.
4	Duration of detention	Time juveniles spent in detention before sentence
5	Duration of sentenced detention	Time juveniles spent in sentenced detention
6	Child deaths in pre-sentenced or sentenced detention	Number of juvenile deaths in pre-sentenced or sentenced detention during a 12-month period out of population of 1,000 held children (pre-sentenced or sentenced)
7	Separation from adults	Percentage of juveniles in pre-sentenced or sentenced detention that have not been fully separated from adults
8	Contact with parents and family	Percentage of children in detention who have been visited by, or visited, parents, guardian or an adult family member in the last 3 months
9	Pronouncement of measures/sentences with deprivation from liberty	Percentage of children that have been pronounced with supervision or deprivation from liberty
10	Diversion measures	Percentage of children diverted or sentenced who enter a pre-sentence diversion scheme
11	Aftercare	Percentage of children released from detention receiving aftercare
Policy Indicators		
12	Regular independent inspections	Existence of a system guaranteeing regular independent inspection of places of detention
13	Complaints mechanism	Existence of a complaints system for children in detention
14	Specialised juvenile justice system	Existence of a specialised juvenile justice system
15	Prevention	Existence of a national plan for the prevention of child involvement in crime

Local Indicators		
16	Children under age of criminal responsibility	Number of children that have committed offences under the age of criminal responsibility during a 12-month period out of population of 100,000 children
17	Child victims of criminal offences	Number of children that have been victims of criminal offences during a 12-month period out of population of 100,000 children
18	Child witnesses of criminal offences	Number of children that have been witnesses to criminal offences during a 12-month period out of population of 100,000 children
19	Measures of alternative sentence	Percentage of juveniles that have been subject to pronouncement of alternative measures and sentences
20	Mediation procedures	Percentage of juveniles that have been subject to mediation procedure

Explanation

The indicators have been drafted in compliance with norms and principles of international instruments and the applicable legislation. Fifteen of the indicators have been drafted based on the global indicators and five remaining ones based on the local indicators. Measuring and evaluation of indicators enables reflection of juvenile justice system functioning, stressing the needs for emergent intervention, achievement, deficiencies and all other details, and by providing means of evaluating the environment of necessary policies to guarantee children protection.

All indicators along with the definitions and meaning of the table boxes have been designet as follows:

Indicator 1: Name	
Definition	Definition of the indicator
Priority	Normal or CORE There are five core indicators and ten normal priority indicators. It is the case that all fifteen juvenile justice indicators are important for the assessment of the situation of children in conflict with the law. However, in situations where a country is unable to measure all fifteen indicators, the core indicators are those that should be measured as a matter of priority. The core indicators are: Indicator 2 (Children in detention, deprivation from liberty); Indicator 3 (Children in pre-sentence detention); Indicator 9 (Custodial sentencing); Indicator 10 (Pre-sentence diversion); and Indicator 14 (Specialised juvenile justice system). Five local indicators have been specified in the end of the table as well.
Numerator Denominator	This box sets out the relevant calculation that should be carried out in order to measure each of the Quantitative Indicators.
What it measures	This box describes what the indicator measures.
Why it is helpful to measure	This box describes why it is helpful to measure the indicator.
How to measure it	This box sets how to collect information for the indicator and how to use that information to produce the indicator measurement. (Only the part indicating how the indicator is measured is translated. The part of the information sources is not translated)
Disaggregation	The indicators are most able to provide assistance to country officials where information is available in a disaggregated form. This box provides suggested categories of disaggregation.

2. Global Indicators

Indicator 1: Children in conflict with the law	
Definition	Number of children arrested during a 12-month period per 100,000 child population.
Priority	Normal
Numerator	Number of children arrested during 12 month period
Denominator	Population of children / 100,000
Translation into local context	Number of children in conflict with the law during 12 month period Population of children / 100,000.
What it measures	This indicator measures the proportion of all children who come into conflict with the law in a one year period.
Why it is helpful to measure	This information provides a useful indicator of the extent of child involvement in crime, and the extent to which arrest powers are used appropriately by law enforcement authorities with respect to children. Since the indicator calculation requires collection of information on the absolute numbers of children, it also provides data that can be used to develop and plan prevention and juvenile justice system services. For the purposes of both tracking trends and planning services, this indicator is of greatest use if the information is disaggregated according to factors such as the category of offence, age and ethnicity.
How to measure it	This indicator requires that information is available from a completed 12-month period. The minimum information required for measurement of this indicator is the total number of children arrested within the country during the 12-month period. This figure may be available at a central level. However, where information sources at the local level (such as individual police stations) keep custody files or arrest logs, then information about individual arrested children should be obtained and collated to form the numerator. Information on individual arrested children can be collected in the form of a table with one line for each child specifying the child's identification number, gender, date of birth, ethnicity, category of offence and date of arrest.
Disaggregation	Gender, Age at time of arrest, Ethnicity, District of origin, Category of offence, Security service arresting (in countries where several such services are arresting children).

