

The BEARR Trust Annual Conference, 19 November 2010

Young People in Trouble

Report by Janet Gunn, BEARR Trustee

This year's conference focused on young people in trouble with the law. **BEARR Chairman Tony Longrigg** welcomed a distinguished panel of speakers from Britain, Russia, Ukraine and Georgia, all of whom had direct experience of working to help children and young people who fall foul of the law, and in very many cases come from disadvantaged backgrounds. Tony Longrigg expressed gratitude to CEELBAS for its continued cooperation, which is particularly helpful given BEARR's small budget and the difficult times all NGOs are experiencing. The conference programme as usual provided an excellent opportunity for networking.

The presentations conveyed, as has previously been the case, a mixed picture of progress, with some countries or regions within countries developing innovative practice and good cooperation between the state and third sectors. Others still struggle to overcome old stereotypes and mechanisms, or show little interest in doing so, either due to lack of funds or for other reasons. And, as usual, the evidence provided by speakers of the dedication and imagination of the non-governmental organisations in the countries of the region, supported and encouraged by international NGOs, was both striking and edifying. Where real progress was identified, the reasons for this were more likely to be the existence of inspirational individuals in the judiciary and bureaucracy and the ability of more prosperous regions to set up new mechanisms. Encouraging examples were cited where real reform and compliance with international conventions relating to children were making significant progress, improving the lives of some of the most vulnerable people in these societies. One participant asked "how much are we helping?" The responses were "a drop in the ocean" and "one child..." – a strong signal for all concerned to continue their work and to try to help the countries of the region to step up their own efforts.

The conference opened with a presentation by **Dr Mary McAuley**, Associate of the International Centre for Prison Studies, King's College, London, who set the scene with a presentation on young people who fall foul of the law in four countries of the region, Russia, Ukraine, Kyrgyzstan, Tajikistan. The four countries she covered represent the two largest and two of the smallest countries in the region. Russia and Ukraine have ageing and falling populations, while the two Central Asian states are young and growing, with the cohort between 0 and 17 years of age accounting for 35-40% of the total population. All four have large numbers of unsupervised or homeless young people, and - especially in Central Asia - high levels of unemployment, and hence absent parents working abroad. The first two countries and the last two differ considerably in societal and cultural ways, and in their ethnic make-up. But in all four, as everywhere else, homeless children are over-represented in places of detention. The age of criminal responsibility is, in most cases, 14 to 16 (depending on the gravity of the crime). The way young offenders are handled by the authorities depends most of all, as elsewhere, on the police, and whether they "book" the young person or simply

Patrons: The Duchess of Abercorn, Vladimir Ashkenazy, Elena Bashkistrova Barenboim, Lady Fall, Myra Green OBE, Professor Geoffrey Hosking, Sir Roderic Lyne KBE CMG, Sir Jonathan Miller, Anthony Oppenheimer, Rair Simonyan, Sir Andrew Wood GCMG

Trustees: Tony Longrigg CMG MA MSC (Chairman), Megan Bick BA (Russian) MA, Christopher Gerry PhD, Janet Gunn CMG BA, Daryl Ann Hardman BA (Russian) MA, Her Honour Judge Marcia Levy, Ann Lewis CMG BA, Jo Lucas, Jenny Norton, Nicola Ramsden MA MBA, Robert Scallon MA, Nick Tesseyman MA

give them a warning. The relevant UN and other international conventions, which all four states have signed up to, call for the use of juvenile courts, and for detention to be used only as a last resort and to be brief.

Dr McAuley explained that compliance with international obligations require new methods, all of which need staff and investment. In 2001-5 efforts were made to amend criminal codes to soften sentences for young people, to use remand less, and to use alternatives such as fines or community service. Much tends to depend on the local judge, and whether alternative mechanisms have actually been established. Probation is not yet developed as a service, so children often have to report to the police. Suspended sentences are used a lot, in the absence of alternatives. In Kyrgyzstan there have been experiments, and progress has been made, with, for example, panels set up to support young people. Tajikistan has also made progress. But in many projects, especially where local and international NGOs are providing much of the inspiration and funding, sustainability cannot be guaranteed.

Dr Boris Altshuler, Director, Rights of the Child, Moscow, spoke with great authority, having been an active human rights campaigner in Russia since the 1970s. He and some colleagues organised a children's rights group in 1996, because, despite the existence of some new laws, they realised that the treatment of young offenders had not changed. Their methodology was the same as for dissidents – writing letters and appeals to senior political and government leaders, as the lower bureaucratic echelons simply ignored their appeals. Dr Altshuler welcomed the involvement of some new institutions such as the Public Chamber, and the appointment of central and regional Ombudsmen, which have helped to draw the attention of the President to the issues.

Dr Altshuler was enthusiastic about the possibilities opened up by the internet and the new media, especially Twitter, as these have been instrumental in bringing issues to the very top political level, and have resulted in orders to those in positions of responsibility to take action, as well as provoking a rash of voluntary action. In 2006 (then) President Putin called for fewer children to be sent to institutions. Some improvements have been noted, but there are still 100,000 new orphans every year. In 2009 President Medvedev organised a meeting on violence against children, and called for a modern system of protection of children. The new institution of Children's Ombudsman in 2009 has been beneficial, but the bureaucracy remains resistant to change. However, there are grounds for hope - the number of juveniles in custody is decreasing in Russia, and more reforms are planned.

