



THE NIGERIA POLICE FORCE

**Standard Operating Procedures on
Handling Cases involving Children who are Victims, Survivors and/or Witnesses
of Violence**

DRAFT DECEMBER 2016

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INTRODUCTION TO THE STANDARD OPERATING PROCEDURES

HANDLING CASES INVOLVING CHILDREN WHO ARE VICTIMS OR WITNESSES OF VIOLENCE, INCLUDING GENDER BASED VIOLENCE AND CHILD ABUSE

Children can be victims or witnesses of violence in a number of different contexts including as victims or witnesses to criminal acts and acts falling short of criminality, as witnesses to domestic violence, or as victims of or witnesses to child abuse, exploitation or neglect.

Whatever the context, child victims or witnesses are likely to be highly vulnerable and at risk of continued harm at the hands of the perpetrator(s), through the trauma they may experience during the justice process, and/or through stigmatisation within the community.

In setting out these Standard Operational Procedures (SOPs), the Nigeria Police Force, (NPF) in line with its mandate to make Nigeria safe and secure and to protect the community, seeks to ensure that all cases involving child victims or witnesses are handled sensitively and in a child-friendly manner that recognises the child's inherent vulnerability and prioritises his or her welfare, dignity and rehabilitation, taking into consideration the child's particular vulnerabilities and special needs.

The aim of these SOPs is to ensure that the NPF handles cases involving children who are victims or witnesses in a manner that:

- Upholds the rights of children who are victims and witnesses;
- Preserves the child's welfare and dignity;
- Protects the child's privacy;
- Protects the child from harm and abuse; and
- Supports the child's continued development, rehabilitation and reintegration.

The SOPs aim to achieve this by:

- Raising awareness within the NPF of the rights of children who are victims or witnesses;
- Raising awareness within the NPF of effective measures to support the child's right to be informed and to be heard;
- Raising awareness of the mechanisms by which a distinction should be made between criminal offences and child protection concerns;
- Raising awareness within the NPF of effective measures to support rehabilitation and reintegration of children who are victims or witnesses; and
- Setting out uniform procedures and practices for handling these cases by NPF.

APPLICABILITY OF THE SOPS

These SOPs have been developed to guide the handling of cases involving children who are victims or witnesses of violence of any form. This includes children who are victims or witnesses of criminal offences, but also children who are victims or witnesses of violence, exploitation, abuse and neglect in the child protection context. The SOPs touch upon domestic violence where children are victims or witnesses of actions of this type.

While specialised police units of various forms have been established in several locations in Nigeria, where they have not, cases involving children will be handled within non-specialist police units or stations. These SOPs are applicable whether or not a Specialist Children's Police Unit (SCPU) exists, and set out the procedures and practices that must be followed by all Police Officers engaging with child victims and/or witnesses.

LEGISLATIVE BACKGROUND

In 1993, a Children's Bill was drafted to implement the principles enshrined in the UN Convention on the Rights of the Child¹ and the African Charter on the Rights and Welfare of the Child². The Child's Rights Act was assented to by the President of Nigeria in September 2003 and was intended to be the definitive law concerning children in Nigeria. As of October 2016, the CRA had been adopted into law in the Federal Capital Territory and has been domesticated in 23 states: (i) Abia (ii) Akwa Ibom (iii) Anambra (iv) Bayelsa (v) Benue (vi) Cross River (vii) Delta (viii) Ebonyi (ix) Edo (x) Ekiti (xi) Imo (xii) Kogi (xiii) Kwara (xiv) Lagos (xv) Nasarawa (xvi) Niger (xvii) Ogun (xviii) Ondo (xix) Osun (xx) Oyo (xxi) Plateau (xxii) Rivers and (xxiii) Taraba.

The following 13 states are yet to domesticate the CRA: (i) Adamawa (ii) Bauchi (iii) Borno (iv) Enugu (v) Gombe (vi) Jigawa (vii) Kaduna (viii) Kano (ix) Katsina (x) Kebbi (xi) Sokoto (xii) Yobe and (xiii) Zamfara. In these States, the applicable laws include: the Children and Young Persons Act (1943), State Children and Young Persons Laws, Criminal Code Act (1916), Criminal Procedure Act (1945), State Criminal Procedure Code Laws, the Penal Code (1960) and Sharia laws.

These SOPs are compatible with both national laws, and state equivalents. Where legal references are relevant, citations to both the Child's Rights Act and the Children and Young Persons Act are included. The SOPs are also intended to be compatible with existing laws across Nigeria, including the Criminal Code and Penal Code. They are also intended to be compatible with the Violence Against Persons (Prohibition) Act 2015.

¹ G.A. res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989), *entered into force* Sept. 2, 1990.

² OAU Doc. CAB/LEG/24.9/49 (1990), *entered into force* Nov. 29, 1999.

SECTION A – INTERPRETATION, DEFINITION AND EXPLANATION OF TERMS

A.1 INTERPRETATION

The following terms used in these Standard Operating Procedures shall, unless otherwise indicated, bear the meanings ascribed to them in this sub-section.

Child means any person below the age of 18 years old.

Child abuse includes **physical abuse** such as causing of physical harm to a child; **emotional abuse** such as making the child feel worthless, unloved, or inadequate or valued only if they meet the needs of another person or causing the child to feel threatened or in danger; and **sexual abuse** such as involving the child in any activity for the sexual gratification of another person – even if the child could be considered to have ‘consented’. **Sexual abuse** may include non-contact activities including making the child look at or watch pornography or sexual activities. It may also include the use of sexual language when speaking to a child or encouraging a child to behave in a sexually inappropriate manner. **Child abuse** also includes child neglect (see below for a separate definition), harmful traditional practices such as female genital mutilation and child marriage, child trafficking and engaging a child in **exploitative labour** that may be harmful to the child’s health, education, mental, physical or moral development.

Child in conflict with the law means any individual who is alleged as, accused of, or recognised as having infringed the penal law or criminal law of Nigeria in relation to an incident or incidents that occurred while the child was below the age of 18 years old.

Child in need of care and protection is a child suffering significant harm or who is at risk of suffering significant harm as defined in Section 50(1) of the Child’s Rights Act 2003 and as discussed within Parts IV and V of the Act.

Child in need of immediate care and protection means that there is reasonable cause to believe that the child is likely to suffer significant harm unless removed from the place where he/she is found.

Child neglect refers to the failure of a child's parent or caregiver to provide necessary care and means of sustenance to a child such as food, shelter, clothing, education, medical care etc., or failure to protect such child from violence by a parent, guardian or child care institution.

Crime means an act or omission which violates an existing criminal law or an attempt to that effect. It is also defined as a legal wrong, the remedy of which is punishment of the offender at the instance of the state. Specific crimes are given the definition and understanding set out in the Criminal Code and Penal Code in Nigeria.

Crime scene refers to a place or body where a crime has been committed, irrespective of whether the identity of the perpetrator is known or not.

