



Université Saint-Joseph de Beyrouth
Faculté des lettres et sciences humaines
École libanaise de formation sociale

unicef 
unite for children



This project is funded
by the European Union

Lebanese Republic
Ministry of Social Affairs



Standard Operating Procedures for the Protection of Juveniles in Lebanon

(Operational toolkit)



The English version is a translation of the original in Arabic for information purposes only. In case of discrepancy, the Arabic original will prevail.

Disclaimer: The views expressed in this guide do not necessarily reflect the views of the United Nations Children's Fund (UNICEF). The mention or omission of specific actors and/or their work and/or their actions doesn't imply any endorsement or judgment by the United Nation Children's Fund – UNICEF

This publication was executed with the support of the European Union. The Ministry of Social Affairs and the Lebanese School for Social Work at the University of Saint Joseph are solemnly responsible for the content of this publication which does not reflect, in any way, the views of the European Union.

© The ministry of Social Affairs, United Nations Children's Fund (UNICEF), University of Saint Joseph-
Lebanese School for Social Work, Beirut, Lebanon, 2015.

Reprinting is permitted upon the approval of the copyright holders.

Editing: Murielle Chahine Toby, Department of communication and publications

Printing: Byblos, Beirut 2015

Contents

Foreword by the Minister of Social Affairs	4
Introduction	6
List of Figures	8
List of Appendices	8
List of Terms	9
Chapter 1: Juveniles protection Standard Operating Procedures in Lebanon	11
1- Protection of juveniles at risk	12
2- Concept of “risk” according to Law 422/2002	12
3- Concept of “protection”	14
4- Juveniles protection system in Lebanon.....	14
5- Diagram of the protection pathway.....	16
Chapter 2: Juvenile (Child) Protection Case Management	32
1- Foreseeing and identifying risks	33
2- Assessment	36
3- Preparing the Protection Measures	40
4- Reviewing of the Protection Measures.....	43
Chapter 3: Case management methodology	45
1- Identification and preliminary assessment of the case	49
2- Assessment	64
3- Planning and implementation of Protection Measures	79
4- Review	87

Foreword by the Minister of Social Affairs

The Ministry of Social Affairs is proud to present the first product aiming at the enhancement of the protection of children in Lebanon entitled “Child Protection Case Management Standard Operating Procedure for Lebanon” and its operational tools. This toolkit comes as a result of the recommendation of the study on “Strengthening the Child Protection System in Lebanon: Challenges and Opportunities”, which was conducted by the Ministry of Social Affairs-The Higher Council for Childhood and UNICEF in coordination with the Lebanese School for Social Work -University of Saint Joseph and Child Frontiers.

These Standard Operating Procedures (SOPs) are indispensable to make a real change that would support the existing protection system. The following equally important steps to come in strengthening the child protection system will be built on the solid ground of the SOPs, we are launching today.

The SOPs are important because they allowed the unification of all the stages of the child protection system in Lebanon, in both its judicial and non-judicial aspects, by establishing user-friendly and clear tools for every stage that can be used by all workers; The SOPs are the result of a participatory process engaging major stakeholders, from the public and private sectors, mainly responsible for the protection of children in Lebanon; All the tools were piloted and scientifically tested and modified in accordance with the local context and needs.

During a two year period (2014-2015), 350 technical and professional workers from the public and private sectors, were trained on the use of the toolkit. These professionals constitute today the nucleus for the implementation of the SOPs.

These SOPs do not mark the end of the journey, but as I mentioned before, they are the beginning of more work to come in this field. Thus, and as per our ongoing partnership with UNICEF, we are aiming to continue what we have started, by adopting these procedures as a prerequisite for the conclusion of any agreement with the organizations working on the response to child protection cases, after having completed the stage of capacity building of their staff as required by the developed SOPs. We also aim to transform this product into a university curriculum which can be adopted by the faculties graduating professionals in the field of child protection.

Finally, I would like to assert that this product would have never been achieved without the engagement of the officially-assigned members of the technical working group who have committed themselves to serve the objectives of the project, having a strong belief in this cause and hope to bring about a positive change that would benefit children in Lebanon. Therefore, I am keen to express my gratitude for the following ladies and gentlemen:

- President Roland Chartouni, Judge of the Juvenile Court in Baabda
- Mrs. Hala Bou Samra, Director of the Department of the Protection of Juveniles at the Ministry of Justice
- Mrs. Randa Bou Hamdan, Acting Director General of the Ministry of Social Affairs
- Mrs. Salam Chreim, Director of the Department of the Protection of Juveniles at the Ministry of Social Affairs
- Colonel Elie Asmar, Internal Security Forces, Ministry of Interior and Municipalities
- Dr. Jamileh Khoury, Project Coordinator, Lebanese School for Social Work at the University of Saint Joseph
- Dr. Maryse Tannous Jomaa, Director of the Lebanese School for Social Work at the University of Saint Joseph
- Mr. Anthony MacDonald, Chief of Child Protection, United Nations Children's Fund (UNICEF)
- Mrs. Abir Abi Khalil, Child Protection Officer, United Nations Children's Fund (UNICEF)

I also would like to thank the working group at the Ministry of Social Affairs and all of the local organizations who contributed actively to the success of the project and provided the working group with their practical experiences deriving from the Lebanese context.

Minister of Social Affairs
Rashid Derbes

In 2011, the Lebanese School of Social Work carried out a study entitled «Strengthening the Child Protection System in Lebanon: Challenges and Opportunities» in collaboration with the Higher Council for Childhood - Ministry of Social Affairs (MoSA), and with the support and funding of UNICEF. The study led to several findings and recommendations that formed the basis for a new project aimed at strengthening the protection system in Lebanon in line with Law 422/2002 on the Protection of Juveniles in Conflict with the Law and/or at Risk.

The results and recommendations highlighted the strengths and gaps in the design of the existing system and its effectiveness, as well as the adopted mechanisms and their comprehensiveness and accuracy. The study also revealed the need for purposeful strategies that aim to develop standards and practices in the field of child care and protection, knowing that the absence of standard operating procedures (SOPs) for the application of the provisions of the law, guidance and protocols constitutes a major obstacle to professionals, who tend to resort to personal intuition and experience rather than to scientific criteria for a professional and rigorous performance.

Whether Law 422 will be amended or a new child protection law enacted, a series of standard operating procedures are required to implement the legal provisions. These SOPs include:

- Standardized protocols for foreseeing and identifying and assessing risk, and evaluating measures implemented
- A standardized methodology for case management with operational and practical tools that ensure accuracy in decision making
- Training for professionals working with children and families to raise awareness of the scope of Law 422, ensure the sustainability and quality of the child protection mechanism at the local level, to better adhere to procedures, to determine the nature of the identified risk, and to address it as per the Law 422/2002.

On this basis, UNICEF and the Ministry of Social Affairs, with the funding of the European Union, continue their partnership and support for a second phase which aims to launch the SOPs for the protection of juveniles in Lebanon.

The SOPs are targeted to all professionals working in the protection sector with the aim of strengthening capacities on both managerial and methodological levels. They also seek to re-position the social centers (public and private), enhancing capacity and readiness to assess the needs of juveniles at risk (high or low) and their families, and provide them with appropriate protection and support services.

The SOPs are a set of guidelines that describe the steps to be followed by all professional working on the protection of juveniles in Lebanon, as well as the actions to be carried out. The implementation of these SOPs is an integral part of the system of the protection of juveniles in compliance with Law 422/2002 and should guide the working methodology in line with the legal, administrative, technical and ethical requirements of the Lebanese system. These procedures also help Ministries involved in the protection of juveniles to monitor compliance with the law, and ensure accuracy of analysis, guidance, decision-making and quality of the steps followed and/or the services provided.

In this framework, child protection case management is purely systematic and practical, structured into a series of programmatic interventions in order to find a solution for mitigating risk that threatens the development and safety of juveniles. Case management consists of a pathway composed of five phases to be followed by professionals of all specializations whether the case follows a judicial or non-judicial pathways.

The SOPs are a technical, field-based, schematic and political product aimed at promoting the protection of juveniles collectively. The SOPs involve stakeholders at all stages of building the protection tenor and developing the SOPs and their related mechanisms. This has strengthened their commitment and motivated them to adopt and implement these SOPs as a standardized work system that supports their work and contributes to ward off the risk on the concerned juveniles.

This booklet is developing and can be updated and complemented with additional input as needed.

List of Figures

- Figure 1 : Main factors in risk analysis
- Figure 2 : Protection system in Lebanon
- Figure 3 : Diagram of the protection pathway
- Figure 4 : Mandatory reporting
- Figure 5 : Reporting pathway in case of a crime
- Figure 6 : Process of receiving, addressing and assessing the Reporting
- Figure 7 : Partners in the protection of juveniles
- Figure 8 : Juveniles protection in Lebanon lead by the Ministry of Justice and the Ministry of Social Affairs
- Figure 9 : Assessment process of Alarming Facts

List of Appendices

- Appendix 1 : Indicators to identify the level of risk or abuse
- Appendix 2 : Juvenile file when Reporting or Notification is received
- Appendix 3 : Guide on the receiving of the Reporting or Notification on Alarming Information and on the Additional Verification
- Appendix 4 : Guide for assessment of facts/information related to the risk
- Appendix 5 : Assessing the vulnerability of the juvenile
- Appendix 6 : Guide for assessment of the skills/capabilities of parents/guardians
- Appendix 7 : Guide for assessment of available resources in the social environment
- Appendix 8 : Assessment report sample
- Appendix 9 : Criteria for resorting to alternative care
- Appendix 10 : Protection Plan which is the court decision depending on the case (not available)
- Appendix 11 : Measures required by the judge from the parents/guardians
- Appendix 12 : Intervention Plan/Judiciary and Non-Judiciary Measures
- Appendix 13 : Decision to refer the juvenile to alternative care report sample
- Appendix 14 : Criteria for the review of Protection Measures
- Appendix 15 : Review of Protection Measures report sample
- Appendix 16 : Required documents depending on the judicial/non-judicial nature of the file

List of Terms

“Juvenile” is the term used in the Lebanese law to refer to all children under 18 years of age. Thus its use in this booklet is to reflect the laws in country and intend to refer to all children.