Existing data source	For numerator: Kosovo Police, For denominator: Kosovo Statistical Agency
Sources of new or additional required data	For numerator: KPC, KPS, SWC, KJC, KCS
New or additional forms or protocols required for data collection	Special forms for the children and in particular for juveniles. (Protocol under development)

Indicator 2: Children in detention	
Definition	Number of children in detention per 100,000 child population.
Priority	CORE
Numerator	Number of children in detention -----
Denominator	Population of children / 100,000
Translation into local context	Number of Children arrested or detained by police by prosecutor order, those in pre trial detention and those in correctional facilities during 12 months per 100.000 juveniles.
What it measures	This indicator provides information on the number of children in detention in relation to the overall child population. This includes children detained pre-trial, pre-sentence and postsentencing in any type of facility (including police custody).
Why it is helpful to measure	Children in detention are especially vulnerable to its negative influences, including loss of liberty and separation from the usual social environment and higher risks to be subjected to abuse. International standards clearly state that detention of children shall only be used as a measure of last resort. Measurement of the proportion of children in detention helps in monitoring progress towards reduction of the use of deprivation of liberty and informing policy change. In addition, countries can get further useful information about the appropriate use of detention by analysing what offence (if any) such children have or are accused of having committed. Finally, the collection of information on the number of children in detention is important for resource allocation and administrative purposes.
How to measure it	This indicator requires the collection of 'snapshot' information (information showing the situation on a specific date). The information required for measurement is the total number of children in detention. Where possible, this should be collected from information sources, such as places of detention, at the level of the individual child. This could be collected in the form of a table, with a separate line containing the details of each child in detention.
Disaggregation	Gender, Age on census date, Ethnicity, District of origin, Category of offence, Deprived from liberty before or after sentence, type of detention institution.
Existing data source	For numerator: KP, KCS For denominator: KSA
Sources of new or additional required data	For numerator: KPC, KJC; SWC; KPS
New or additional forms or protocols required for data collection	Special forms for juveniles. (KP)

Indicator 3: Children in pre-sentence detention	
Definition	Number of children in pre-sentence detention per 100,000 child population.
Priority	CORE
Numerator	Number of children in pre-sentence detention -----
Denominator	Population of children / 100,000
Translation into local context	Number of Juveniles with pre-sentence decision for 12 months of period per 100.000 child population.
What it measures	This indicator measures only those children who are deprived of liberty before sentencing by a competent authority. This includes children who are awaiting trial and those who have been convicted but are detained whilst awaiting sentencing. It does not, however, include children awaiting the outcome of an appeal against a sentence. As such, this indicator measures a sub-set of Indicator 2.
Why it is helpful to measure	This indicator is an extremely important measurement to make. Numerous countries do not keep track of the number of children in pre-sentence detention. This is despite the fact that, in many, the majority of children deprived of liberty are either awaiting or undergoing a final decision on their case. Moreover, it may often be the case that only small minorities of these children are finally sentenced to detention, and many may be acquitted altogether. International standards specify that detention pending trial shall be used only as a measure of last resort. Information about these children is therefore essential in order to ensure that presentence detention is used appropriately. As with Indicator 2, this indicator will be most valuable where information is available in a disaggregated form, including category of offence (if any), gender, age and ethnicity.
How to measure it	This indicator requires the collection of 'snapshot' information (information showing the situation on a specific date). The information required is the total number of children in pre-sentence detention. As this indicator is a sub-set of Indicator 2, information for this indicator can, in practice, be collected as a disaggregation category of Indicator 2 (children in detention). This requires that information sources that provide information on individual detained children are able to identify whether each child is in pre-sentence detention or is detained after sentencing.
Disaggregation	Gender, Age on census date, Ethnicity, District of origin, Category of offence.
Existing data source	For numerator: KJC; KCS For denominator: KSA
Sources of new or additional required data	For numerator: KPS;
New or additional forms or protocols required for data collection	Enhancement of existing forms

Indicator 4: Duration of pre-sentence detention

Definition	Time spent in detention by juvenile before sentencing.
Priority	Normal
Numerator Denominator	<p>Juveniles leaving pre-sentence detention during a specified period (usually 12 months) should be divided into the time categories below, according to the total time that they spent in presentence detention.</p> <ul style="list-style-type: none"> < 1 month 1 month to < 3 months 3 months to < 6 months 6 months to < 12 months 12 months to < 24 months 24 months to < 60 months > 60 months <p>This calculation should then be used for each time category:</p> $\frac{\text{Number of juveniles in the time category}}{\text{Total number of juveniles for whom information is available} / 100}$
Translation into local context	Time spent in detention by juvenile before sentencing during 12 months.
What it measures	This indicator measures the length of time spent in detention by juvenile before they are sentenced. It does this using the seven time categories above.
Why it is helpful to measure	As long as it is used in accordance with the principle of last resort, valid justifications for detaining children before sentencing may be that alternatives to detention would be insufficient to ensure the presence of the juvenile at court, or to prevent a child from re-offending. However, if it is shown that children are held in pre-sentence detention for a period equal to, or even longer, than the length of custodial sentences it suggests that pre-sentence detention may not be used for such purposes, but rather as a punishment in and of itself.
How to measure it	This indicator requires that information is available from a completed 12 month period. The information that should be collected is the length of time spent in pre-sentence detention by each juvenile who has completed pre-sentence detention during the 12 month period. This information may be recorded by an information source as a distinct piece of data. Alternatively, it may need to be calculated from the start and end dates of the child.s period of pre-sentence detention. Where a child has been held in different places of detention before sentencing, care must be taken to make certain that time spent in each place of detention is included. Information on individual children completing pre-sentence detention can be collected in the form of a table with one line for each child, specifying the child.s gender, date of birth, ethnicity, category of offence, and start and end dates of pre-sentence detention.
Disaggregation	Gender, Age at time of arrest, Ethnicity, District of origin, Category of offence
Existing data source	For numerator: KCS, KJC For denominator: KSA
Sources of new or additional required data	For numerator: KPS, KPC For denominator: Clinics/Hospitals
New or additional forms or protocols required for data collection	New forms for specific sources