Domestic violence means the abuse of one partner within an intimate or family relationship. This can be repeated, random or habitual and can involve physical, emotional, psychological, financial or sexual abuse or intimidation.

Found Child means a lost or abandoned child who has been located and taken to a place of safety.

Exhibit means any document or object, either in material/solid or liquid form, recovered in connection with a case and which is later produced in Court by a witness in accordance with the provisions of the Criminal Procedure Act, or any other law.

Exploitation means the use of a child for one's own advantage. It includes several forms of exploitation, including child labour exploitation and sexual exploitation such as: photographing the child for pornography, kidnapping and selling children into prostitution and forcing sex with the child.

Gender means socially and culturally constructed identities, often described using the terms 'male and female' but covering numerous identities. Gender identities are socially constructed, changeable and constantly changing, and vary according to culture and location.

Interpreter means a person who is appointed to support a child, or his or her parents, guardians, or carers, to facilitate understanding of communications by translating or interpreting between languages.

Investigating officer means a member of Nigeria Police Force or a social worker any person legally authorised to investigate cases.

Legal representative/ other appropriate assistance is a person with legal training, which may include a lawyer, or other individual with legal knowledge and training.

Physical evidence means anything that the suspect has taken from or left behind, or that may be otherwise connected with the crime scene or the crime itself.

Specialist Children's Police Unit is a specialised unit within a Police Station or other division as designated by NPF, with specially trained officers who are tasked with attending cases involving children in conflict with the law, child victims/ witnesses and child abuse cases. (S.207 of the Child Rights Act 2003 is included in these SOPs as CRA as an Appendix I).

Sexual violence means any sexual act, attempt to obtain a sexual act, or acts to traffic for sexual purposes, directed against a person using coercion, and unwanted sexual comments,

harassment or advances made by any person regardless of their relationship to the child, in any setting, including but not limited to home and workplace.

Victim means a person who is harmed, injured or killed, as a result of an alleged, suspected or actual crime as defined by the relevant criminal law, or of any non-criminal form of abuse, violence or exploitation, regardless of any involvement in the alleged offence or involvement in any prosecution.

Violence includes and is not limited to physical violence, emotional violence, and sexual violence.

Witness means a person who has observed or otherwise has information about an alleged, suspected or actual crime as defined by the relevant criminal law, or of any non-criminal form of abuse, violence or exploitation, regardless of any involvement in the alleged offence or involvement in any prosecution.

A.2 ACRONYMS

The following Acronyms shall have the construction ascribed to them below:

ACRWC	African Charter on the Rights and Welfare of the Child
CID	Criminal Investigation Department
CC	Criminal Code
CRA	Child's Rights Act
CYPA	Children and Young Persons Act
DNA	Deoxyribonucleic Acid
FBO	Faith Based Organisation
IGD	Investigation General Directive
IR	Investigation Register
NGO	Non-governmental Organisation
NPF	Nigeria Police Force

PC	Penal Code
PF	Police Form
PGO	Police General Order
RB	Report Book
SCPU	Specialised Children’s Police Unit
SOPs	Standard Operating Procedures
SWO	Social Welfare Officer
UNCRC	United Nations Convention on the Rights of the Child
UNICEF	United Nations Children’s Fund

SECTION B – THE GENERAL CONTEXT OF THE STANDARD OPERATING PROCEDURES (SOPS)

B.1 INTRODUCTION

The overall mandate of the NPF is to ‘make Nigeria safer and more secure for economic development and growth; to create a safe and secure environment for everyone living in Nigeria. Its mission statement is as follows:

1. To partner with other relevant Security Agencies and the public in gathering, collating and sharing information and intelligence with the intention of ensuring the safety and security of the country.
2. To participate in efforts aimed at addressing the root causes of crime while ensuring that any criminal act is investigated so as to bring the criminals to justice in a fair and professional manner.
3. To engender an efficient, effective, well-trained and highly motivated workforce, with deliberate efforts aimed at improving the capacity and welfare of all officers and men of the Force
4. To build a people’s friendly Police Force that will respect and uphold the fundamental rights of all citizens.
5. To build a gender sensitive and gender friendly Police Force that will give equal opportunity to female Police Officers, while at the same time respecting their peculiarities.

Based on the mandate, and mission statement points 1 and 4 in particular, NPF Police Officers have the responsibility to take measures to prevent and address criminal and non-criminal acts to which children are victims and/or witnesses, and to ensure that any cases involving children are handled in a child-friendly manner that safeguards and protects their fundamental rights.

B.2 UNDERPINNING PRINCIPLES OF HANDLING ALL CASES INVOLVING CHILDREN

Four key principles must underpin any actions and decisions when handling cases involving children. These are drawn from the UN Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child (ACRWC), and are reflected in the Child’s Rights Act 2003 (CRA). These are:

- The **best interests of a child** shall be *the* primary consideration in all actions concerning a child whether undertaken by public or private social welfare institutions, Courts or administrative bodies (Section 1 Child’s Rights Act 2003).
- A child shall have the right to live **free from any discrimination** and a person shall not discriminate against a child on the grounds of gender, race, age, religion, language, political opinion, disability, health status, custom, ethnic origin, rural or urban

background, birth, socio-economic status, being a refugee or of other status (Section 10 CRA).

- A child shall have a **right of opinion** and no person shall deprive a child capable of forming views the **right to express an opinion**, to be listened to and to participate in decisions that affect his well-being (Section 158 CRA).
- The final underpinning principle is the **right to life, survival and development**, which should be promoted within standard police practices through the child-sensitive procedures set out in these SOPs (Section 4 CRA).

B.3 GUIDING PRINCIPLES OF HANDLING CASES INVOLVING CHILDREN WHO ARE VICTIMS OR WITNESSES

The guiding principles in handling cases involving children who are victims or witnesses are elaborated within international instruments including the UNCRC, which requires that States, including Nigeria:

‘promote physical and psychological recovery and social reintegration of a child victim. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.’³

Further, the UN Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime⁴ set out four main principles for handling cases that are criminal by nature:

(a) Dignity. Every child is a unique and valuable human being and as such his or her individual dignity, special needs, interests and privacy should be respected and protected;

(b) Non-discrimination. Every child has the right to be treated fairly and equally, regardless of his or her or the parent’s or legal guardian’s race, ethnicity, colour, gender, language, religion, political or other opinion, national, ethnic or social origin, property, disability and birth or other status;

(c) Best interests of the child. While the rights of accused and convicted offenders should be safeguarded, every child has the right to have his or her best interests given primary consideration. This includes the right to protection and to a chance for harmonious development:

³ Article 39 UNCRC.

⁴ ECOSOC Resolution 2005/20.