- **Case Management** : A practical methodological pathway structured into a series of programmatic interventions that aim to respond to the risk facing the juvenile’s development and his/her safety.
- **Informing or Notification (non-judicial)** : Any call received by the concerned bodies of the Ministry of Social Affairs or its contracted partner organizations specialized in child protection or organizations working with juvenile refugees from any person who has Alarming Facts or Information which, he/she believes, threaten the safety and development of a juvenile.
- **Standard Operating Procedures (SOPs)** : A set of instructions that describe the steps to be followed by all professionals working on the protection of juveniles in Lebanon, as well as the activities to be carried out.
- **Reporting** : Any direct call with the judicial system through the judicial police or the juvenile judge or through a written statement to the public prosecution, or any call to the offices of the social representative mandated by the Ministry of Justice, present in all governorates. Specific contact with the judicial system for the purpose bringing a case to the attention of the judicial police, juvenile judge(s), public prosecution, or offices of the social representative mandated by the Ministry of Justice. ???
- **Additional Verification** : In case of confusion or ambiguity related to the facts and the challenges to verify them, an additional verification process is conducted through a field visit to the family to double-check the Alarming Information (except sexual abuse cases).
- **Protection Measures** : Any act which ensures the juvenile’s best interest and the elimination of any risk surrounding him/her by strengthening the capacities and involvement of the parents with the juvenile, in the implementation of the necessary measures.
- **Non-judicial Measures** for the protection of the juvenile : are adopted measures encouraged by the framework of the Law 422/2002 which favors dealing with the situation within the family environment when parents are capable of handling

responsibility to protect the juvenile. These non-judicial measures are undertaken in case of suspected “potential risk” or “Alarming Facts or Information” that could lead to potential harm to a child. They focus on strengthening the capacities of the parents and the juvenile together in order to limit potential risk and to deal with previous risk exposure. The assessment of the case is voluntary and consensual, with protection measures determined according to the nature of the risk.

- **Judicial Measures** : have a legal frame of reference for the investigation, fact finding and for taking the necessary measures depending on the nature of the risk to which the juvenile exposed.
- **Risk** : the concept includes all forms of abuse, threats and circumstances that may endanger the safety and development of the juvenile.
- **Protection** : the process of alleviating the conditions which impede or threaten the safety and development of the juvenile, taking his/her best interest into consideration, whether these conditions arise from a real or potential risk, etc.
- **Intervention Plan** : concerns Judicial and Non-Judicial Measures and consists of an individually tailored approach that should be followed to insure the protection of the juvenile and to help him/her in coordination with his/her family and other resources. It also includes the specific objectives and the operational means to protect the juvenile.
- **Protection Plan** : concerns only Judicial Measures as it derives from from the court decision. It includes the general objectives to be realized and that will be reflected, at a later stage, in the Intervention Plan incorporating specific objectives and operational means to protect the juvenile and implement the judge’s decision.
- **Regional Case Management Committee** : is a local authority that reviews cases which are difficult to assess and provides an opinion on the appropriate measures to be taken. The reported facts might be facts of a potential risk, whereby the younger the juvenile is the more it will require protection, rapid assessment of the situation, and intervention.
- **Legal Guardian** : is the individual responsible by law to take care of the juvenile’s/ minor after the death of his/her parents.
- **Alarming Facts or Information** : are related to the potential presence of a risk which is considered to threaten the safety and development of the juvenile.

Chapter I

Juveniles protection Standard Operating Procedures in Lebanon Judicial and Non-judicial Measures

- 1- Protection of juveniles at risk
- 2- Concept of “risk” according to Law 422/2002
- 3- Concept of “protection”
- 4- Juveniles protection system in Lebanon
- 5- Diagram of the protection pathway

1- Protection of Juveniles at risk

The concept of Protection is established by The Charter of Human Rights and Freedom and this right emanates automatically from the fundamental rights of every individual such as the right to life, security, assistance/relief and Protection which in the first instance is the responsibility of the parents/guardians, as long as they are capable of wholly meeting these responsibilities. Protection is also the responsibility of the community surrounding the juvenile such as neighbors, extended family, educational and recreational environment, etc.

It is important to mention that the Protection of juveniles at risk is ultimately the responsibility of the State, which is considered to be “the main protector of all children” (...). Thus, the State commissions institutions with diverse and specialized services to protect juveniles at risk (...) The Protection must seek to identify and address causal issues and reinforce the capacities of parents (.....) When these institutions fail to protect the juvenile, the government seeks through courts and in accordance with the laws and cultural norms adopted in each community, to develop a Protection Plan in a preventive, rehabilitative and not punitive context” (Kadushin 1988).

The objective of Protection is to alleviate conditions that impede or threaten the safety and development of the juvenile, taking his/her best interest into consideration, whether these conditions arise from actual or a potential risk.

Protection Measures are all the actions that will ensure the best interest of the juvenile, thus eliminating risk and strengthening the capacities and involvement of parents in the implementation of the adopted protection measures. Protection measures shall:

- Properly protect the juvenile and take into account his/her best interest
- Strengthen the responsibility of parents/guardians as primarily responsible for the protection of the juvenile and the elimination of risks surrounding him/her
- Encourage the juvenile and his/her parents/guardians to participate and abide by the protection measures and change the circumstances that are detrimental to the juvenile’s safety and development
- Mobilize the social environment to provide support to the juvenile and his/her parents/guardians

2- Concept of “risk” according to Law 422/2002 (The Protection of Juveniles in Conflict with the Law and at Risk)

In its general sense, the concept of “risk” incorporates all forms of abuse, threats and suspicious circumstances that may endanger the safety and development of a juvenile. It includes two levels as follows¹:

Potential risk : This level of risk includes all threats that do not directly and instantaneously affect the physical, emotional, mental, intellectual and social development of the juvenile.

This level can also include the absence of a significant risk: where conditions do not pose any significant threat or abuse that would impede the physical, emotional, mental and social development of the juvenile.

Risk : Includes all injuries resulting from abuse such as:

- Use of physical violence against a juvenile causing him/her harm or damage (bruises, scars)
- All types of neglect
- Actual threats (risk of death, physical harm), and anything that would impede the physical, emotional, mental and social development of the juvenile such as insulting, shaming or forcing to do immoral acts
- Recurrent circumstances that impede the development and wellbeing of the juvenile such as malnutrition, lack of clothing, shelter, hygiene, medical care and safety
- Sexual touching, caresses, relations, rape or committing other indecent acts, or engaging a juvenile in sexual exploitation and/or pornographic activities (refer to appendix 1: The indicators to identify the level of risk or abuse)

As in other countries, the Lebanese Law on the Protection of Juveniles does not include those juvenile who needs assistance and special services. Therefore, the intervention of the judiciary in the families’/guardians’ privacy should be limited only to dangerous cases specified in Law 422/2002.

1. Alföldi Francis (2010) “ évaluer en protection de l’enfance : théorie et méthode DUNOD : 141

As per Part III-Article 25 of this law, the juvenile's security and safety are considered threatened in the following cases:

- If he/she was found in an environment exposing him/her to exploitation or threatening his/her health, safety, ethics or the conditions of his/her upbringing.
- If he/she was exposed to sexual abuse, or physical violence exceeding the limits of what is allowed by custom as a manner of harmless discipline.
- If he/she was found begging or homeless.
 - The juvenile is considered a beggar, under this law, if he/she practices begging as a profession by any means.
 - He/she is considered homeless if he/she left his/her place of residence to live on the streets and in public places or if he/she did not have a house and was found in the aforementioned situation.

The provisions of this Chapter shall apply to every juvenile who did not yet reach the age of eighteen.

The protection of juveniles is a collective responsibility that rests primarily on each of the following:

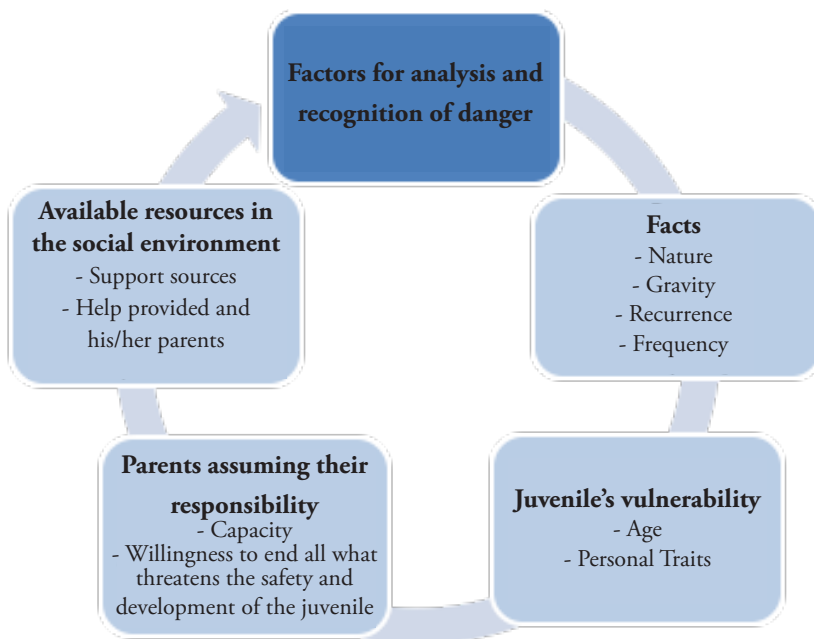
- Parents/family/guardians as having primary responsibility for the child;
- The community that provides help, assistance and support for the parents/guardians to carry out their responsibilities;
- The State that provides the necessary services for all families/guardians and has the authority to resort to exceptional and limited measures to fill any gap caused by the absence or inability of the parents/family/guardians to ensure the safety and development of the juvenile.