Indicator 5: Duration of sentenced detention	
Definition	Time spent in detention by juvenile after sentencing
Priority	Normal
Numerator Denominator	<p>Juvenile leaving sentenced detention during a specified period should be divided into the time categories below, according to the total time that they spent in detention after sentencing.</p> <ul style="list-style-type: none"> < 1 month 1 month to < 3 months 3 months to < 6 months 6 months to < 12 months 12 months to < 24 months 24 months to < 60 months > 60 months <p>This calculation should then be used for each time category: Number of Juveniles in the time category ----- Total number of children for whom information is available / 100</p>
Translation into local context	Time spent in correctional center by juvenile after sentencing
What it measures	This indicator measures the length of time spent in detention by juvenile after they have been sentenced. It does this using the seven time categories above. The indicator measures actual time spent in detention by children. It does not measure the length of sentences pronounced by a competent authority, which, in many instances, may be either longer or shorter than the period of deprivation of liberty in practice.
Why it is helpful to measure	<p>Just as pre-sentence detention should be used as a measure of last resort, so sentenced detention should always be a disposition of last resort and for the minimum necessary period.</p> <p>This indicator is most able to assess whether these principles are observed when the information can be disaggregated by category of offence. High numbers of juveniles spending less than one year in sentenced detention for instance, may indicate that deprivation of liberty is used in place of non-custodial measures for comparatively minor offences. High numbers of juveniles spending more than two years in sentenced detention may indicate a breach of the principle of detention for the minimum necessary period.</p>
How to measure it	<p>The guidance given for Indicator 4 also applies to this indicator.</p> <p>This indicator requires that information is available from a completed 12 month period.</p> <p>The information that should be collected is the length of time spent in sentenced detention by each juveniles who has completed sentenced detention during the 12 month period.</p>
Disaggregation	Gender, Age at time of arrest, Ethnicity, District of origin, Category of offence
Existing data source	For numerator: Correctional Service For denominator: KCS, Data collected from other indicators
Sources of new or additional required data	KJC
New or additional forms or protocols required for data collection	

Indicator 6: Juvenile deaths in detention	
Definition	Number of juvenile deaths in detention during a 12 month period, per 1,000 juveniles detained.
Priority	Normal
Numerator	Number of juvenile deaths in detention during the 12 month period
Denominator	Number of juvenile in detention (total) / 1000
Translation into local context	Number of juvenile deaths in detention during a 12 month period, per 1,000 juveniles detained.
What it measures	By measuring the number of juvenile deaths in detention during a 12 month period, this indicator provides a useful measure of the treatment of juvenile during deprivation of liberty and reveals the most critical child protection matters.
Why it is helpful to measure	Juvenile deprived of liberty have the right to be detained in a facility that upholds their safety and promotes their physical and mental well-being, including through the provision of adequate medical care where necessary. Juvenile in detention should not be subjected to abuse, violence or exploitation. Nonetheless, juvenile deaths in detention may be caused by, amongst others, illness (including HIV/AIDS related infections), lack of appropriate food, alcohol or drug intoxication, violence from other detainees or staff, suicide, or accidental death. All of these causes raise severe child protection or related concerns, such that a high number of juvenile deaths in detention indicate that the protective environment for detained juvenile is markedly insufficient.
How to measure it	This indicator requires that information is available from a completed 12 month period. The information required to be collected is the number of juvenile deaths that have occurred amongst detained juvenile during the period of 12 months. Deaths amongst juvenile detained both pre-sentence and after sentencing should be counted. Information sources should ensure that information is provided in respect of every juvenile death in the place of detention during the specified period.
Disaggregation	Gender, Age at time of death, Ethnicity, District of origin, Detained pre-sentence or after sentencing, Cause of death, Type of institution where child was detained.
Existing data source	For numerator: KCS For denominator: KCS
Sources of new or additional required data	For numerator: KJC, SWC, KPS, KP
New or additional forms or protocols required for data collection	Specific forms for each institution

Indicator 7: Separation from adults

Definition	Percentage of juveniles in detention not wholly separated from adults.
Priority	Normal
Numerator	Number of juveniles in detention not wholly separated from adults
Denominator	Number of juveniles in detention (total) / 100
Translation into local context	Juvenile Percentage in detention or correctional facilities which are not wholly separated by adults comparing with juveniles in pretrial detention and pos sentenced during 12 months.
What it measures	<p>This indicator measures the percentage of juveniles in detention who are not completely separated from adults. It does this by counting all juveniles detained in either of conditions (1) or (2) below.</p> <p>Juvenile in different places of detention may experience different degrees of separation from adults. These may be described as follows:</p> <ul style="list-style-type: none"> • There is no formal separation of adults and children. Juvenile are held in the same rooms, wards or cells as adults. • Juvenile is held in separate rooms or cells from adults but share facilities such as exercise, washing or dining areas with adults. • Juvenile are held in a separate section from adults and have separate facilities. Juvenile may or may not be both out of sight and out of earshot of detained adults. • The institution is for Juvenile only.
Why it is helpful to measure	The principle of separation from adults has two purposes: to protect juvenile from exploitation, abuse and negative influences by adults, and to ensure that the detention of juvenile is affected in facilities that cater to their special needs.
How to measure it	<p>This indicator requires the collection of ‘snapshot’ information (information showing the situation on a specific date).</p> <p>The information required is the total number of juvenile in detention who are not completely separated from adults.</p> <p>Where possible, this should be collected from information sources at the level of the individual juvenile. Information could be collected in the form of a table, with a separate line containing the details of each juvenile in detention and whether or not they are completely separated from adults.</p> <p>Both juvenile detained pre-sentence and after sentencing should be included. In practice, information for this indicator can be collected as a disaggregation category during the collection of information for Indicator 2 (juveniles in detention).</p>
Disaggregation	Gender, Age on census date, Ethnicity, District of origin, Detained pre- or post-sentence, Category of separation, District of detention, type of detention institution
Existing data source	For numerator: KCS, For denominator: KCS,
Sources of new or additional required data	
New or additional forms or protocols required for data collection	New specific forms for institutions