(i) Protection. Every child has the right to life and survival and to be shielded from any form of hardship, abuse or neglect, including physical, psychological, mental and emotional abuse and neglect;

(ii) Harmonious development. Every child has the right to a chance for harmonious development and to a standard of living adequate for physical, mental, spiritual, moral and social growth. In the case of a child who has been traumatised, every step should be taken to enable the child to enjoy healthy development;

(d) Right to participation. Every child has, subject to national procedural law, the right to express his or her views, opinions and beliefs freely, in his or her own words, and to contribute especially to the decisions affecting his or her life, including those taken in any judicial processes, and to have those views taken into consideration according to his or her abilities, age, intellectual maturity and evolving capacity.⁵

Nigeria has ratified the UNCRC and the ACRWC and has therefore agreed to ensure that all aspects of the Nigerian government follow this provision. The UN Guidelines provide important guidance on how to protect the rights of child victims and witnesses.

B.4 DOS AND DON'TS OF HANDLING CASES INVOLVING CHILDREN WHO ARE VICTIMS OR WITNESSES

React and refer– give immediate, urgent attention to any case involving a child who is a victim or witness. Do not make a child victim or witness wait and do not turn a victim or witness away. Wherever a child is a victim of an offence, a referral should be made to the Social Welfare Department to decide whether there is a child protection issue.

Everything – Investigate all complaints, no matter how trivial or ‘unrealistic’ they may seem, and no matter how young or ‘immature’ the child victim or witness may appear to be. It is essential to approach a case with a view to believing the victim or witness’s account, within the context of an unbiased and objective investigation. Children have a right to be heard in matters affecting them and should be treated in a manner that takes into account their age, maturity and level of development, as well as any specific vulnerabilities.

Statement – When taking a statement from a child, allow the child to express him or herself in his/her own words. Let him/her read through the statement before signing it. If he/she cannot read, the statement must be read to the child and he or she must agree before signing it.

⁵ Part III, para 8.

Privacy – Make sure to give the child privacy (a safe place where no one can hear or see him or her) so that he or she can speak freely. Explain all conditions for confidentiality and disclosure so that the child is fully informed and can make decisions regarding what to share and how.

Extra help and Assistance – Make sure that children have assistance, either in the form of a parent, guardian or carer, or another appropriate adult, wherever possible and unless this would be against the best interests of the child. Where nobody is available, approach the relevant statutory agency or social welfare department for support.

Case file – A case file should be opened in the location a case is reported as if it were committed in the locality in which it has been reported. This avoids the risk of losing the report. Reporting an offence is difficult for children and their report should not be dismissed simply because it is in the ‘wrong’ jurisdiction.

Treatment – Treat the child victim or witness with respect and courtesy. Extend this respect and courtesy to persons accompanying the child. Never blame the child victim or witness, or give any impression at all that he or she could or should be to blame. Avoid making judgemental comments or conclusions.

These SOPs set out practical procedures for Police Officers that incorporate these principles. It is the responsibility of the Officer in Charge to make all Police Officers aware of these SOPs. This includes Charge Room Officers, Specialist Children’s Unit Police Officers and all other Police Officers.

SECTION C – AGE DETERMINATION

C.1 AGE OF A CHILD

All persons below the age of 18 should be treated in accordance with these SOPs. Where a child was below the age of 18 at the time of an alleged incident, but reaches the age of 18 during the justice process, it is good practice to continue to follow the terms of these SOPs as if he or she were still a child.

C.2 HOW TO DETERMINE THE CHILD'S AGE

Though age determination is most relevant in cases involving children in conflict with the law, it is still important to determine the child's age as soon as possible in cases involving child victims and witnesses because the child's age will affect how the Police should handle the case. This is especially important where the child's (perceived, real or alleged) age is close to the age parameter of 18.

The simplest way to determine a child's age is to see an identity document, such as a birth certificate or other formal identification document. Alternative measures may include evidence such as information from schools, Parents /Guidian or other equivalent certification.

Police investigating cases involving children should ask the child's age and attempt to find one of these forms of evidence to verify the age. Such investigations should be handled sensitively, so as not to cause any harm or distress to the child. Practical problems may occur where a child does not know his or her age, no identification is available, and/or the child refuses to provide identification. If no immediate identification is available, the Police Officer should proceed according to the presumption that the child's stated age is correct.

To support the determination of the age of the child, if, for example, it is relevant to the prosecution of the offence, the Officer in Charge may choose to write an official letter requesting a Medical Officer to determine the age of the child. However, it is imperative that the search for identification or age verification, though important, does not lead to delay in proceedings.

C.3 WHAT HAPPENS IF THE CHILD'S AGE IS IN DISPUTE?

In some circumstances, a child's age will be in dispute, or the Police Officer will have reason to doubt the child's stated age. This is especially likely in areas with low rates of birth registration, or if an individual child is not birth-registered and does not attend school. It can be difficult to know exactly how old a child is because children vary widely in terms of their height, build and physical and mental development at the same age.

Police Officers are not expected to be experts in age determination. The Police should accept whatever age the child claims to be and process the case in line with this age.

SECTION D – PREVENTION OF OFFENDING INVOLVING CHILDREN AS VICTIMS OR WITNESSES

D.1 IDENTIFYING AND ADDRESSING RISK

Prevention begins with identifying and understanding risk. There are several effective and simple ways that Police Officers can become aware of risks to children and children at risk in their community:

- a. Visit schools, youth groups and other relevant groups and talk to children – make yourself a ‘go-to’ person for the children and young people in a community;
- b. Get to know community leaders, families and children in the community;
- c. Develop positive relationships with community members and aim to make community interactions positive (rather than threatening);
- d. Talk to teachers, parents, and community leaders about the community – find out what is happening and be a positive presence;
- e. Spend time in the community, gathering intelligence and observing behaviours, especially in known areas of ‘difficulty’;
- f. Talk Social Welfare Officers and other front line workers in the community;
- g. Liaise with the National Union Road Traffic Workers and other relevant organizations to sensitize them on identifying and reporting issues concerning children.

Police Officers must remember that the purpose of these actions is not to solve crimes, but to help to prevent offences against or involving children. Police Officers should remember the importance of protecting a child’s privacy – especially children with whom they have had contact as alleged offenders or as victims or witnesses.

D.2 PREVENTATIVE ACTION IN THE COMMUNITY

Once risk has been identified, either through the methods noted above, or through other means, Police Officers can help to address risk of offending and prevent offending through a number of activities, including the following:

- a. **Host community outreach activities**, such as open days at the Police Station, to build a positive view of the Police– this will help to support and encourage reporting of risks, suspicions and offences;

- b. Arrange community activities that **raise awareness** of victim's rights, of what constitutes criminal activities, of potential consequences, intervention and ways in which the community can prevent crimes against or involving children;
- c. Arrange to **visit schools** to talk to children about risks and vulnerabilities, the role of the police, and other safety issues. Make sure that any activities in schools protect the privacy of children who may have been victims or witnesses (or offenders) and ensure that any activities do not victim blame (see D3);
- d. Be aware of and **meet regularly with civil society organisations**, NGOs and FBOs to find out about their work to prevent offending, and to collaborate or offer help where possible; and
- e. Work together and promote **cross-working and discussions** within the Police Station, in particular with any Specialist Children's Police Units, or other specialist police units. Share lessons learned, awareness about community services and implementation of best practices.