3- Concept of «protection»

The protection decision takes into consideration four main factors² (refer to figure 1 Main Factors in Risk Analysis):

- The nature, gravity and recurrency of the reported facts
- The juvenile's age, personal traits and degree of vulnerability
- The ability and willingness of the parents/guardians to contribute to the safety and development of the juvenile
- The available social resources to provide assistance to the juvenile and his/her parents/guardians

Figure 1 - Main factors in risk analysis



2. Gouvernement du Québec Ministère de la Santé et des Services Sociaux «La Protection sur mesure : un projet collectif», Harvey 1990.

4- Juveniles Protection System in Lebanon

The Juveniles Protection System in Lebanon is officially linked to the Ministry of Justice, by virtue of Law 422/2002 to eliminate the risk and harm to children. On the other hand, it also makes reference to several articles of the Lebanese Penal Code to prosecute and punish perpetrators (Refer to Figure 2: Protection System in Lebanon).

The juvenile judicial system (courts) deals with cases by a decision of the juvenile judge. It is the responsibility of the judiciary and the Ministry of Justice which, in turn, commissions non-governmental organizations (NGOs) to follow up with the juveniles and their parents/guardians. Judicial protection is based on the concept of “the real and the potential risk” and could result in a limitation of the parents’/guardians’ authority.

Several actors play a key role in preventing and eliminating the risk facing the juvenile. The role of each of the following actors is as follows:

The Juvenile Court	When the parents/guardians and social resources become unable to protect the juvenile, the juvenile court carries out its mandated role in accordance with the following: According to the Lebanese law currently in force, the juvenile judge shall establish a special court to consider protection measures for juveniles at risk.
The Juvenile Department	An administrative body at the Ministry of Justice that handles organizing work and supervising and coordinating with all public and private actors on all matters related to juveniles in conflict with the law or at risk.
The Union for the Protection of Juveniles in Lebanon	A non-governmental organization provided for by Law 422/2002 as the organization mandated to help in the execution of this law.
Association for Protection of the War Children (APEG)	A non-governmental organization contracted by the Ministry of Justice to provide psychological follow-up to juveniles at risk upon assignment by the juvenile court.

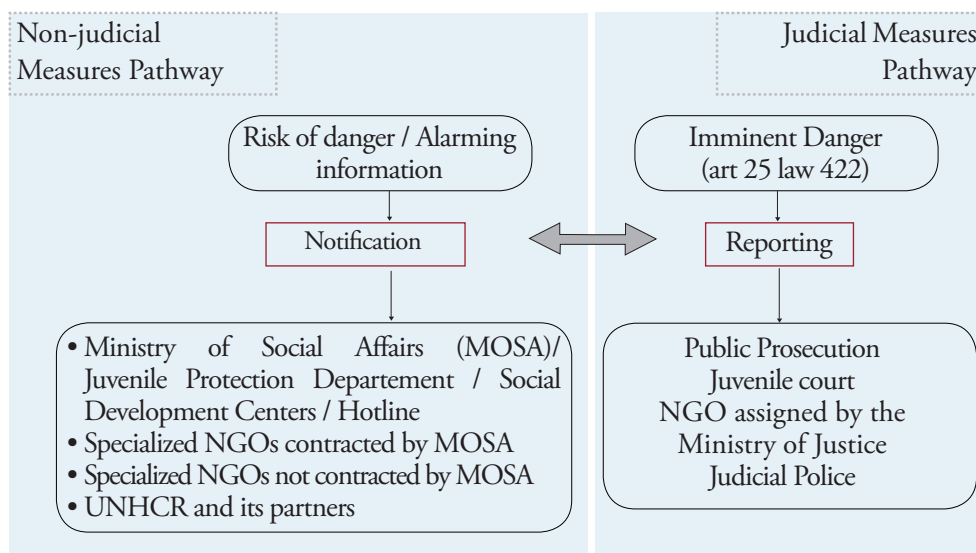
Law No. 422/2002 provides a prevention and response framework to eliminate real or risk.

Therefore, the appropriate protection measures shall be selected based on a determination of the kind and level of risk to the safety and development of the juvenile. The judiciary shall be the only authority responsible for the selection of such measures. As for the rest of the process, participation in the assessment and expressing opinions shall be done upon the request of the juvenile judge.

In some cases, the protection of a juvenile whose safety and security are at risk is conducted through a range of non-judicial measures in the spirit of Law 422/2002 which urges parents/guardians to commit to their responsibilities. However, these non-judicial measures are not clearly stated in Lebanese law. The judge can consider them when he/she deems appropriate to keep it within the family environment, when parents/guardians pledge to assume their responsibility to protect their child or resort to reconciliation within a specific time period. The judge may retract these measures in order to take an appropriate decision if the result shows persistent risk.

Non-judicial measures to protect juveniles are the responsibility of the Ministry of Social Affairs through several units nationwide, mainly the Directorate of Social Services - the Department of Juvenile Protection, six Regional Departments, in addition to Social Development Centers affiliated to the Ministry; in collaboration with local and international organizations, United Nations agencies including UNICEF and the United Nations Higher Commissioner for Refugees, and partners in case of crises and emergencies.

Figure 2 - Protection system in Lebanon



5- Diagram of the protection pathway

Based on the identification of risk or potential risk, the juveniles protection system in Lebanon provides two pathways that all professionals of all specializations should follow and explain to the parents/guardians so that they are aware of the protection procedures and the merits for taking legal actions (when and for which reason). In the cases of sexual abuse and cases of physical violence exceeding the limits of what is culturally accepted as harmless discipline (Law 422/2002), the judiciary shall be solely responsible for the measures taken. The following diagram (figure 3: Diagram of the protection pathway) indicates how the protection of juveniles follows either the **judicial** or non-judicial pathway using a participatory approach.

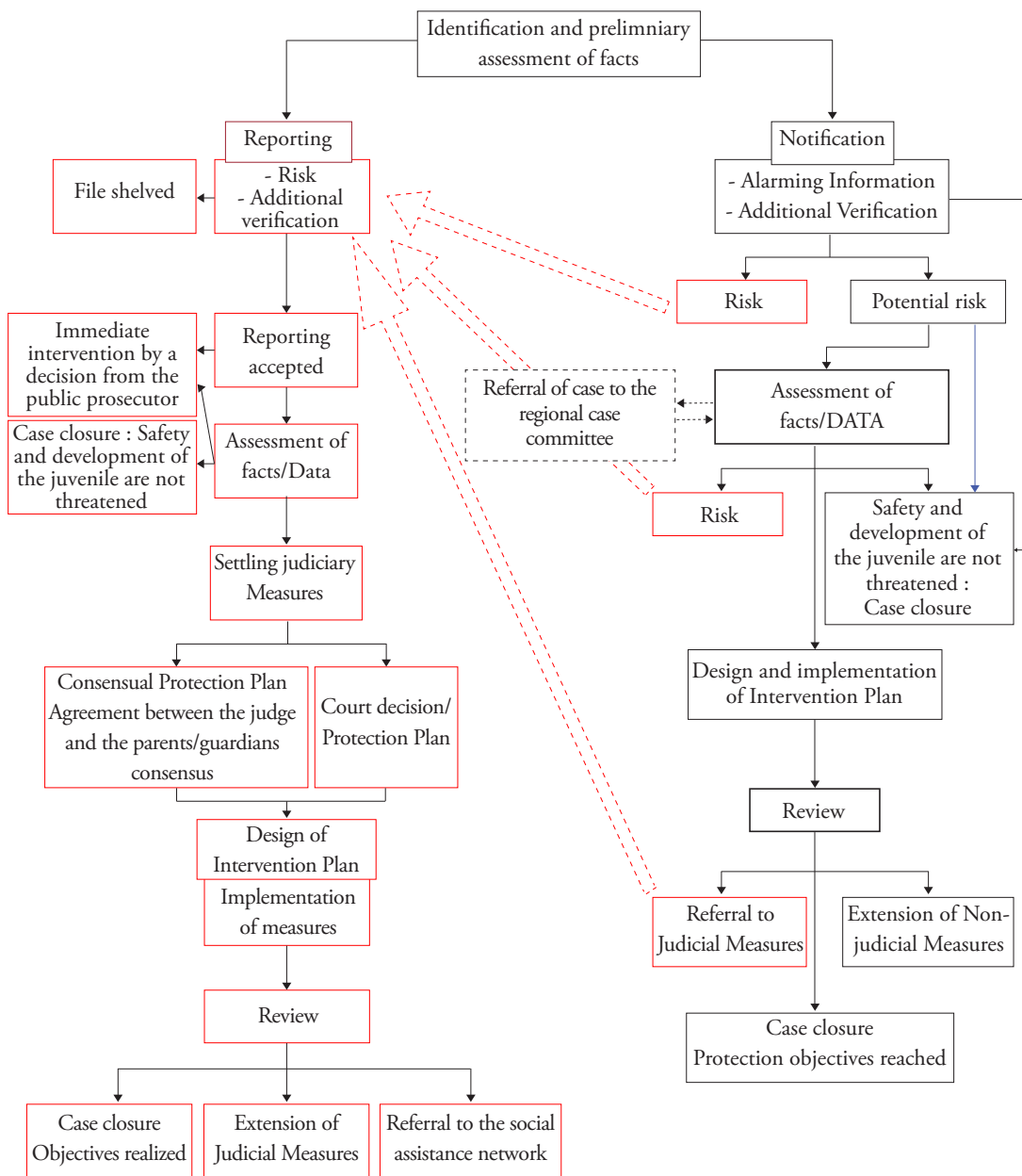
The pathway in red indicates the **Judicial Protection** Measures and the pathway that every juvenile case follows after the reporting of a risk under Law 422/2002 (Protection of Juveniles in Conflict with the Law and/ or at Risk). This pathway is the responsibility of the Ministry of Justice which in turn mandates NGOs it deems capable to follow up on the juvenile and his/her parents/guardians.