Indicator 8: Contact with parents and family	
Definition	Percentage of juveniles in detention who have been visited by, or visited, parents, guardian or an adult family member in the last 3 months.
Priority	Normal
Numerator Denominator	Number of juveniles in detention or correctional facilities receiving or making at least one visit in the last 3 months ----- Number of juveniles in detention/correctional facilities (total) / 100
Translation into local context	Percentage of juveniles in detention or correctional facilities receiving or making at least one visit in the last 3 months.
What it measures	This indicator measures implementation of the juveniles right to regular direct contact with his or her parents and to maintain contact with his or her family through visits.
Why it is helpful to measure	The juvenile's right to regular direct contact with his or her parents and to maintain contact with his or her family can be seriously challenged during deprivation of liberty. Denial of contact between a detained juvenile and his or her parents and family has a number of serious adverse consequences. Regular contact is of particular importance with respect to the reintegration of the juvenile back into his or her family following release, and the well being and psychological health of the juvenile during the period of detention.
How to measure it	This indicator requires that information is available from a completed 3 month period. The information that should be collected is the number of juvenile in detention who have received a visit during the 3 month period. Where possible, this should be collected from information sources at the level of the individual juvenile. Where information sources do not record visits, careful consideration may be given to direct interviews with detained juvenile. This information collection method should only be used as a last resort however and in accordance with appropriate ethical safeguards. In practice, information for this indicator can be collected at the same time and from the same population of juvenile as are counted for Indicator 2 (Juvenile in detention). A table listing each Juvenile in detention, for example, can be marked to show which juvenile have received a visit in the last 3 months. Both juvenile detained pre-sentence and after sentencing should be included.
Disaggregation	Gender, Age on census date, Ethnicity, District of origin, Detained pre- or post-sentence, Type of detention institution.
Existing data source	For numerator: KCS, For denominator: KCS,
Sources of new or additional required data	For numerator: KJC, SWC; For denominator: KJC
New or additional forms or protocols required for data collection	New specific forms for institutions

Indicator 9: Custodial sentencing	
Definition	Percentage of sentenced juveniles receiving a custodial sentence.
Priority	CORE
Numerator Denominator	Number of juveniles sentenced to deprivation of liberty during a 12 month period ----- Number of juveniles sentenced during the 12 month period / 100
Translation into local context	Number of sentenced juveniles receiving a custodial sentence.
What it measures	This indicator measures the number of juveniles sentenced to deprivation of liberty during a 12 month period as a proportion of those juveniles sentenced to any measure during the 12 month period.
Why it is helpful to measure	The 'last resort' principle as applied to sentencing means that deprivation of liberty should not be imposed unless the objectives of the measure—principally ensuring the juveniles welfare in the case of juveniles—could not, in the opinion of the judge, be achieved in a non-custodial setting. As with many other indicators, the indicator is most able to assess the situation where disaggregated information is available, particularly information regarding the category of offence. A high proportion of custodial sentencing for non-violent or non-persistent offences for example, would strongly suggest a violation of the 'last resort' principle.
How to measure it	This indicator requires that information is available from a completed 12 month period. The indicator measures the effect of the sentence and not the sentence itself. A competent authority may, for instance, sentence a juvenile to attendance at an open rehabilitation school. If the institution does not exist in practice, then the juvenile may instead be committed to a place of detention. Hence, the information that should be collected is the number of juvenile that received a sentence that resulted in their committal to a place of detention during the 12 month period. This will require some knowledge of the practical implementation of sentences handed down by a competent authority in the particular country context. To accurately assess the significance of this value, it is also necessary to measure the total number of juveniles sentenced to any measure during the same period. It is this value that forms the bottom half of the calculation. Expressed in this way, the indicator, in turn, provides an indication of the extent to which the 'last resort' principle is respected.
Disaggregation	Gender, Age at time of sentence, Ethnicity, District of origin, Category of offence.
Existing data source	For numerator: KJC, For denominator: KJC
Sources of new or additional required data	For numerator: KCS; KPS, SWC For denominator: KCS, KPS, SWC
New or additional forms or protocols required for data collection	Specific new forms