D.3 AVOID VICTIM BLAMING

Whenever community activities take place, it is essential to avoid 'victim blaming', either by those in the NPF, or by community members. Victim blaming occurs where the victims is held to have some liability or blame for the crime perpetrated against him or her, and is often seen in cases of rape, sexual assault or other personal crimes. Examples of victim blaming include commentary on what a victim was wearing, whether they were intoxicated, how late they were out, whether they were walking alone, etc.

Such language is not acceptable and Police Officers must counteract it through open discussion wherever possible.

D.4 ENCOURAGE REPORTING

One of the most effective ways to prevent crimes against children (or those to which children are witnesses) is to ensure that reporting of crimes is easy and that the police response to reporting is effective. The following key steps should be followed:

- a. Have an immediate, visible response;
- b. Create a conducive reporting environment;
- c. Ensure trained police personnel are available at all times;
- d. Investigate all complaints thoroughly;

- e. Ensure effective communication with all parties about the legal process and decisions made;
- f. Strive for consistent contact with one investigating officer for each child victim or witness;
- g. Develop and implement a local referral system for access to health, psycho-social and economic support; and
- h. Establish cast-iron privacy measures to ensure the victim and witness is supported and safe, and to avoid deterring future reporting.

D.5 REFERRALS AND REPORTING

Officer in Charge must detail an officer to fill in referral forms for the purpose of regular follow-up. The Officer in Charge should ensure that monthly reports are completed in order to support data in relation to cases with child victims and witnesses.

D.6 INTER AGENCY WORKING

Prevention is a team-effort and must involve the support of a number of agencies and actors. Police Officers should maintain regular communication with community and local government professionals working on children's issues. Regular meetings, face to face conversations and phone calls can help Police Officers to be aware of potential problems, and can help to ensure that children who need care and protection are properly referred to Social Welfare Officers.

Officer in Charge should ensure that all Police Officers are sensitised on issues of child care and protection and are able to identify children who are in need of care and protection and whose cases should therefore be referred to Social Welfare Officers. (See Section F).

SECTION E – INITIAL RESPONSE

There are a number of ways that a case may come to the attention of the Police including phone calls, reports from hospitals, verbal complaints, complainant letters from other agencies such as the social welfare department, or reports directly to the police stations.

E.1 TELEPHONE PROCEDURES

If the case is received by telephone at the police station, the person receiving the call should try to **collect the following information**:

- a. The full address or location of the crime scene;
- b. Whether the child or children involved are safe at the time of the call;
- c. The name and return phone number of the caller;
- d. The 'relationship' of the caller to the incident (whether the caller is a victim or witness);
- e. Nature of the reported incident:
 1. When did it happen? Is it ongoing?
 2. Is emergency presence required?
 3. Is anyone injured?
 4. Is medical help required?
 5. Were weapons involved? Are they still in use?
 6. Who is the suspect?
 7. Is the suspect still present? Where is the suspect?
 8. What is the suspect's name? Or what does the suspect look like?
 9. If the crime is reported from a house: are there weapons in the house? Where?
- f. If the victim has been sexually assaulted, gently explain the need to avoid changing clothes, bathing , rinsing the mouth or using the toilet until help has arrived – but make sure to send help to support the victim;
- g. If the caller is not the victim, ask whether he or she is able to stay with the victim until help arrives, or whether there is someone else who can do so; and
- h. Send a trained Police Officer to go and see/support/interview the victim and begin the police processing of the case.

E.2 REPORTS FROM THE HOSPITAL

If a victim goes to hospital first, the police should be called to the hospital in order to start police proceedings, including receiving an initial statement and opening a case file. The Police Officer may need to obtain permission from medical authorities before taking initial statements.

It is important for all members of the NPF to maintain good working relationships with medical staff and to make every effort to strengthen this relationship.

E.3 CRIMES REPORTED TO THE POLICE STATION

Some common offences reported/handled are:

- Abduction
- Defilement
- Child Trafficking
- Child Labour
- Domestic Violence
- Genital Mutilation
- Kidnapping
- Assault etc.

E.3.1 PROCEDURE WHEN A VICTIM IS PRESENT AT A POLICE STATION

Where a victim comes to the police station to report a crime, the following procedure shall be adopted:

- a. Treat all cases where a child is a victim or witness without any unnecessary delays. Cases of sexual assault in particular should be treated urgently, victims should be given immediate medical attention.
- b. If the child is from outside of the jurisdiction, or the offence is alleged to have taken place in a different jurisdiction, the Police Officer should still process the case. The case can always be referred onwards to the other jurisdiction if necessary. The important thing is to take the statement and start the justice process.
- c. If the Police Station has a Specialized Children's Police Unit, officers from that Unit should be called immediately, and the child should have his or her case and all

interactions handled by Police Officers from that unit. If there is no SCPU, an individual Police Officer with specific training in working with child victims and witnesses should be called upon to handle the case. Each child should be assigned one designated Officer for the duration of a case.

- d. **Invite the child victim to a separate room**, away from the Charge Room. When in the privacy of the separate room:
 1. Calm the victim;
 2. Let the child know that he or she is safe in the Police Station;
 3. Make efforts to locate the child's parents or guardians;
 4. Contact the Social Welfare Officer or other relevant local supporter to help the child;
 5. Make the child comfortable and wait to interview the child until his or her parents/guardians are available (but be careful about the best interests of the child in case the child's parents/guardians are alleged perpetrators or are otherwise implicated in the case).

- e. **Wait for the child's parents/guardians** and, ideally, an official of the **Social Welfare Office** before commencing interviewing.

- f. **Interview the victim to get a brief description of what happened:**
 1. Use child-friendly listening and interviewing skills;
 2. Show interest, empathy, calmness and patience;
 3. Allow the child victim to talk without unnecessary interruptions;
 4. Take written notes on everything the child says and on the child's emotions and behaviour during the interview;
 5. In cases of sexual assault, do not ask questions about the intimate details of the alleged attack at this time – there will be the opportunity to do this later;
 6. Where the child is female, it is preferable that the interview is conducted by female officers; and
 7. Use dolls or drawings to help the child's ability to recall and to assist the child in case the child is not aware of correct language or terminology.

- g. The child's statement should be taken at a time that is in the best interests of the child – this may mean that it should wait until necessary adults are there to support the child. Let the child read through the statement or read it to him/her before it is signed or initialled.

- h. **Open a case file** and record the case number, interview notes and the child's statement and the medical examinations referral form, if applicable.
- i. Obtain and double check the child's contact details, and those of his or her parents/guardians.
- j. Make sure to communicate directly with the child as is appropriate according to the child's individual capacity and best interests.
- k. Explain to the child what will **happen next**.

E.4 INFORMING THE VICTIM

Make sure that the child is informed of the applicable procedure and next steps in the presence of the parent/guardian or social welfare officer. It is especially important in the case of children that they are supported to understand what is happening and what will happen through the use of appropriate, child-friendly language. Take time to explain to the child each procedure he/she is likely to be subjected to including the fact that she will have to write a statement; may be called upon to help identify the suspect (when apprehended) and may be requested to attend the trial in order to testify.