The pathway in black indicates the Non-Judicial Protection Measures and the pathway that every juvenile case follows when informing about Alarming Information that indicates a potential risk that must be monitored and addressed, with damages repaired. This pathway is the responsibility of the Ministry of Social Affairs through several units mainly the Directorate of Social Services - the Department of Juveniles Protection, six Regional Departments, in addition to the Social Development Centers affiliated to the Ministry and spread nationwide, all NGOs concerned with children and family, UN agencies including UNICEF and UNHCR and its partners.



Both pathways work in a coordinated and parallel way to eliminate risk, protect the juvenile and strengthen the capacities of his/her parents/guardians. The **transfer** of the case to the judicial pathway is mandatory when there is a deterioration of the situation. The three red arrows, between the two pathways, indicate that transition to the judicial pathway is made through a report in order to take the necessary legal action.

Figure 3 - Diagram of the protection pathway



*Red color: the judicial pathway

- The first arrow indicates the immediate pathway to follow once the additional verification process shows the existence or the potential existence of an imminent risk that threatens the development and safety of the juvenile; the judicial authorities are then notified to follow up on the case.
- The second arrow indicates another possibility to switch to the judiciary when the assessment process shows the existence or the potential existence of an imminent risk that threatens the development and safety of the juvenile; the judicial authorities are then notified to follow up on the case.
- The third diagonal arrow indicates that the transition to the judicial pathway is an obligation at the review phase that might reveal a deterioration in the situation of the juvenile in terms of development and safety or failure of parents/guardians to eliminate the identified risk.

5.1 - Judicial Measures pathway

Reporting is any direct call with the judicial system through the judicial police or the juvenile judge, through written statement to the public prosecution, or any call to the offices of the social representative mandated by the Ministry of Justice, present in all governorates. Calls can be:

Recognized call is any call received from schools, public and private hospitals, public health institutions, social institutions, community or primary health care centers and from professional practitioners or any other moral entities, to report a case at risk in need for protection. A recognized call can also come from any person who discloses his/her identity.

Anonymous call is any call received from a citizen who refrains from disclosing his/her identity which is his/her right by law. The reporting is treated only after checking the reliability and intentions of the reporter.

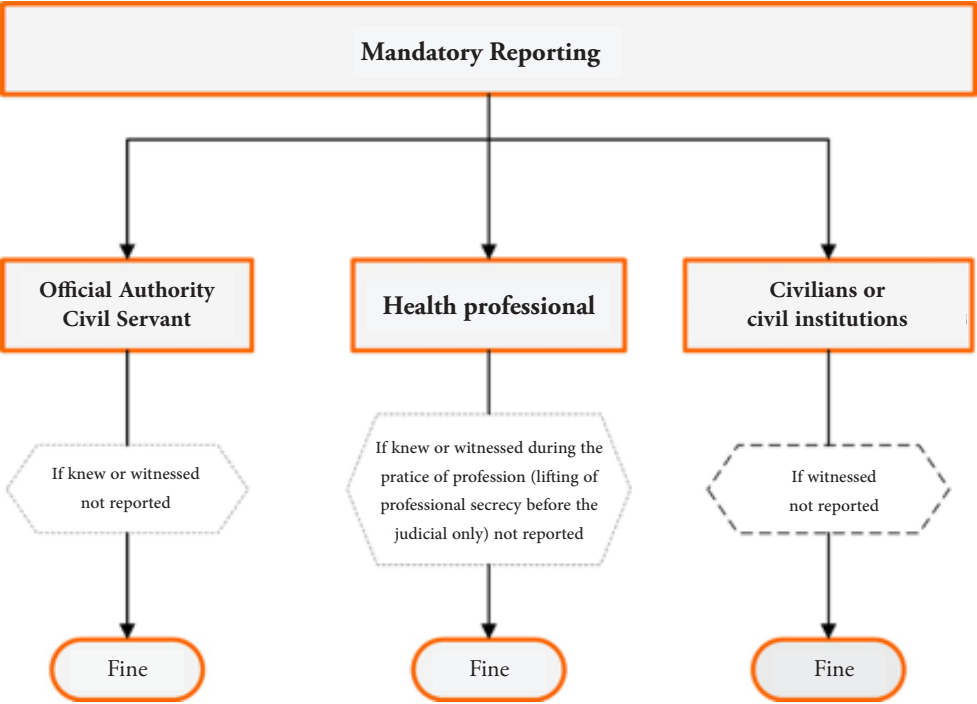
A written **statement** is related to any criminal act targeting a juvenile. The individual reporting either knew or heard about the crime. The public prosecutor will not accept the written statement unless it is written and signed by its reporter or his/her representative.

Juvenile judge own motion : the juvenile judge can on his/her own initiative take action after knowing about a case at risk (witnessing the risk personally or through the media).

Mandatory Reporting

Reporting to the judicial authorities is considered as the entry to the protection of the juvenile at risk. The consequences of the risk on the juvenile’s life can be lessened if action is taken early. Thus, the reporting protects the juvenile against the risk. If the concerned actors fail to respect this obligation, this can result in sanctions corresponding to their different positions (*Reffer to figure 4: Mandatory Reporting*)

Figure 4 - Mandatory Reporting



<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Citizen or civil Organizations or the private sector</p>	<p>Article 28 of the Criminal Procedure Law states that every person who witnesses an attack on the public security or any person’s safety or life or property, has to inform the public prosecutor or any of his/her assistants...</p> <p>... and in case of refrainment without a valid reason, the person would be subject to penal proceedings and to the payment of a fine ranging from two hundred thousand to two million Lebanese Pounds.</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Health Professional</p>	<p>Article 26 of the law 422/2002 states that it is not considered as a violation of professional secrecy and is not punished under penal code, the reporting made by a health professional on any risk threatening a juvenile...</p> <p>...And the professional confidentiality of doctors and professionals is waived once, while on duty, they witness or are informed about any of the risks mentioned in the law. Thus, in case doctors, while on duty, discovers a case of arbitrary detention, abuse, deprivation, rape or sexual abuse of an incapacitated or minor, he/she should inform the competent authorities (waiver of professional confidentiality is only in front of the judiciary and not the judicial police) (Item 14 of the Law 240),</p> <p>Article 400 of the penal code states the following: “every person who, while practicing a health profession, provides aid to a person who is victim of a misdemeanor or crime that should be pursued without the submission of a complaint, and does not report it to the authorities, shall be sanctioned”.</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Civil servant</p>	<p>Article 399 of the penal code states the following: “Every civil servant who is assigned to search and investigate crimes, and neglects or postpones reporting on any crime related to his/her work, shall be subject to a fine. Every civil servant who neglects or postpones reporting to the competent authority a misdemeanor or a crime that comes to his/her knowledge in the course of his/her duty or while performing his/her functions shall be subject to a fine”.</p>

Reporting a case of a juvenile at risk is obligatory for all staff of official authorities or any civil servant; refraining from reporting can result in sanction or fine.

Categorization of the Reporting

<p>Urgent cases which necessitate an immediate intervention based on article 26 of Law 422/2002</p>	<p>Non-urgent cases which follow the regular procedures</p>
---	---

Addressing the Reporting

Once the reporting is done, it is addressed by the relevant authorities following the approved and specified pathway. It is taken into consideration where harm to the psychological and physical health of the juvenile, as well as his/her intellectual, emotional and social development, are identified. In this case, the public prosecution or the juvenile court takes Judicial Measures:

<p>The public prosecution</p>	<p>The public prosecution receives the reports and written statements related to the risk in order to assess the situation or ask for additional information. The prosecution files the case and starts the necessary investigations through the judicial police. It might later ask to:</p> <p>Document the complaint and create a file for it.</p>	<ul style="list-style-type: none"> • First hearing of the aggressor to on the reported or stated facts • Hearing of the juvenile in the presence of the mandated social representative • Arrest or interrogation of the suspects • Provide immediate protection to the juvenile • Collecting evidence • Conducting the investigation through the judicial police or conducting the social inquiry through the social representative • Hearing of witnesses • Calling the forensic physician when needed • Conducting the technical inspection • Order the laboratory tests • Forward the report to the public prosecution which in turn sends it to the juvenile court, along with the social representative’s report • The public prosecutor is informed about the results of the preliminary investigation in order to take the necessary legal actions
-------------------------------	--	---