Indicator 10: Pre-sentence diversion	
Definition	Percentage of juveniles diverted or sentenced who enter a pre-sentence diversion scheme.
Priority	CORE
Numerator	Number of juveniles entering a pre-sentence diversion scheme during a 12 month period
Denominator	----- Number of juveniles diverted or sentenced during the 12 month period / 100
Translation into local context	Number of juveniles diverted or sentenced who enter a pre-sentence diversion scheme.
What it measures	This indicator measures the number of juvenile diverted before reaching a formal hearing, as a proportion of all juvenile either diverted or sentenced.
Why it is helpful to measure	The use of diversion seeks to resolve the case of a juvenile in conflict with the law without recourse to a formal hearing before the relevant competent authority. International guidelines recommend that consideration should be given, wherever appropriate, to dealing with juveniles in conflict with the law without resorting to a formal hearing before the competent authority. Diversion may range from an informal police caution to a reconciliation scheme between victim and accused run by social or welfare services. A key principle of diversion is that the juvenile and/or his or her parents or guardian must consent to the diversion of the juvenile case. Typically, this also means that the child accepts responsibility for the offence. Diversion may involve recourse to solutions based on the principle of restorative justice.
How to measure it	This indicator requires that information is available from a completed 12 month period. The information that should be collected is the number of juvenile who have entered a pre-sentence diversion scheme during the 12 month period. Pre-sentence diversion schemes used to avoid a formal hearing will need to be identified in each local context. To accurately assess the significance of this value, however, it is also necessary to measure the total number of juveniles diverted or sentenced to any measure during the 12 month period. This value - which represents all juveniles admitting responsibility or being found to have responsibility for an offence by a competent authority-forms the bottom half of the calculation. Expressed in this way the indicator provides an indication of the extent to which diversion is used to avoid formal contact with the juvenile justice system.
Disaggregation	Gender, Age at time of diversion, Ethnicity, District of origin, Category of offence, Type of diversion programme.
Existing data source	For numerator: KPC, KJC, For denominator: KPC, KJC,
Sources of new or additional required data	For numerator: KCS For denominator:
New or additional forms or protocols required for data collection	Specific new forms

Indicator 11: Aftercare	
Definition	Percentage of juveniles released from detention receiving aftercare.
Priority	Normal
Numerator Denominator	Number of juveniles released during a 12 month period receiving structured aftercare ----- Number of juveniles released during the 12 month period / 100
Translation into local context	In compliance with definition
What it measures	This indicator measures the percentage of juvenile released from detention that benefit from a structured aftercare programme.
Why it is helpful to measure	International standards specify that all juveniles leaving detention should benefit from arrangements designed to assist them in returning to society, family life, education or employment after release. Such guidance and structural support is an important step towards successful reintegration into society and the prevention of re-offending.
How to measure it	<p>This indicator requires that information is available from a completed 12 month period.</p> <p>In order to measure this indicator, it is necessary to know both which juveniles have been released from detention during the 12 month period, and which of those juveniles were registered for structured aftercare. Structured aftercare means that:</p> <ul style="list-style-type: none"> • Juveniles needs are assessed on release and he or she is referred to particular aftercare services; or • Juveniles progress and/or needs after release are monitored for a continuing period of time; or • Juveniles enters a formal educational, vocational or training scheme for children who have been detained that continues for a period of time; or • A juvenile temporarily enters a 'half-way' house or other semi-institutional arrangement. <p>Where places of detention do not register juveniles for structured aftercare, information will need to be collected both from places of detention and from the providers of aftercare. A list of juveniles who left detention during the 12 month period should then be cross-checked against the juvenile registered for aftercare during that same period.</p>
Disaggregation	Gender, Age at time of release, Ethnicity, District of origin, Category of aftercare.
Existing data source	For numerator: KPS, For denominator: KCS,
Sources of new or additional required data	
New or additional forms or protocols required for data collection	Updating the forms

Indicator 12: Regular independent inspections	
Definition	Existence of a system guaranteeing regular independent inspection of places of detention.
Priority	Normal
Numerator	Number of places of detention that have received an inspection visit in the last 12 months
Denominator	----- Number of places of detention (total) / 100
Translation into local context	Same with definition
What it measures	This indicator assesses the extent to which the principle that places of detention should receive regular inspection visits from qualified independent persons is codified in law or policy. The indicator is a Policy Indicator but may also be measured in a quantitative form using the calculation above.
Why it is helpful to measure	A juvenile in detention is deprived of his or her family environment and hence is in a particularly vulnerable situation. As a result, the state has an obligation to ensure special protection and assistance (see CRC, Article 20). Monitoring of places of detention through inspection visits is an extremely important way for the state to ensure that such protection and assistance is provided in practice. This is because when places of detention receive inspection visits, a mechanism exists for scrutiny, leading to review and improvement of conditions of detention.
How to measure it	<p>As a Policy Indicator, this indicator asks whether a system is in place for guaranteeing regular independent visits. It is not concerned with the actual number of visits taking place. Information sources at central government level (such as within ministries of justice, interior or social welfare) should confirm the existence of a visits system and the structure of the system.</p> <p>Typically, inspection systems guarantee inspections either from:</p> <ul style="list-style-type: none"> • the competent authority (a magistrate or juvenile panel, for example) or a body acting on its behalf (such as social or probation services); or • persons appointed by a central government authority (such as a prisons commission, inspector of prisons, visiting committee or expert panel). <p>In order to qualify for this indicator, the system should, at a minimum, specify that inspections are regular, independent (they are not carried out by staff of the institution for example), and that one of the purposes of visits is to evaluate compliance with rules and standards.</p> <p>The indicator should then be expressed using one of the four Levels below:</p> <p>Level 1. System for regular independent inspections does not exist in law or policy Level 2. System exists but is only weakly protected by law or policy Level 3. System exists and is moderately protected by law or policy Level 4. System exists and is extremely well protected by law or policy</p>
Disaggregation	Independent institutions (see the law), Local and International NGO
Existing data source	For numerator: KCS, KP For denominator: KCS, KP,

Sources of new or additional required data	For numerator: International and local independent institutions For denominator: International and local independent institutions
New or additional forms or protocols required for data collection	Have not been defined.