In the next session, looking at *Crime, Justice and Prisons*, **Yuliana Nikitina of the St Vasil's Centre, St Petersburg**, took forward the theme of non-custodial sentences. The Centre works with boys who have been given suspended sentences, hoping to discourage re-offending. It works together with psychologists and social workers, but also needs cooperation from the police, courts and other officials. The basis of the work is partnership and personal responsibility - an open social contract is agreed with the young offender, who has to agree to attend the Centre for 100 days and to obey the rules. The Centre has set up a social club and other facilities. Of 92 teenagers who have attended the Centre since 2004, only eighteen have re-offended, while fifty are leading a normal life, and the rest have returned to their previous lifestyle. Funding remains problematic for NGOs working in this field, and the state finds it difficult to take on such projects itself as it is unused to working with young people on the basis of equality and partnership.

Tsira Chanturia, Director of the South Caucasus Regional Office of Penal Reform International (PRI), in Tbilisi, described efforts to promote non-custodial sentences in Georgia. Despite a recent drop in juvenile crime the number of prosecutions has increased, resulting in prison over-crowding. Since 2009 there has been a major reform of the criminal justice system in Georgia, with EU funding, and PRI support. For example, there is now mandatory training for people involved in criminal justice, as well as community policing, proper interview techniques, and a requirement that all young offenders have to have a defence lawyer. A plan is developed by professionals for each child offender, and first-time offenders are diverted into the care of social workers. Family and school counselling services are being developed, and offenders are introduced to positive role models. Out of 75 young

people with whom the project has worked over two years, only two have re-offended. PRI works at policy level, with the government and justice agencies.

Paola Pavlenko, of AIDS Alliance, Ukraine, was the first speaker in the next session, on *Drugs, Alcohol and AIDS and Young People*. AIDS Alliance used to be part of a large international NGO, but now stands alone, with international funding. Alliance works with large numbers of local government and non-governmental organisations around Ukraine. It is responsible for 45% of the national HIV/AIDS programme. There have been positive recent developments in HIV/AIDS policy and practice in Ukraine. New legislation adopted in 1999 is liberal, providing for voluntary testing, confidentiality, and small monthly benefits for those diagnosed positive. At the same time, Ms Pavlenko said, drug control policy in Ukraine remains punitive. In Ukraine the incidence of HIV/AIDS in people aged 15-24 is decreasing, but 1.3% (360,000 people) of the age group 15-49 is infected. Drug use as a means of HIV/AIDS transmission is falling. Among street children in Kyiv 19% are HIV positive – and in Odesa the figure is even higher, at 25%. The tendency is still to stigmatise the victims of drug trafficking, not the traffickers.

Dr Elena Rydalevskaya, Director of the Diakonia organisation in St Petersburg, talked about the organisation's work. It was set up in the early 1990s by a number of churches. Diakonia runs a rehabilitation centre for boys, with a garden and farm animals. It helps 45 people annually. In Russia 30-40,000 people die every year as a result of heroin, and it is estimated that 1-1.5% of Moscow inhabitants are drug users. The first contact with drug users is by hot line. Callers can be given information on treatment centres. In Russia 70,000 people die every year directly from alcohol-related causes, and many more from indirectly related causes. In rural areas especially, alcoholism and social problems are closely linked. Many parents in Russia complain that the police know who sells the drugs, but punish the users rather than them.

In the last session of the day we looked at *Life on the Street: Homelessness and Prostitution*. **Hamish Heald, from Love's Bridge**, a British NGO working in Perm Region since 2005, described its work with underprivileged children – many of them homeless. The number of children living and sleeping on the streets and in cellars in Perm has fallen – most now sleep at home or with friends, and are only on the streets in daytime. Love's Bridge runs centres and activities for them. There are an estimated 27 million children in Russia, and 6 million of them live in poverty. Two million are illiterate, and 2,000 die every year as a result of domestic violence. Many more run away from home. The police don't see domestic violence as an issue for them, and are often corrupt. Social services are limited. There are only twenty shelters for women and children who are victims of domestic violence in the whole of Russia. So children stay on the streets by day, and are susceptible to drink, drugs, and exploitation. The state only takes an interest when they break the law.

Such children are sexually active from a young age. It is estimated that 25% of sex workers in Moscow are under eighteen. Many are exploited for pornography. There is also child trafficking and sex tourism to Russia. In Perm the local authorities have provided centres where NGOs can work, and has opened its own centres. Love's Bridge is also working in children's homes. It provides activities such as sports and computers. Overall, the authorities in Perm region are making good progress. They are encouraging fostering so as to reduce reliance on children's homes.

Krikor Krikorian, Board Member and adviser of Orran (meaning Shelter in Armenian), followed on with his own experience of helping street children in Armenia. Armenia is a small country with high unemployment and widespread poverty. Orran's mission is to prevent the spread of destitution and begging among Armenia's children and elderly, to fight the phenomenon of children as the principal bread winners of their families through begging, to divert children from the streets and engage them in academic, cultural, and extra-curricular activities, to identify and develop children's interests and talents toward a working career, and to help families "in crisis". The project started in 2000 and provides 200 meals a day, bath facilities for walk-ins, and has helped a number of talented children to pursue their studies instead of begging on the streets.

The slides/notes/photos used in speakers' presentations can be accessed on the BEARR website as follows:

Mary McCauley
Dr Boris Altshuler
Yuliana Nikitina
Tsira Chanturia
Paola Pavlenko
Dr Elena Rydalevskaya
Hamish Heald
Krikor Krikorian