The juvenile judge	Whether the file is sent by the public prosecutor or any other source, the juvenile judge does the following:	<ul style="list-style-type: none"> • Hearing of the juvenile and his/her parents/ guardians or one of them or any beneficiary of the case file • Investigating and checking the facts • Delegating the social representative of the national organization contracted by the Ministry of Justice, to compile the facts and verify them through field-visits to the parents/ guardians or the social and educational environments of the juvenile, in order to have an consolidated overview of the facts or information as the basis for the report or complaint • In case of lack of information or any need for verification, delegating one of the institutions contracted by the Ministry of Justice to prepare psycho-social and medical reports • Fact-finding with the help of the judicial police • Taking measures for protection, probation, or rehabilitation if needed
The mandated social representative	The mandated social representative is delegated by the juvenile court and is attached to one of the organizations contracted by the Ministry of Justice. His/her role is to accompany the juvenile in all the phases of the judicial proceedings. He/she should be acquainted with Law 422/2002 for the protection of juveniles and its implementation mechanisms and should be able to do the following:	<ul style="list-style-type: none"> • Receiving the report and verifying its reliability, and conduct additional social inquiries (refer to appendix 2: Juvenile file when Reporting or Notification is received) • Assessing the case according to the approved scientific standards • Rendering an opinion and proposing possible measures • Following-up and implementing the Protection Plan • Designing the Intervention Plan based on the Protection Plan and implementing it or supervising its implementation • Following-up on the case and its progress and updating the juvenile judge of the results, basically every 3 months, and whenever there is a need (refer to Appendix 15: Review of Protection Measures report sample)

Tasks of the actor delegated to receive the Reporting

- File the Report according to the relevant legal framework
- Categorize the Report according to the juvenile's situation
- Assess the Report according to the gravity of the risk
- Conduct Additional Verification if needed
- Open a case file for the juvenile upon receipt of the Report (refer to appendix 2: Juvenile file when Reporting or Notification is received)

The Reporting pathway

The Report is taken into consideration when harm to the psychological and physical health of the juvenile, as well as his/her intellectual, emotional and social development, are identified. Judicial Measures are then taken by the following actors: the public prosecution, the juvenile court and the judicial police. The Reporting takes different pathways depending on the actor receiving it (refer to figure 5: Reporting pathway in case of a crime).

Figure 5 - Reporting pathway in case of a crime

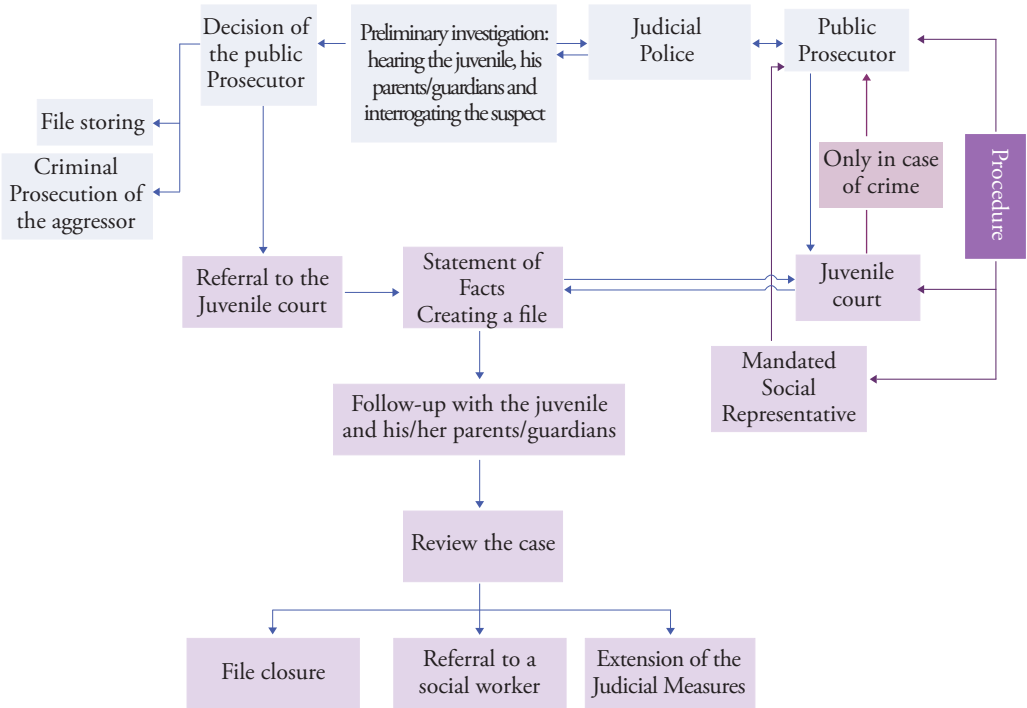
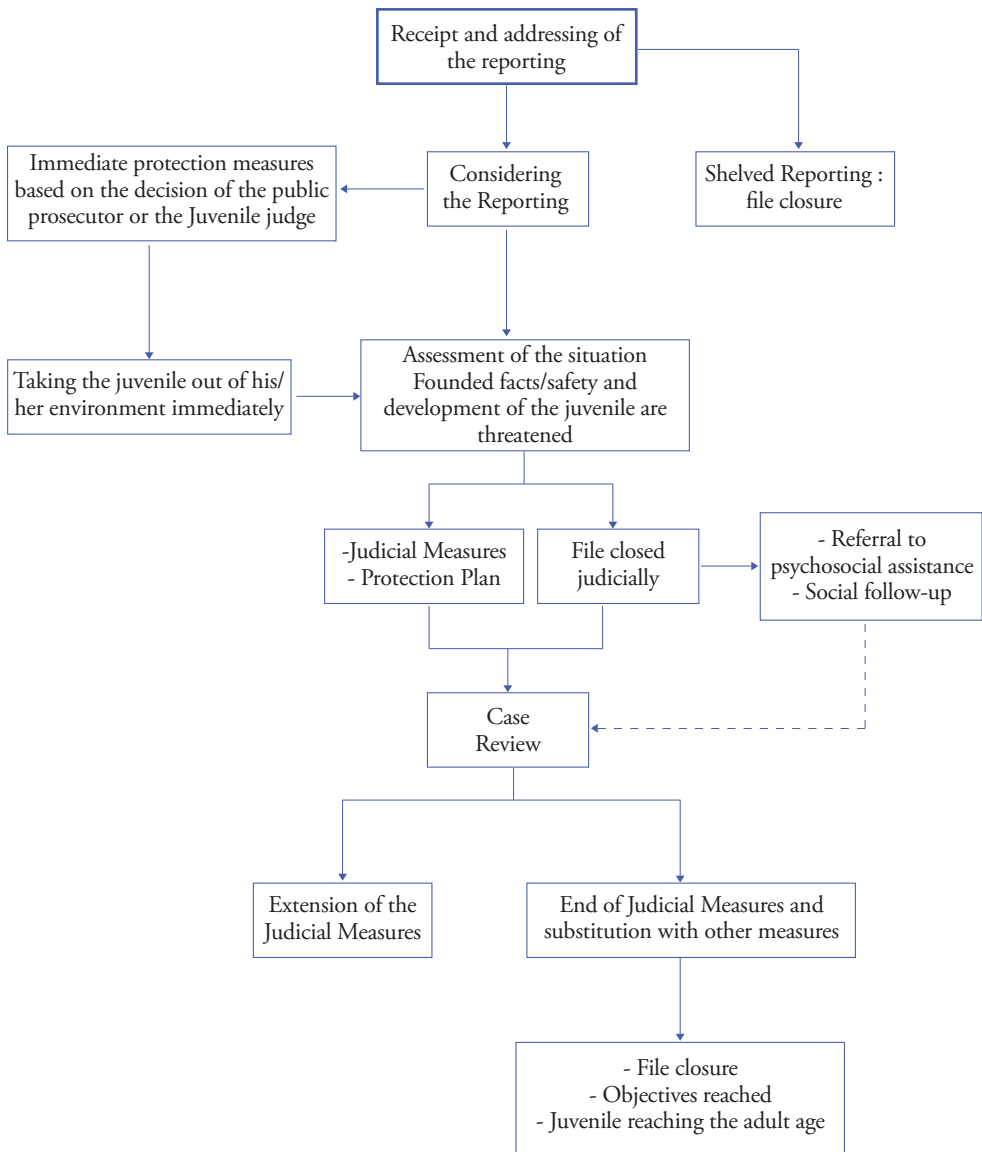


Figure 6 - Process of receiving, addressing and assessing the Reporting



The rights of parents/guardians and the juvenile during the Judicial Measures pathway

- The right to be informed of the purpose of the protection file: the right to be accompanied/up-dated and supported by the social representative or the psychologist mandated by the juvenile court for this purpose.
- The right of the parents/guardians and the juvenile to be consulted and participate in all decisions that concern them. Actors should work with them on the carrying out of decisions and to find adequate solutions in cases where parents/guardians are not themselves the source of risk.
- The right to be informed of the protection pathway and the adopted measures.
- The right of the juvenile and his/her parents/guardians to be heard, that and their opinion taken into consideration
- The right to have access to appropriate and high quality specialist services: medical, psychological, legal, and educational.

5.2 - Non-Judicial Measures Pathway

Non-Judicial Measures are undertaken in case of suspected “potential risk” taking form in Alarming Facts or Information. Non-Judicial Measures are both preventive and responsive measures that aim, through a consensual agreement, at strengthening the capacities of the parents/guardians and the juvenile in order to prevent any potential risk or deal with the damages resulting from previous risk to which the juvenile was exposed.

The earlier that Alarming Facts are raised, the lesser the consequences on the juvenile. Early information is considered an entry point for protecting the juvenile against the risk and supporting his/her parents/guardians.

Informing about Alarming Facts

Informing or Notification (non-judicial) is any call received by the concerned bodies of the Ministry of Social Affairs or its contracted specialized partners’ organizations or organizations working with juvenile refugees from any person who has Alarming Facts or Information which he/she believes to threaten the safety and development of a juvenile. There are two types of calls:

Recognized call is any call received from schools, public and private hospitals, public health institutions, social institutions, community or primary health care centers and from professional practitioners or any other moral entities or any person who would disclose his/her identity. (the juvenile himself/herself, siblings, parents/guardians, relatives, neighbors, etc...)