Indicator 13: Complaints mechanisms	
Definition	Existence of a complaints system for juvenile in detention (pre trial and postrial).
Priority	Normal
Numerator	Number of places of detention that operate a complaints system
Denominator	Number of places of detention/correctional (total) / 100
Translation into local context	Same with definition.
What it measures	This indicator assesses the extent to which the principle that juvenile in detention should have the right to present a complaint concerning any violation of their rights whilst deprived of liberty is codified in law or policy. The indicator is a Policy Indicator but may also be measured in a quantitative form using the calculation above.
Why it is helpful to measure	When juvenile in detention do not have the right to complain about the treatment that they receive, violations of their rights can occur in silence and those responsible may escape with impunity. Where complaints systems do exist, they should ensure that the complaint is dealt with seriously and that action is taken if a violation of the rights of the juvenile is found.
How to measure it	<p>As a Policy Indicator, this indicator asks whether a complaints system for juveniles in detention exists and is protected by law or policy.</p> <p>In different country contexts, an inspection system may be provided for in law or through government policy. Information sources at central government level (such as ombudspersons, or within ministries of justice, interior or penal management) should confirm the existence of a complaints system and the structure of the system.</p> <p>Typical complaints mechanisms may allow complaints to be made to:</p> <ul style="list-style-type: none"> • the director of the place of detention; or • Outside authorities, such as a magistrate, inspectors, an ombudsman or even a governmental body (such as a ministry of justice). <p>In order to qualify for this indicator the complaints system does not need to be a written system.</p> <p>The indicator should be expressed using one of the four Levels below:</p> <p>Level 1. System for complaints does not exist in law or policy Level 2. System exists but is only weakly protected by law or policy Level 3. System exists and is moderately protected by law or policy Level 4. System exists and is extremely well protected by law or policy</p>
Disaggregation	Supervision institutions
Existing data source	For numerator: KCS, KP For denominator: KCS, KP
Sources of new or additional required data	For numerator: International and local independent institutions For denominator: International and local independent institutions
New or additional forms or protocols required for data collection	Have not been defined.

Indicator 14: Specialised juvenile justice system	
Definition	Existence of a specialised juvenile justice system.
Priority	CORE
Numerator	N/A
Denominator	
Translation into local context	Same with definition
What it measures	This indicator measures whether a specialised juvenile justice system exists for juvenile in conflict with the law. It assesses implementation of the obligation of states to promote the establishment of laws, procedures, authorities and institutions specifically for juvenile in conflict with the law.
Why it is helpful to measure	CRC, Article 40 requires states to establish a separate system of juvenile justice for juveniles. However, there is no one definitive juvenile justice system and the term signifies different realities and systems in different countries. At a minimum, however, states must set a minimum age of criminal responsibility, provide measures, where appropriate, for children in conflict with the law without resorting to judicial proceedings, and provide a variety of alternatives to institutional care (see CRC, Article 40(3) and (4)). Whatever the degree of specialisation, a juvenile justice system should at least have regard to these requirements.
How to measure it	<p>As a Policy Indicator, this indicator asks whether a specialised juvenile justice system exists and is protected by national law or policies. Legislation and government policies, standards and guidelines should be checked for specialisation concerning children in conflict with the law. Information sources at central government level should confirm the existence of a specialised juvenile system and the structure of the system. Typically, specialisation for children in conflict with the law may occur within:</p> <ul style="list-style-type: none"> • <i>the law</i> (such as a criminal or penal law, criminal procedure law, social welfare law or specific juvenile justice law); • <i>policies, guidelines or norms</i> (such as court sentencing guidelines, or police practice codes); • <i>the systems and institutions involved</i> (such as courts and or places of detention); and • <i>Treatment of the child</i> (such as the involvement of parents during proceedings). <p>Such specialisation may deal with areas such as: when a child commits a criminal offence, the courts or tribunals that a child may be faced with, the rights of the juvenile, diversion, arrangements for detention, and arrangements for ensuring the welfare of the child. In addition, a juvenile justice system should be sensitive to the particular needs of juvenile and operate a 'child-friendly' environment.</p> <p>The indicator should be expressed using one of the four Levels below: Level 1. Specialised juvenile justice system does not exist in law or policy Level 2. System exists but is only weakly protected by law or policy Level 3. System exists and is moderately protected by law or policy Level 4. System exists and is extremely well protected by law or policy</p>
Disaggregation	N/A

Existing data source	Legislation, policies, instructions, relations, systems and involved institutions; treatment of children;
Sources of new or additional required data	
New or additional forms or protocols required for data collection	Have not been defined.