E.5 MEDICAL EXAMINATION

Where a medical examination is necessary, if possible, the responsible Police Officer should escort the child to a health facility. The officer shall have the necessary documents sent along with the child in order to record the medical examination. The child cannot be forced to undergo a medical examination, but the Police Officer should explain carefully the reasons why a medical examination would be useful in order to provide evidence to prosecute the case (see below). A Medical Request Form should be used for this purpose.

E.5.1 FOR PURPOSES OF PROSECUTION

A medical report may be used as legal evidence of the assault and can therefore be vital for an effective and successful prosecution.

E.5.2 FOR PURPOSES OF THE CHILD'S HEALTH

Injuries and wounds should be treated by a medical professional.

E.6 DETERMINING THE CHILD'S SAFETY

Before letting a child leave the station, find out where the child will go. If the child is to return to his or her parents or guardians, work with them to develop a safety plan that covers where the child should go and what measures can be put in place to support the child's safety. If the child is without parental care and in need of care and protection, make sure that a referral to the Social Welfare Officer has been made and provide support to the Social Welfare Officer in safety planning. (See Appendix III)

If the child does not feel safe going home, the Social Welfare Officer should be called. If the child cannot safely reach home or his/her destination, the Social Welfare Department or the SCPU should provide assistance with transport, if possible.

SECTION F – CHILD PROTECTION CASES

F.1 WHEN A CASE SHOULD BE HANDLED AS A CHILD PROTECTION CONCERN

When a child's case comes to the attention of the police, there may be a question over whether it should be handled as a criminal matter or a child protection matter. An example of this would be when the child has experienced abuse within the family. Although the abuse could be considered a criminal offence, it may be in the best interests of the child for the matter to be referred as a child protection case and for the case to be handled through the social welfare department.

The following principles and actions help guide the decision of whether a case should be handled as a child protection concern or a criminal investigation.

F.1.1. ALL CASES INVOLVING CHILD VICTIMS OR WITNESSES TO BE REFERRED TO THE SOCIAL WELFARE DEPARTMENT AS SOON AS PRACTICABLE

As soon as a case involving a child is brought to the attention of the police, the Officer in Charge or SCPU should immediately phone the social welfare department or other relevant statutory agency where a social welfare department does not exist to make a referral. This should be followed up with a referral form and record, which should be kept in the police station and at the social welfare department. (See Appendix IV).

F.1.2 DECISION OVER WHETHER TO PURSUE A POLICE INVESTIGATION TO BE TAKEN IN CONJUNCTION WITH SOCIAL WELFARE DEPARTMENT

Where there is a question over whether a case could be considered to be a child protection matter and not a criminal matter, the decision over whether to pursue a police investigation must be taken following discussions with the social welfare department. This decision should be based on the best interests of the child or children involved.

F.2 POLICE INVOLVEMENT IN CHILD PROTECTION CASES

Police officers will be requested to be involved in child protection cases where their presence is required by law (for example when supporting an emergency removal of the child from his or her parents or legal guardians). It is expected that trained Police Officers from the SCPU or other trained officers will give full cooperation to any investigations and actions as requested by the social welfare office or other government official.

F.3 CHILDREN IN CONFLICT WITH THE LAW

Handling of cases involving children in conflict with the law is guided by the SOPs on Handling Cases Involving Children in Conflict with the Law. Police Officers should be aware that children may come into conflict with the law through exploitation, and that many children in conflict with the law are victims themselves, either of criminal acts or of child protection concerns.

F.4 MISSING OR FOUND CHILDREN

Handling of all cases involving missing children, or children who have been 'found', must be handled by specially trained Police Officers in collaboration with the Social Welfare Department. Such cases should be referred to the Social Welfare Department as child protection cases.

SECTION G – INVESTIGATION AND DOCUMENTATION

G.1 VISITING A CRIME SCENE

G.1.1 LIST THE NECESSARY EQUIPMENT

Upon receiving a report about the commission of a crime, the responsible Police Officer should make a list of the equipment and transport that will be required to visit the crime scene. The nature and extent of the offence alleged/ committed shall determine the of equipment and personnel required, which may include, for example, a statement sheet, notebooks, camera, cordon tape, a rape kit, evidence bags or containers and other relevant equipment that will enable collection of evidence, and an un-broken chain of custody. The investigating police officer should be mind-full of time to avoid contamination of the crime scene.

G.1.2 TECHNICAL PERSONNEL TO PROCESS THE SCENE

Scenes of crime activities require a number of technical personnel, including: scenes of crime officer, sketching personnel, a photographer, a fingerprint expert, a ballistics expert, and others. It is essential that children (and other victims, witnesses and community members) are removed from the scene of the crime before this processing begins. The scene of the crime should be 'secured' as soon as possible.

G.1.3 THE GOLDEN RULES AT THE SCENE

All investigations and activities at the scene of crime must respect the requirements of the law of evidence, chain of custody and basic human rights (of both the suspect and any victim/child and witnesses).

S—Safety and survival of anything threatened.

C—Cordon/seal off, to preserve the scene.

E—Evidence – preserve the scene/exhibit.

N—Name log - list to keep record of witness' names/addresses, etc.

E—Evaluate-make a summary of the scene.

Proper crime scene management allows the NPF to understand the general nature of the crime committed and who could have been involved. Reliable and admissible evidence is collected to link the suspect to the crime and can be used in future investigations.

Any mistake made at the crime scene will threaten successful investigation of the crime and could render any evidence inadmissible. Clues or physical evidence damaged or destroyed may be lost forever, either in practice, or in terms of their evidentiary use.

G.1.4 ACTIVITIES ON ARRIVAL AT THE CRIME SCENE

The following checklist of activities should be carried out immediately on arrival at the crime scene:

- a. Determine the location and condition of those involved, including any children, the victims, witnesses and suspected perpetrators and separate them if necessary, providing support to vulnerable persons so that they are safe and not alone;
- b. Determine the exact time the crime was committed to the best of your ability/ witnesses' knowledge;
- c. Determine whether weapon(s) were involved and make sure that they no longer pose a threat to anyone/ confiscate them;
- d. Provide or arrange assistance, medical assistance as needed;
- e. Compile a list of the names and contact details of all witnesses;
- f. Begin preliminary interviews (separately);
- g. Make notes in relation to all parties' condition, demeanour, behaviour and statements;
- h. Document (through photograph, if possible) the crime scene, including torn clothing, broken objects, signs of struggle/assault, and injuries, making sure to respect the privacy of those involved;
- i. Document the use or your suspicions in relation to use of alcohol or drugs;
- j. Make immediate referrals to the Social Welfare Department if you have not already done so;
- k. Locate and assess the condition of any children at the scene;
- l. Gather any other information or engage in any other activity that may be necessary; and

- m. Share/collaborate with other stakeholders, including Social Welfare Department, local leaders and others, in a manner that protects the best interests and confidentiality of the child at all times.