Anonymous call is any call received from a citizen who refrains from disclosing his/her identity which is his/her right by law. The Notification is treated only after checking the reliability and intentions of the informer.

Reference actors in charge of receiving the notification

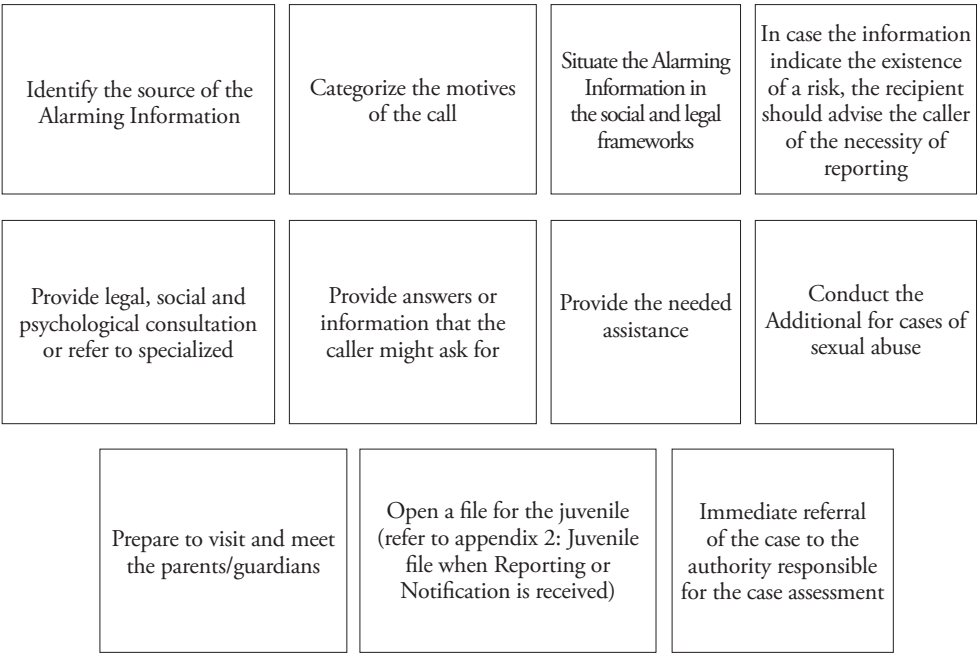
- **Department of Juvenile Protection at the Ministry of Social Affairs and the mandated regional departments** are the official bodies authorized to receive protection complaints in the different governorates depending on the juvenile's place of residence. These regional departments/centers take notice and complete the adequate administrative and social procedures.
- **Specialized non-governmental organizations contracted by the Ministry of Social Affairs** are responsible for the protection and rehabilitation of juveniles. They also follow up and support the parents/guardians.
- **Non-governmental organizations not contracted by the Ministry of Social Affairs** who have fulfilled the official accreditation standards.
- **The hotline:** in parallel to the above, any person can call the hotline, operated by the Ministry of Social Affairs, in order to report on any Alarming Information about a specific juvenile situation which requires Non-Judicial Measures. It is to be noted that the hotline is a way to receive reports and refer them to the specialized actors for follow-up, and that based on the assessment of the situation, the judicial authorities might be informed in order to take the necessary legal actions
- **Professionals working with juveniles in emergency situations:** Establishing a third parallel protection pathway to deal with children in emergency situations contradicts with the spirit and framework of the Law 422/2002. Therefore, the Ministry of Social Affairs alongside with the Ministry of Justice, establish a coordination mechanism to ensure that protection procedures within both judicial and non-judicial pathway benefit to every child on the Lebanese territory as guaranteed by the above mentioned law.

Categorization of the Notification

Any reports or notifications of Alarming Information received by the Department of Protection of Juveniles at the Ministry of Social Affairs, or by the six Regional Departments affiliated to the Ministry and authorized to receive child protection related complaints or the contracted specialized non-governmental organizations or professionals working with juveniles in emergency situations, shall be filed, categorized and addressed according to the adopted and specified pathway:

- Consulting
- Enquiring about the adequate procedures and means of intervention, protection measures and related services
- Informing the competent authority (delegation to Reporting)

Tasks of the receipt of the Notification



Criteria for deciding on Non-Judicial Measures

Confession or acknowledgment of the parents/guardians and the juvenile that a risk is present and needs to be addressed

- Confessing or acknowledging the principle factors behind the risk
- Acknowledging that these factors indicate a pathological or problematic situation having negative consequences on the juvenile
- Acknowledging that it is necessary to put an end to this situation and committing to never let it occur again

Personal motivation of parents/guardians and their commitment to implement decisions aimed at changing the situation

- Effective participation during the assessment of the situation and the risk level
- Expression of discontentment, unease and complaint about the current situation
- Acknowledgment of the need for help to solve the problem
- Showing the capacity to listen to opinions objectively that are different from their own
- Readiness to participate in the planning and programming of solutions and to commit to them

Personal capacities and competencies: include the capacities, competencies and skills of juveniles and parents/guardians that allow them to implement and commit to the Non-Judicial Measures

- Ability to express opinion and approval freely and consciously
- Ability to identify factors behind the problem and appropriate solutions
- Having taken previous initiatives to solve the problem
- Acknowledging the level of effort needed to remedy the situation
- Readiness and sufficient qualifications to learn and acquire the needed skills

Possible obstacles in the juveniles and/or parents/guardians situation that might prevent effectiveness of Non-Judicial Measures:

- Special Needs including mental, intellectual or physical disability or psychological/mental health problems
- Drug addiction
- Living in an environment of criminality

Chapter II

Juvenile (Child) Protection Case Management

- 1- Foreseeing and identifying risks
- 2- Assessment
- 3- Preparing the Protection Measures
- 4- Reviewing of the Protection Measures

Juvenile (Child) Protection Case Management is a practical methodological pathway structured into a series of programmatic interventions that aim to respond to the risk facing the juvenile's development and his/her safety. Thus, it contributes to the prevention through the early diagnosis which seeks to identify a potential risk and the response which seeks to eliminate it and address its damages. The case management process follows four phases detailed below in four sections. Each section focuses on the following: the objective of the phase, the required actions and the roles and responsibilities of persons in charge.

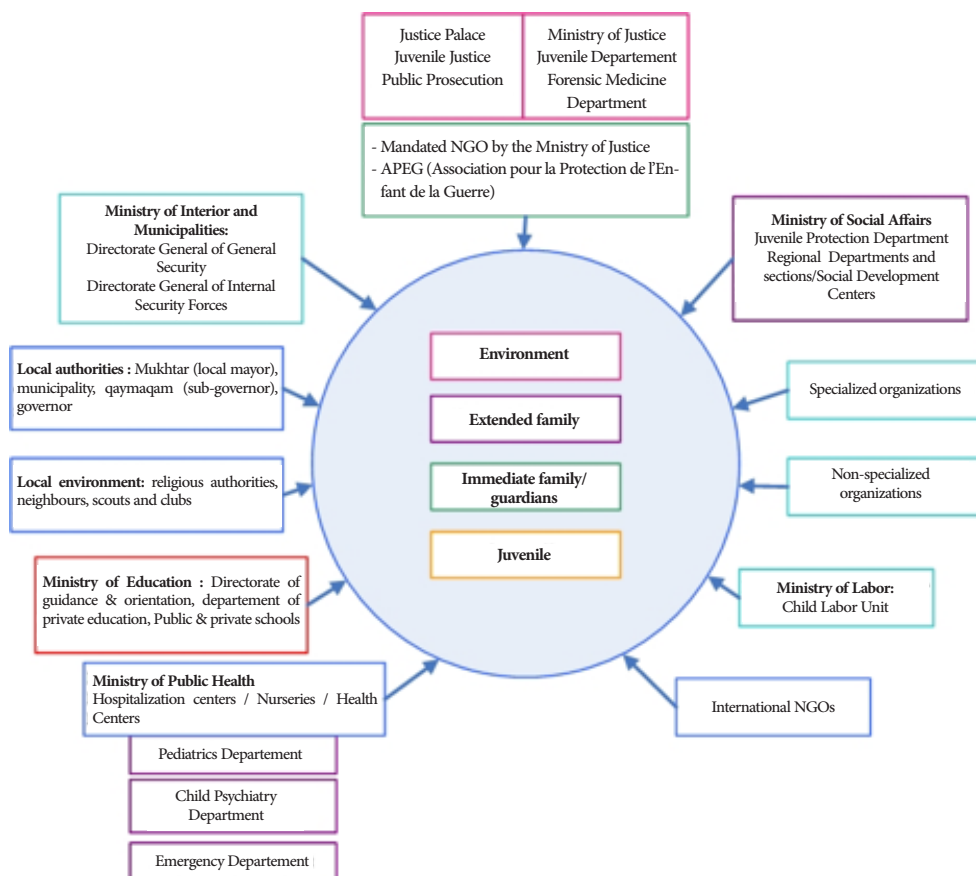
1- Foreseeing and identifying risks

The earlier risk is identified, the lower the gravity and impact of damage to the juvenile. Early detection and identification protects the juvenile from risk. According to the law, no person should conceal any facts or information related to the security and safety of a juvenile. It is the obligation of every person, whether a professional or not, who has doubts, facts or information that lead him/her to think that a juvenile may be at risk, or the juvenile's security and safety are threatened, to report such matters to the judicial authorities or inform the Ministry of Social Affairs and non-governmental organizations.

Thus, foreseeing and identifying risks (doubts) are not exclusive to one group of people but concern every person who shares the same environment with juveniles, whether on the professional or personal level, coincidentally or on purpose. These environments include: private and public schools, hospitals, non-governmental organizations, social development centers, amusement and recreational centers, nurseries, primary health care centers, municipalities, organizations, places of worship, residential streets, etc.