Indicator 15: Prevention	
Definition	Existence of a national plan for the prevention of child involvement in crime.
Priority	Normal
Numerator	N/A
Denominator	
Translation into local context	Same with Definition
What it measures	This indicator measures whether the state has a plan for the prevention of child involvement in crime. It assesses implementation of the principle that states should institute comprehensive plans for the prevention of child involvement in crime.
Why it is helpful to measure	Detention, non-custodial measures, or even diversion, will not solve the problem of children in conflict with the law alone. Problems must be dealt with where they occur, whether in the family, the social environment or school, and as far as possible in collaboration with children. The successful prevention of crimes by children requires efforts on the part of the entire society to ensure the harmonious development of children, with respect for and promotion of their personality from early childhood.
How to measure it	<p>As a Policy Indicator, this indicator asks whether a plan exists for prevention of child delinquency. Plans for preventing children from coming into conflict are normally formulated at the central government level. Legislation and government policies, standards and guidelines should be checked for the existence of a plan for the prevention of conflict with the law amongst children. Information sources at central government level should confirm the existence of a plan and the structure of the plan.</p> <p>Typically, a prevention plan may include programmes or policies for:</p> <ul style="list-style-type: none"> • supporting families in bringing up children; • the development of community-based networks for vulnerable children; • supporting flexible working patterns for parents and services for low income families; • employment or vocational training opportunities for children; • abolition of corporal punishment and reduction of domestic violence; • prevention of drug, alcohol and substance abuse by children; • educational opportunities that offer an alternative or addition to regular schooling; • sport and cultural activities for children; or • dissemination of information on children rights. <p>To qualify for this indicator, a prevention plan should, as a minimum, exist in law or government policy, and contain mechanisms for its implementation and coordination.</p> <p>The indicator should be expressed using one of the four Levels below:</p> <p>Level 1. No plan for the prevention of conflict with the law amongst children exists in law or policy</p> <p>Level 2. Plan exists but is only weakly protected by law or policy</p> <p>Level 3. Plan exists and is moderately protected by law or policy</p> <p>Level 4. Plan exists and is extremely well protected by law or policy</p>
Disaggregation	(there is none)

Existing data source	Legislation, policies, instructions, relations, systems and involved institutions; treatment of children,
Sources of new or additional required data	
New or additional forms or protocols required for data collection	

3. Local indicators

Indicator 16: Children under the age of criminal responsibility	
Definition	Number of children having committed criminal offence under age of criminal responsibility during a 12-month period out of population of 100,000 children.
Priority	Normal
Numerator	Number of children having committed criminal offence under age of criminal responsibility during a 12-month period
Denominator	Population of children under 14 / 100,000
What it measures	This indicator measures the ratio of all children that have committed offence under age of criminal responsibility during a one year period.
Why it is helpful to measure	<p>This information indicates the trends of children behaviour. The large numbers would indicate that prevention strategy and plans need to be undertaken, whereas the small numbers would indicate that the current strategy is functioning well.</p> <p>For following up the trends and for planning services, this indicator is the most helpful if the information is disaggregated by factors like type of offence, age, gender and ethnicity of the children.</p>
How to measure it	<p>This indicator requires information to be available for a full period of 12 months. Minimum information required for measuring this indicator is the total number of children having committed offence under age of criminal responsibility during a 12-month period. This figure may be available at central level.</p> <p>But in cases when the information sources in local level (like individual police stations) keep record of offences, the information for individual children who commit criminal offence must be collected in order to form the numerator.</p> <p>Information for individual children that have committed offence can be collected in a table form by a line for each child specifying the identification number of the child, gender, date of birth, ethnicity, type of offence and the date of its' record.</p>
Disaggregation	Gender, age at time of recording, ethnicity, region of origin, type of offence, service/institution that has recorded it
Existing data source	For numerator: Police, SWC, Prosecution For denominator: KSA
Sources of new or additional required data	
New or additional forms or protocols required for data collection	Special forms for juveniles (Protocol for referring cases)

Indicator 17: Child victims of criminal offences	
Definition	Number of children victims of criminal offences during a 12-month period out of population of 100,000 children.
Priority	Normal
Numerator	Number of children victims of criminal offences during a 12-month period -----
Denominator	Children population (0-18 years old) / 100,000
What it measures	This indicator measures the ratio of all children that have been victims of criminal offences during a one year period.
Why it is helpful to measure	This information measures the effect of the criminal offence at children. Increase of this number in years would indicate that children are always being increasingly exposed to mistreatment, and as a result, we will have in future a traumatised society and/or with higher tendency for criminality. For following up the trends and for planning services, this indicator is the most helpful if the information is disaggregated by factors like type of offence, age, gender and ethnicity of the children.
How to measure it	This indicator requires information to be available for a full period of 12 months. Minimum information required for measuring this indicator is the total number of children that have been victims of criminal offence during a 12-month period. This figure may be available at central level. But in cases when the information sources in local level (like individual police stations) keep record of offences, the information for individual children who have been victims of offences must be collected in order to form the numerator. Information for individual children that have been victims of offences can be collected in a table form by a line for each child specifying the identification number of the child, gender, date of birth, ethnicity, type of offence and the date of its' record
Disaggregation	Gender, age at time of recording, ethnicity, region of origin, type of offence, service/institution that has recorded it.
Existing data source	For numerator: KPC, KP, SWC, KJC For denominator: KSA
Sources of new or additional required data	For numerator NGO For denominator: KSA
New or additional forms or protocols required for data collection	Haven't been identified.

Indicator 18: Child witnesses of committed of criminal offences	
Definition	Number of children witness of criminal offences during a 12-month period out of population of 100,000 children.
Priority	Normal
Numerator	Number of children witness of criminal offences during a 12-month period -----
Denominator	Children population (0-18 years old) / 100,000
What it measures	This indicator measures the ratio of all children that have been witnesses during a one year period.
Why it is helpful to measure	This information measures the indirect effect of the criminal offence at children that have been witnesses of criminal offences. Increase of this number in years would indicate that children are always being increasingly witnesses of mistreatment and other illegal acts, and as a result, we will have in future a traumatised society and/or with higher tendency for criminality. For following up the trends and for planning services, this indicator is the most helpful if the information is disaggregated by factors like type of offence where a child has been witness, age, gender and ethnicity of the children.
How to measure it	This indicator requires information to be available for a full period of 12 months. Minimum information required for measuring this indicator is the total number of children that have been witnesses of criminal offence during a 12-month period. This figure may be available at central level. But in cases when the information sources in local level (like individual police stations) keep record of offences, the information for individual children who have been witnesses of offences must be collected in order to form the numerator. Information for individual children that have been witnesses of offences can be collected in a table form by a line for each child specifying the identification number of the child, gender, date of birth, ethnicity, type of offence and the date of its' record.
Disaggregation	Gender, age at time of recording, ethnicity, region of origin, type of offence, service/institution that has recorded it.
Existing data source	For numerator: KJC For denominator: KSA
Sources of new or additional required data	For numerator: KPC, KP, For denominator:
New or additional forms or protocols required for data collection	