G.1.5 OPEN A CASE FILE

Open a case file which shall be kept safely and securely within the Police Station.

G.2 THE HANDLING OF EXHIBITS

Any document or object can be an exhibit. An exhibit simply means something that is produced as evidence (usually in Court). An exhibit may be found at a crime scene, or elsewhere by a Police Officer, or may be handed in to the Police Station by an interested party. Exhibits could be in good condition, or in poor condition. Police Officers must make sure to take care with fragile exhibits to preserve their evidentiary value. Exhibits should be preserved and stored according to existing protocols. Particulars of exhibits must be recorded in the Exhibits Register and an Exhibit Label should be attached to them.

Any exhibit that the Police/Prosecutor or other witness wishes to introduce in Court must be accounted for from the time it was collected to the time it is produced in Court. This is called the 'chain of custody'. It is essential that it is possible to prove that the exhibit was held continuously and stored safely without interference by unauthorised persons.

SECTION H – INTERVIEWING SKILLS FOR CHILDREN WHO ARE VICTIMS OR WITNESSES

H.1 CHILD TO BE INTERVIEWED BY TRAINED OFFICERS

All child victims and witnesses should be interviewed only by those who have been trained in interviewing child victims and witnesses.

H.2 AGE APPROPRIATENESS AND EVOLVING CAPACITY

Interviews with child victims are essential, both because the victim interview will form a crucial part of the evidence in a case, but also because the child has a right to be heard and to tell his or her version of events. Taking into consideration the maturity, development and capacity of the child and any special needs and other vulnerabilities, there should be no minimum age at which a child is able to be interviewed or testify. All children have some information to share, whether in the form of gestures or language. Decisions about interviewing a child should be based on an assessment of the best interests of the child and the child's individual capacity and circumstances, rather than the age of the child. Police Officers should ensure that Social Welfare Officers or another appropriate adult are available when interviewing children who are victims of sexual or other personal offences.

H.3. INTERVIEWING CHILD VICTIMS

H.3.1 GENERAL DOS AND DON'TS

The following is a simple list of dos and don'ts for interviewing child victims:

- a. Do not interview the child without the presence of a trusted adult e.g. a parent, guardian, legal representative or other appropriate assistance, or an official from the Social Welfare Department; (note that there might be circumstances where the child fears his/her parents and social welfare officers are not readily available. The police should be allowed to interview the child but should record the interview. Do not interview a child in the presence of an adult who could be the perpetrator, or an adult who may have an influence on the child – such as the partner of the perpetrator;
- b. Address the child at eye level but be careful not to invade the child's personal space, or to force eye contact;
- c. Be friendly and kind to the child;
- d. Use simple, direct and understandable language;
- e. Explain your role and what will happen during the investigation process in a simple language;

- f. If a child does not want to speak, accept this and do not threaten or force the child;
- g. Use open questions. (e.g. Can you tell me what happened?);
- h. Do not use leading questions;
- i. Ensure that the child has access to refreshments and toilet breaks as necessary;
- j. Stop the interview if the child is becoming distressed;
- k. Take all possible measures to protect privacy;
- l. Consider interviewing the child outside of school-times, so that the child is able to continue to attend school;
- m. Avoid wearing uniforms and carrying weapons;
- n. Listen to what the child has to say and let the child progress at his/her own pace. Do not interrupt and remember to provide positive non-verbal communication;
- o. Use a doll or let the child draw a picture to show what happened if he/she has trouble telling you;
- p. Do not make promises you cannot keep;
- q. Refer the child to additional services as appropriate; and
- r. If necessary, explain that asking about the child's behaviour does not mean that you doubt the child or are placing blame on the child in any way at all.

H.3.2 STEP BY STEP GUIDANCE

H.3.2.1 INTRODUCTIONS

Introduce yourself giving your name (not just Inspector...). Explain that you are trained in handling cases involving children and your objective is to help the child.

H.3.2.2 APPROPRIATE LOCATION

Select an appropriate location. Let the child choose, if possible. Make sure that the location is child-friendly. This means that the location will be private, free from distraction, safe and comfortable for the victim. In Police Stations with SCPUs, interviews should take place at the SCPU office.

H.3.2.3 PRESENCE OF A SUPPORT PERSON

Ask the child victim if he/she would like anyone to be present during the interview. It will normally be within the best interests of the child for him/her to be accompanied by his or her parents/guardians or a Social Welfare Officer. Wait to interview the child until a supportive adult is present.

H.3.2.4 PURPOSE OF THE INTERVIEW

Explain that the purpose of the interview is to gather evidence and hear the child's voice and point of view. Explain that it is OK for the child not to know some answers, and that it is important for the child to say when he or she does not know an answer.

H.3.2.5 PUT THE CHILD AT EASE

Show an accepting and compassionate manner to put the child at ease. If possible, avoid wearing a uniform and avoid legalistic or formal language. Avoid unnecessary or inappropriate touching of the child.

H.3.2.6 ENGAGE IN ACTIVE LISTENING

Without interrupting the flow of the child's narrative, try to interject soft comments that indicate you have been listening.

H.3.2.7 INTERVIEWING THE CHILD: THE CHILD'S NARRATIVE

The child's narrative is the most vital part of the interview. To begin the interview, ask the child to tell you what happened to him/her in his/ her own words and at his/ her own pace.

- a. Use open-ended prompts:
 1. "And then what happened?"
 2. "Tell me more about that."
- b. Allow the child to control how fast the interview proceeds;
- c. Avoid leading questions; and
- d. Avoid interruptions.

Then, go back and clarify points or gather additional details using open-ended follow-up questions.

At the end of the interview:

- a. Thank the child;
- b. Ask the child if he/she has any additional information he or she would like to add;
- c. Explain future procedures; and

- d. Ask the child whether he or she has any questions.

H.4 INFORMATION TO BE GATHERED DURING THE INTERVIEW

- a. Time, date and location of the incident;
- b. The child's relationship with the suspect;
- c. If the suspect is unknown, a complete description of the suspect(s);
- d. What happened: a description of the specific acts committed, whether any acts were repeated, what happened after the incident;
- e. Did the suspect touch anything or leave anything behind?
- f. Were there any other witnesses?
- g. The physical appearance of the

H.5 CHILD SAFETY

The child's safety is an absolute priority. In cases where the suspected is not held in police custody, the child's safety must be addressed as a matter of priority as the child is at risk from the suspect, but the child may also be vulnerable to attack from other interested parties. Where a child is a witness to domestic violence, the child may need to be removed from his/her home. This is discussed in Section I.

H.6 CASES OF SEXUAL VIOLENCE OR ASSAULT INVOLVING CHILDREN

H.6.1 DUTY TO INVESTIGATE SEXUAL OFFENCES AGAINST CHILDREN

Investigate all cases involving sexual contact with a person below 18 years of age as a legal wrong on the part of the perpetrator, irrespective of whether consent was obtained or not. In all cases involving sexual assault, obtain a detailed statement from the child irrespective of age. Have the child help identify the suspect in any way deemed legitimate.