The following figure indicates how the protection of juveniles is a collective and shared responsibility even if the primary role is that of the parents/guardians (*refer to figure 7 - Partners in the protection of juveniles*)

Figure 7 - Partners in the protection of juveniles



Each of the actors mentioned above, as well as any other actor, should follow the official juvenile protection procedures (refer to Figure 8 - Juveniles Protection in Lebanon lead by the Ministry of Justice and the Ministry of Social Affairs showing that the Ministry of Justice and the Ministry of Social Affairs are the main references for receiving reports on imminent risk or notification on Alarming Facts concerning a juvenile threatened in his/her security and safety).

When a risk is foreseen

The risk should be reported directly to the judiciary in the event that the reporter observes, notices or suspects:

- Risk arising from a family member or institution and that still exists
- Crime with or without specific evidence
- Case of emergency that requires immediate intervention from the judiciary

The reporter is obliged to contact (**in the way he/she deems appropriate**) the judicial police, the public prosecution, the juvenile judge or any of the offices of the social representative mandated by the Ministry of Justice in all governorates or the specialized protection unit within his/her working place, if any. Accordingly, these authorities take notice, proceed with the course of action and take necessary judicial or non-judicial actions.

When Alarming Facts are foreseen

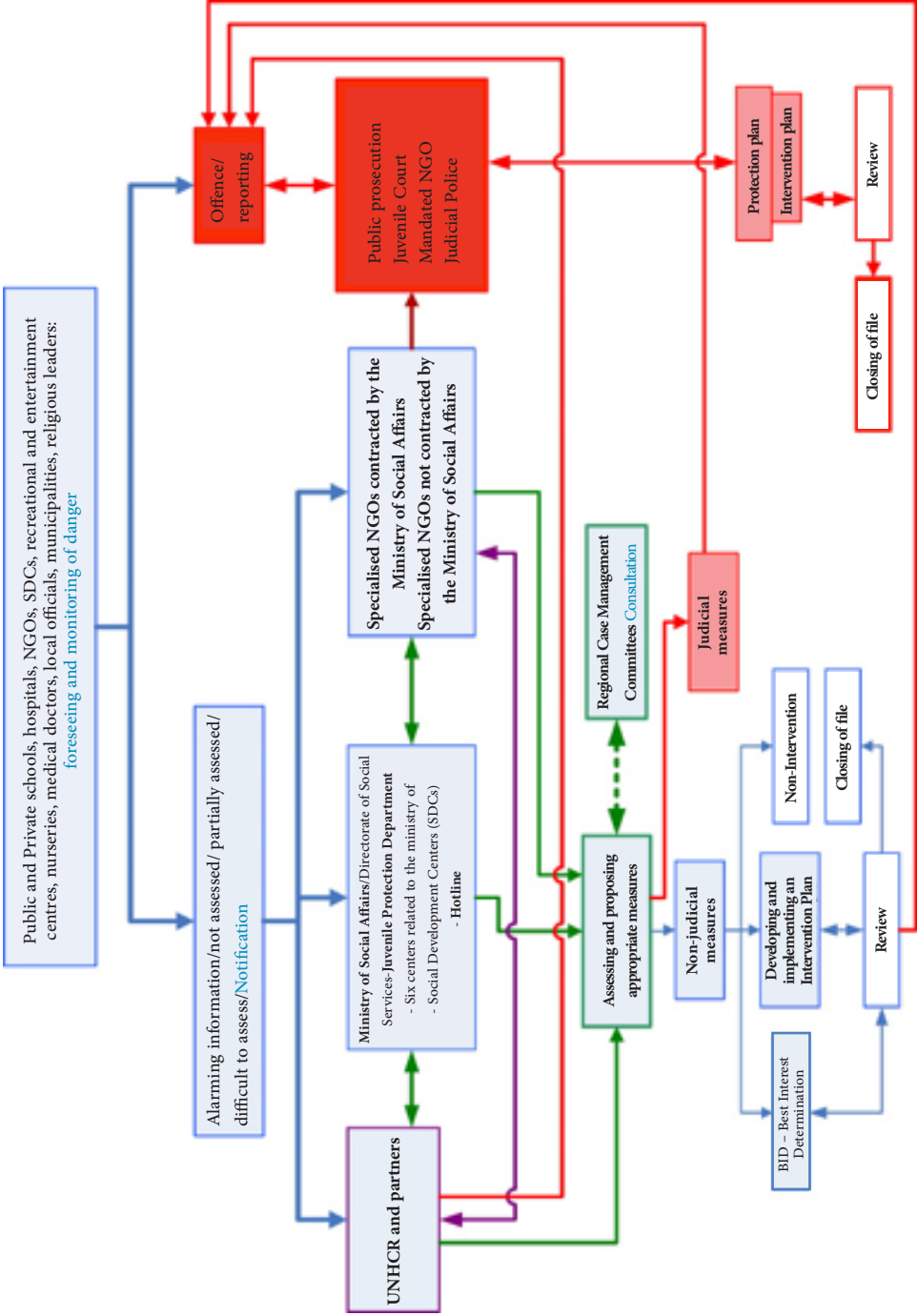
The information must be reported considering that the informant:

- suspects the existence of a risk
- considers that the act is not criminal but requires protection, quick assessment of the situation and intervention, especially when the juvenile is at a young age.

Those who hold such information should contact (in the way he/she deems appropriate) the Directorate of Social Services – Juvenile Protection Department or any of the six Regional Departments centers of the Ministry of Social Affairs authorized to receive child protection complaints in the governorates, distributed by regions, depending on the domicile of the juvenile. Accordingly, these actors take notice or refer the case to the judiciary in order to take necessary legal actions.

Specialized non-governmental organizations contracted by the Ministry of Social Affairs, for example: Lebanese Child Home Association (AFEL), Himaya, Sisters of the Good Shepherd, Dar-Al-Amal, or recognised not contracted organizations like Kafa, Abaad can also be contacted. These should inform the Juvenile Protection Department at the Ministry of Social Affairs of every reported case and the outcome (as well as the pathway which was adopted so as the Ministry ensures that procedures are followed as they are established in accordance with this document).

Figure 8 - Juveniles Protection in Lebanon lead by the Ministry of Justice and the Ministry of Social Affairs

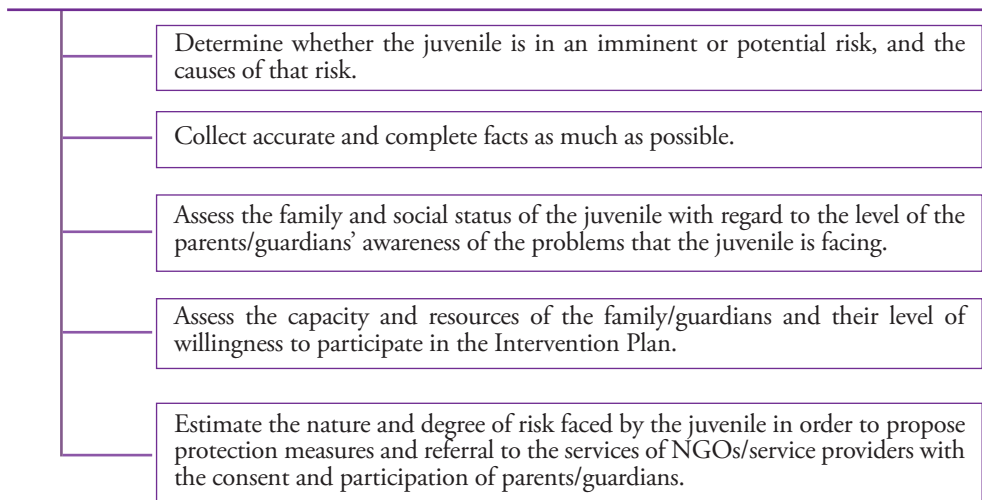


*Red color: the judicial pathway

2- Assessment

The assessment process determines both the judicial and non-judicial pathways, and will result in a decision based on threats to the safety and development of the juvenile, and the selection of appropriate Protection Measures. Assessment is a collective, participatory process, hence any report, even if prepared individually by the appointed case manager, should reflect the point of view of the multidisciplinary team and every professional whose intervention is required.