Indicator 19: Alternative measures and sentences	
Definition	Percentage of juveniles that have been subject to alternative measures and sentences
Priority	ESSENTIAL
Numerator	Number of juveniles who have been subject to alternative measures and sentences during a 12-month period
Denominator	----- Number of judgments and rulings issued against juveniles who have been subject to alternative measures and sentences during a 12-month period / 100
What it measures	Number of imposed measures during a 12-month period where juveniles have not been deprived from liberty.
Why it is helpful to measure	This information measures the number of juveniles subject to deprivation from liberty during a 12-month compared to the number of juveniles subject to imposition of any kind of measure during a 12-month period.
How to measure it	<p>The principle of ‘the last resort’ that is applied in sentences means deprivation from liberty must not be imposed unless the intention of the measure first of all for assuring well being in cases of juveniles, could not prove to have been achieved as judge opines without imposing the sentence of depriving from liberty.</p> <p>As the other indicators, this indicator stands in the best of its ability to assess the situation when available information is disaggregated, in particular the information regarding the type of offence. A higher number of imposition of imprisonment sentences for nonviolent offences or that are not repeated e.g. it would strongly suggest the principle of ‘the last resort’.</p>
Disaggregation	<p>This indicator requires information to be available for a full period of 12 months.</p> <p>This indicator measures the effect of pronouncement and not only the pronouncement as such. A competent authority may for example pronounce to a juvenile the attendance of rehabilitation school. If the institution does not exist in practice, then the child may be sent to an institution where liberty is deprived.</p> <p>Therefore the information that must be collected during a 12-month period is the number of juveniles that have been sentenced and as a result have been deprived from liberty in a certain place. This requires knowledge for practical implementation of sentences carried out by competent authority in specific context of the state.</p> <p>To accurately assess the importance of this value, it is also necessary to measure the total number of juveniles subject to pronouncement of any measure having been pronounced during this period. This is the value to form the lower half of calculation. As such the indicator provides information on compliance of the principle of “the last resort”</p>
Existing data source	Gender, age at time of recording, ethnicity, region of origin, type of offence.
Sources of new or additional required data	For numerator: KJC For denominator: KJC
New or additional forms or protocols required for data collection	For numerator: KCS For denominator: KCS
Format apo protokollet e reja apo shtesë të kërkuara për mbledhjen e të dhënave	New specific forms

Indicator 20: Mediation Procedure	
Definition	Percentage of juveniles that have been subject to mediation procedure.
Priority	Normal
Numerator	Number of juveniles who have been subject to mediation procedure during a 12-month period
Denominator	Number of juvenile offenders who have committed criminal offences for whom mediation procedure can be initiated during a 12-month period / 100
What it measures	Number of mediation procedures initiated during a 12-month period where juveniles are not deprived from liberty.
Why it is helpful to measure	Number of children that have diverted from judicial process.
How to measure it	<p>Mediation is an extrajudicial procedure that is conducted by a third person, the mediator in compliance with the provisions of the Code of Juvenile Justice and the mediation law. Mediation is applied only when the free will and the participation of both parties, juvenile offender and the injured party exists. International guidelines recommend to give consideration wherever possible, treatment of children in conflict with the law without going through the main trial before the competent authority.</p> <p>Mediation can be classified from nonformal warning of police to a conciliation scheme between the victim and the offender, which is executed by a licensed mediator. The main principle of mediation is that the child, his/her parents or the custodian must give the consent for pronouncement of the mediation measure. This usually indicates that the juvenile admits the responsibility for the committed offence. The mediation procedure may include the way in direction of solutions based on the principle of positive rehabilitation and reintegration.</p>
Disaggregation	<p>This indicator requires information to be available for a full period of 12 months.</p> <p>This indicator measures the effect of pronouncement and not only the pronouncement as such. This indicator requires information to be available for a full period of 12 months. The information that must be collected during a 12-month period is the number of juveniles that have been subject to mediation procedure during a 12-month period. The mediation procedure schemes used for diverting from main trial shall be identified in each local context.</p> <p>But to accurately assess the importance of this value, it is also necessary to measure the total number of juveniles that have committed criminal offences for whom the mediation procedure can be initiated within a 12-month period. This value that represents the number of all juveniles that admit the responsibility for an offence forms the lower half of calculation. Expressed in this manner, the indicator provides information on level of use of the mediation procedure to divert the formal contact with juvenile justice system.</p>
Existing data source	Gender, age at time of recording, ethnicity, region of origin, type of offence.
Sources of new or additional required data	For numerator: Mediation Commission For denominator: KPC, KJC
New or additional forms or protocols required for data collection	For numerator: For denominator:
Format apo protokollet e reja apo shtesë të kërkuara për mbledhjen e të dhënave	The need for issuing an administrative instruction for collection and processing of statistical data.