H.6.2 WHEN USING SEXUAL LANGUAGE IN INTERVIEWS WITH CHILDREN

An interview relating to sexual assault will likely be very difficult and potentially upsetting to a child. The following are some tips in relation to language to be used:

- a. Avoid using terminology that the child will not understand;
- b. Clarify any slang terms the child uses to ensure you understand what they mean;
- c. Repeat terms used by the child without acting shocked or embarrassed by them;

- d. Before asking any question that may be embarrassing to the child, explain why you are asking that question; and
- e. Allow a child to use dolls or diagrams rather than words to explain what happened.

H.6.3 IMPORTANT INFORMATION TO SHARE WITH CHILD VICTIMS OF SEXUAL VIOLENCE

- a. Carefully and sensitively, explain the importance of seeking medical assistance immediately and offer help in receiving medical services;
- b. Carefully and sensitively, explain the importance of keeping evidence safe. If possible, ask the child to refrain from bathing or showering until after medical examination and support has been received;
- c. Where the child would prefer to go to the hospital before the interview he/she should be accompanied by a designated Police Officer or a Social Welfare Officer. The interview can follow immediately after medical treatment – there is no harm in this delay; and
- d. Explain that there are other services available to the child in the community and that you will be happy to share that information with him or her when he or she feels like it.

H.6.4 COLLECTION OF EVIDENCE FOR FORENSIC EXAMINATION IN SEXUAL ASSAULT CASES

The following guiding principles must be observed in collecting evidence that will be submitted for forensic examination:

- a. Consider the entire body and the clothing of the child as a scene of crime and treat it as such in every respect;
- b. Secure all dry stains of blood, saliva, semen, secretions and non-identifiable blots on child's clothes, beddings, floor and surrounding objects in cotton swabs moistened in distilled water;
- c. Collect foreign materials such as hair, fibres, wad and other particles on the body and put them in the double-folded paper which shall be secured in a separate envelope;
- d. Make sure that the child duly identifies all personal items and those of suspect left behind or found at the scene. Make a list and describe all items taken by the suspect from the child;
- e. Accurately and clearly, and in a detailed manner, describe the injuries sustained by the child; and

- f. Take photographs of any injuries (sensitively and carefully).

If the child has had consensual sexual activity within 72 hours before attack, take the name(s) and contact information of the partner(s) for a possible control of blood and semen samples.

H.6.5 THE FIRST PERSON TO HEAR THE CHILD'S STORY

Take the statement of the first person to whom the child disclosed information about the incident. Contact the person the child spoke to first and ask him/her to record a statement about the communication, including the time and date the discussion took place, what he or she was told in the words of the child and a comment on the emotional, physical and mental state of the child at the time the discussion took place.

H.7 PRIVACY

It is imperative to protect the child's right to privacy at all stages of the justice process. This is important because involvement with police processes can lead a child to be stigmatised in his or her community, which can make future rehabilitation and reintegration more difficult. This is especially crucial in sexual assault cases which can involve community taboos.

There are a number of ways that privacy can be protected during investigation and interrogation, in particular:

- a. Avoid interviewing a child who attends school during school hours as this will mean that the child has to miss school and it is likely that other children at the school and other members of the community will work out why, which will affect the child's privacy;
- b. To the extent possible, try to interview the child away from the main Police Station Charge Room, so that the child does not have to mingle with others on the way to and from interviews (this can also help protect the safety of the child); and
- c. Be sensitive about the way in which you contact the child and his or her family – consider inviting the child to the Police Station or letting the child choose where to meet rather than visiting the child in the home in order to protect the child's privacy.

SECTION I – CHILD WITNESSES

I.1 GENERAL PROCEDURES RELATING TO CHILD WITNESSES

Where a child is a witness to a criminal offence, the procedures and interview techniques relating to child victims that are set out in Section H should be followed. When a child is a witness to a criminal offence, he or she is likely to be distressed, and may find police

procedures upsetting, confusing and intimidating. For this reason, it is imperative that Police Officers treat the child in a child-friendly manner that respects and protects his or her dignity, wellbeing and privacy. The identity of the witnesses should not be made known in the presence of the perpetrator.

I.2 CHILD WITNESSES IN CASES OF DOMESTIC VIOLENCE

One of the most distressing types of cases for children to be a witness to is domestic violence cases. The following guidance covers handling of such cases. The Police and court processes of such cases should not be prolonged.

I.2.1 APPROACHING A CRIME SCENE INVOLVING DOMESTIC VIOLENCE

A domestic violence scene of crime can involve children, relatives, neighbours, and extended family members, many of whom continue to be at risk.

I.2.2 SCENE OF CRIME IN A HOUSE OR HOME

If the scene of crime is a house, Police Officers should be aware that children may be hiding in the house. Police Officers should take time to check all places and ensure all residents, including children, are safe and accounted for. Search warrant should be obtained before entering the house/home.

I.2.3 REFER TO THE SOCIAL WELFARE DEPARTMENT

Since the police visit may result in both parents being taken away, make sure that the social welfare department is called and takes steps to ensure that the child and any other children are kept safe.

I.2.4 IN THE EVENT OF DEATH OF ONE OF THE PARENTS

If one of the parents is dead, take the child/children to a safe place and immediately contact the Social Welfare Department to come and support the child.

I.2.5 MOVE CHILDREN TO A SAFER PLACE/ORPHANAGES

In all cases children shall be taken to a safer place (including orphanages) assured and calmed down before the scene is secured and processed. The Social Welfare Department must be notified in all cases. Do not leave a child unless you are certain he or she is safe.

SECTION J – INTER AGENCY AND COMMUNITY WORKING

J.1 POLICE FORMATIONS TO COLLABORATE WITH OTHER RELEVANT AGENCIES AND LOCAL COMMUNITY LEADERSHIP

All Police Stations shall identify and work with, among others, the local government leadership, FBOs, schools, NGOs, community policing committees, health facilities and domestic violence and abuse grassroots associations to identify, prevent, respond to, mitigate, document and

share information about children in need of care and protection and children who are victims and witnesses through referral and counter-referral.

J.2 CONSENT TO REFERRAL

Before referring a child to an agency, other than Social Welfare, the investigating officer should explain to the child and his or her parents or guardians the options for referral and the nature of service offered. Before referring the child to an agency the investigating officer should receive consent from both the parents/guardians and the child, except the child is a found child. However, the consent of the parents/guardians may be dispensed with if in the best interests of the child, in which case the referral decision should be made in collaboration with a Social Welfare Officer. On satisfaction that the child/guardian consent to the referral; the investigating officer shall prepare the referral form in Appendix VI and send it to the service to which the child is being referred.

J.3 POLICE FORMATIONS TO MAINTAIN UPDATED LIST/DIRECTORY OF ALL COMMUNITY GROUPS

All Officers in Charge shall keep an updated list of all groups (irrespective of legal status) that offer support services, or other relevant activities, for children and their families. A list of important telephone numbers can be kept at the back of this document in the format set out in Appendix V.

J.4 COPIES OF THE LIST/DIRECTORY AVAILABLE TO SOCIAL WELFARE OFFICERS AND OTHER COMMUNITY OFFICERS

To promote coordination, Officers in Charge shall provide Social Welfare Officers and other relevant community officers with a copy of the directory and regularly provide updates upon request.

J.5 OFFICER IN CHARGE OF STATION TO SUBMIT DETAILED MONTHLY, QUARTELY, MID-YEAR AND ANNAUL REPORTS TO POLICE HEADQUARTERS

Monthly, quarterly, mid-year and annual reports shall be sent to the Divisional Police Officer by the Officer in Charge and copied to Force Headquarters through chains of command within the Force (see Appendix V). The reports shall provide sufficient details in order to appraise the headquarters of the existing situation at each station. The information contained in the monthly report must be kept confidential. Care should therefore be taken at all times to ascertain that any exchange of reports and referrals is done without compromising the child's privacy.

APPENDIX I – EXTRACTS FROM THE CRA

50.—(1) A child development officer, a Police Officer or any other person authorised by the Minister may bring a child before the court if he has reasonable grounds for believing that the child—

- (a) is an orphan or is deserted by his relatives; or
- (b) has been neglected or ill-treated or battered by the person having the care and custody of the child; or
- (c) has a parent or guardian who does not exercise proper guidance and control over the child; or
- (d) if found destitute, has both parents or his surviving parent, undergoing imprisonment or mentally disordered or otherwise severely incapacitated; or
- (e) is under the care of a parent or guardian who, by reason of criminal or drunken habits, is unfit to have the care of the child; or
- (f) is the daughter of a father who has been convicted of the offence of defilement or indecent treatment of any of his daughters; or
- (g) is found wandering or has no home or settled place of abode, is on the street or other public place, or has no visible means of subsistence ; or
- (h) is found begging or receiving alms, whether or not there is any pretence of singing, playing, performing, offering anything for sale or otherwise or is found in any street, premises or place for the purpose of so beginning or receiving alms; or
- (i) accompanies any person when that person is begging or receiving alms, whether or not there is any pretence of singing, playing, performing, offering anything for sale, or otherwise ; or
- (j) frequents the company of a reputed thief or common or reputed prostitute; or
- (k) is lodging or residing in a house or the part of a house used by a prostitute for the purpose of prostitution, or is otherwise living in circumstances calculated to cause, encourage or favour the seduction or prostitution of the child; or
- (l) is a child in relation to whom an offence against morality has been committed or attempted; or
- (m) is otherwise exposed to moral or physical danger; or
- (n) is otherwise in need of care, protection or control; or
- (o) is beyond the control of his parents or guardians.

207.—(1) There shall be established, in the Nigeria Police Force, a specialised unit of the Force, to be known as the Specialised Children Police Unit (in this Act referred to as the “Unit”) which shall consist of Police Officers who— (a) frequently or exclusively deal with children; or
(b) are primarily engaged in the prevention of child offences.

(2) The Unit shall be charged with the following functions, that is—

- (a) the prevention and control of child offences;
- (b) the apprehension of child offenders;
- (c) the investigation of child offences; and
- (d) such other functions as may be referred to the Unit by this Act or by regulations made under this Act or by any other enactment.

(3) Members of the Unit shall be continually trained and instructed specially for the functions conferred on the Unit under Subsection (2) of this section.

APPENDIX II – EXTRACTS FROM THE CYPA

The Children and Young Persons Act 1943 contains provisions for ‘juveniles in need of care and protection.’ It allows ‘any local government council, any Police Officer, or any authorised officer’ to bring a child or young person before a juvenile court, where the child is:

- (a) Orphaned or has been deserted by their relatives;
- (b) Has been neglected or ill-treated by the person in their care or custody;
- (c) Has a parent or guardian who does not exercise proper guardianship;
- (d) Is found destitute, and whose parent/s are in prison;
- (e) Who is under the care of a parent / guardian who is unfit to care for the child, due to ‘criminal or drunken habits’;
- (f) Is the daughter of a father who has been convicted of a sexual offence in relation to his daughters;
- (g) Is found to be wandering the street with no abode or means of subsistence;
- (h) Is found begging or ‘receiving alms’;
- (i) Accompanies a person who is begging / ‘receiving alms’;
- (j) Frequents the company of ‘any reputed thief or common or reputed prostitute’;
- (k) Is residing in a house with a prostitute;
- (l) Has had an offence of violence committed against him/her;
- (m) Would be a slave (but for the provisions of the law);
- (n) Is otherwise exposed to moral danger;
- (o) Their welfare is endangered by a parental dispute; or
- (p) Has been found touting or working on a commercial vehicle.

APPENDIX III - SAFETY PLANNING

Date of referral:

Name of the child:

Address:

Sex:

Tribe:

Religion:

Nationality:

Occupation of the child:

Names of child's parent/s guardians:

Brief details of alleged offence (including date):

Relationship between child and alleged perpetrator:

Can the child stay at home?

If yes, are there any risks that need to be mitigated?

Plan for mitigating these risks:

If no, where can the child stay?

Are there any risks that need to be mitigated?

Plan for mitigating these risks:

Name and contact details of responsible Social Welfare Officers

Contact details where the child is staying

Name, number and signature of officer preparing the safety plan: _____

APPENDIX IV – SOCIAL WELFARE DEPARTMENT REFERRALS

Date of referral:

Name of the child:

Age:

Sex:

Names of child's parent/s guardians:

Contact information of the parent(s)/guardians (if the child is able to provide such information):

Reason for referral:

Name, Phone number and signature of officer preparing the referral: _____

Name, Phone number and signature of Social Welfare Officer receiving the referral:

APPENDIX V – IMPORTANT COMMUNITY REFERRAL NUMBERS

Name of organisation	Telephone/contact	Physical address	Services offered

APPENDIX VI – REFERRALS TO COMMUNITY SUPPORT SERVICES

Date of referral:

Name of the child:

Age:

Sex:

Tribal mark:

Religion:

Address of the child:

Names and contact of child's parent/s guardians: _____

Reason for referral:

Name, phone number and signature of officer preparing the referral: _____

Name, Phone number and signature of Social Welfare Officer receiving the referral:

APPENDIX V – MONTHLY, QUARTELY, MID-YEAR AND ANNUAL REPORTS TO BE SUBMITTED TO FORCE HEADQUARTERS THROUGH CHAINS OF COMMAND WITHIN THE FORCE

S/No.	RB Entry and Date	Name of child	Age	Sex	Tribal mark	Complexion	Nature of alleged offence	Exhibits	Has child protection referral been completed?	Status/ outcome of case (i.e. referral for charge, child protection proceedings)	Referral to community support service?