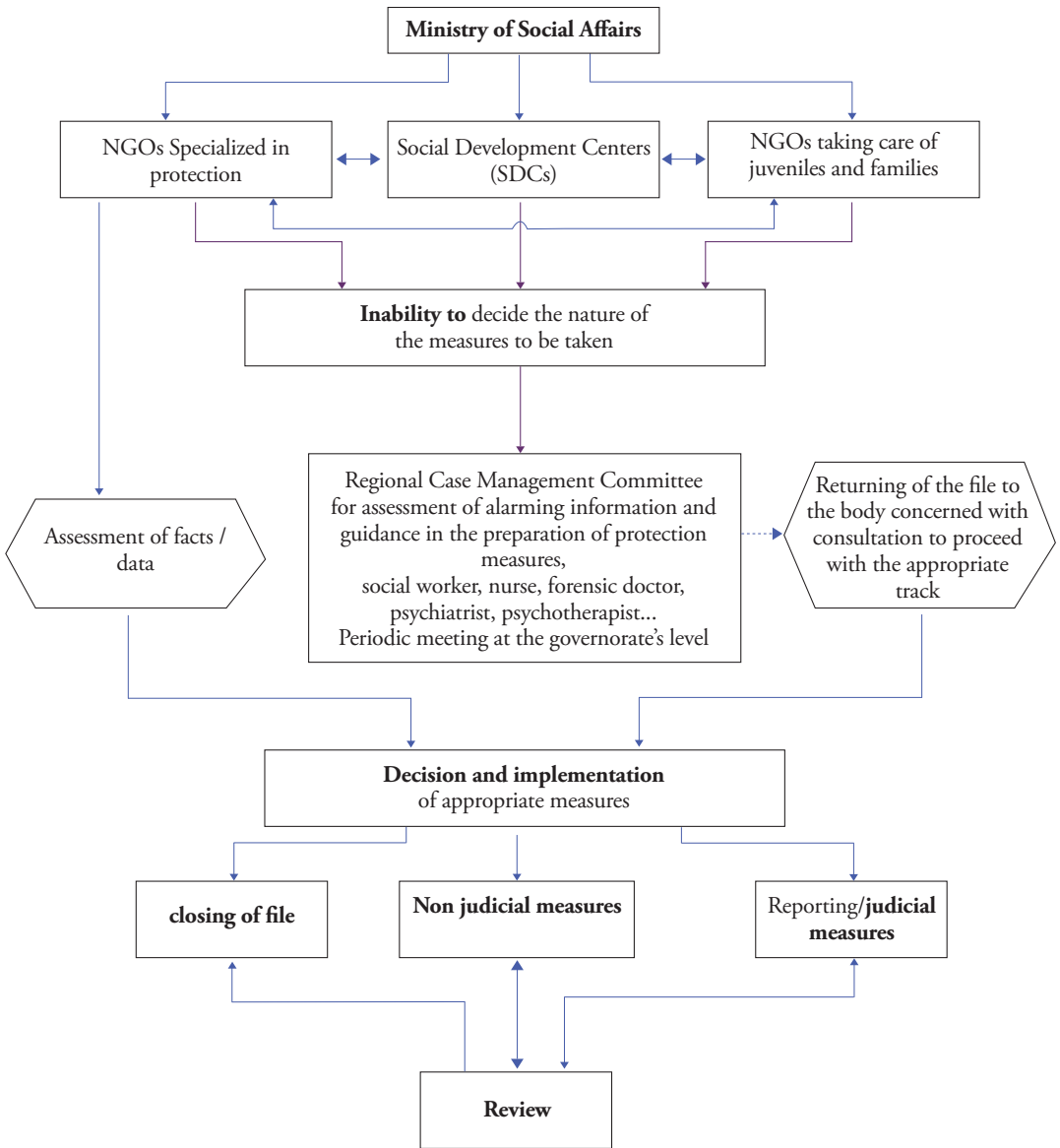
Objectives of the assessment



The authorities in charge of assessment

The assessment process may vary according to the authority in charge and according to its objectives. The juvenile judge takes necessary or immediate protection measures in cases of imminent danger. The Ministry of Social Affairs or its delegates, such as the social development centers or the contracted specialized organizations, and the UNHCR and its partners, shall use the voluntary and consensual aspects as a reference in planning and coordinating the Non-Judicial Measures or in referring the file to the juvenile court in order to take Judicial Measures if necessary (refer to figure 9 - Assessment process of Alarming Facts).

Figure 9 - Assessment process of Alarming Facts



Tasks of the actors in charge of the assessment

The above-mentioned objectives shall be achieved through concerted activities and different specific sources as follows:

• Checking the facts

- Meeting the parents/guardians and the juvenile
- Discussing with parents/guardians and family members
- Accurate and detailed description of the juvenile's situation
- Supervising or observing the juvenile in his/her familiar places of living
- Searching for useful facts within the juvenile's social environment

Note: When the family/guardians refuse to engage in these processes, a judge's intervention becomes necessary.

• Analysis of the juvenile's situation and living conditions

- Give a comprehensive description of the situation according to the four protection factors (refer to figure 1: Main factors in risk analysis).
- Coordinate with the appropriate judicial and non-judicial (social and psychological) bodies according to the situation and need.
- Preparedness to participate in an expanded meeting with all professionals involved.
- Comparison of the views of professionals from different disciplines and institutions while respecting the principle of confidentiality regarding the transfer and exchange of data.
- The exchange of information between concerned specialists shall be limited to what is necessary to protect the juvenile.
- Notify the parents/guardians and the juvenile (depending on his/her age and maturity) in advance of any information exchange unless the interest of the juvenile necessitates otherwise.
- Discuss the proposal resulting from the assessment process based on the intersection of data and views.
- Include the adopted decision in the assessment record, provide a determination of the risk to facilitate decision-making and propose appropriate protection measures to be attached to the assessment report (*Appendix 8: Assessment Report sample*).
- Inform the parents/guardians, the juvenile, the reporter or the caller (if he/she was a professional) of the results.

All these above-mentioned activities should figure in the drafting of the final report (*refer to Appendix 8: Assessment report sample*).

Note: A case manager responsible for the juvenile's protection file should be appointed and he/she should follow up with the juvenile at all stages, from assessment to review, in coordination with the specialists, provided that the number of files assigned to him/her does not exceed 20.

3- Preparing the Protection Measures

Protection Measures are based on two facts:

First, the level and gravity of the risk faced by the juvenile, coupled with the family's/ guardians' inability to confront it and the inefficiency of the Non-Judicial Measures which require resorting to Judicial Measures.

Second, parents'/guardians' recognize the scale of the problem and are willing to assume their responsibilities which allow a resort to non-Judicial measures.

- In case it is not possible to suggest the type of measures to be taken by the end of the assessment process, any entity can refer to the Regional Case Management Committee (refer to figure 9: Assessment process of Alarming Facts) affiliate of the Ministry of Social Affairs in all governorates, on condition that this entity has entirely completed the drafting of the juvenile's file (*refer to appendix 8: Assessment report sample*).

Regional Case Management Committee

The Regional Case Management Committee is a local reference body that addresses files that could not be assessed or on which an opinion with regards to the adequate Protection Measures could not be rendered. Its role is to provide technical support to public and private institutions and contribute to the necessary Protection Measures by a multidisciplinary team in order to guide the file according to the level of identified risk.

• Function and role:

- Contribute to the assessment of cases of juveniles at risk that could not be decided upon nor evaluated by social and primary health care centers and institutions.
- Propose procedures that help parents/guardians to assume their responsibilities.
- Provide medical, psychological, social and legal counseling for professionals on ambiguous cases.
- Guide professionals in the preparation of the Protection Measures to be implemented.
- Determine the nature of the Alarming Information that could constitute a penal offence and ensure reporting if needed through the representative of the Ministry of Justice in the committee.

- **Structure: composed of**

- Administrative function: its task is to receive and classify files.
- Technical function: its task is to ensure periodic and permanent consultations (at the judicial, psychological, educational and social levels). The committees will be composed of a psychologist, social workers, educators and all professionals who need to be consulted...

Preparation and Implementation of the Protection Measures:

Protection measures are based on two types of plan:

The Protection Plan concerns Judicial Measures only as it emanates automatically from the court decision. It includes the general objectives to be realized and which will be reflected, at a later stage, in the Intervention Plan that contains the specific objectives and operational means to protect the juvenile and implement the judge's decision.

The Intervention Plan concerns Judicial and Non-Judicial Measures and consists of an individual approach that should be followed to insure the protection of the juvenile and to help him/her in coordination with his/her family/guardians and other resources. It also includes the specific objectives and operational means to protect the juvenile.

Main tasks of the actors preparing and implementing the Intervention Plan

- Develop the Intervention Plan based on reports or the results of the assessment (psychological, social, educational and judicial)
- Determine the conduct required of the juvenile in terms of personal, social and educational autonomy and skills that should be developed etc...
- Determine the conduct and changes required from parents/guardians
- Individual follow up with the juvenile
- Coordinate services provision to the juvenile in case there is need for multi-disciplinary interventions involving a larger number of institutions/organization/service providers.
- Organize regular meetings with parents/guardians and juveniles to help them implement Protective Measures in order to remedy the current situation
- Follow up on cases that were referred to alternative care
- Draft a report on the status of the juvenile and the objectives of the work (*refer to Appendix 9: Criteria for resorting to alternative care*)

In the Judicial Pathway

The juvenile court social representative shall observe the case and ensure the implementation of the Protection Measures documented in the court's decision.

- Continuous communication with the family/guardians and the juvenile and check on his/her safety.
- Follow up on the case with institutions providing specialized services and specifically interim care services
- Assessing with the specialists the progress made on the intended objectives
- Review and reconsider the diagnosis when needed
- Ensure that Protection Measures are appropriate and ask to reconsider them when needed
- Consult the juvenile, parents/guardians and people concerned
- Periodically submit a report on the review of the juvenile's situation to the competent judicial authority
- Discuss with the judge (consult the appointed case manager)
- Follow up on and carry out measures taken after review
- Ensure the file is closed

In the Non-Judicial Pathway

The social worker at the Ministry of Social Affairs or any other social center shall provide Non-Judicial Measures in centers/organizations related to and/or contracted by the Ministry. His/Her role shall be to:

- Follow up and assist the juvenile and his/her parents/guardians to ensure protection and prevent any deterioration of the situation
- Communicate continuously with the family/guardians and the juvenile and help ensure the safety of the juvenile
- Follow up the case with institutions providing services, especially those providing interim and alternative care arrangements,
- Assess, along with specialists, the progress made on the intended objectives
- Review and reconsider the assessment when needed
- Ensure that Protection Measures are appropriate or ask to reconsider them
- Consult the juvenile, parents/guardians and people concerned

4- Review of the Protection Measures

The review phase is a corrective stage rather than an administrative stage aimed at determining objectively the actual situation of the juvenile during the implementation of Judicial or Non-Judicial Protection Measures.

Review during the implementation of Judicial Protection Measures is:

- Formal and legal
- A duty of the judicial authorities and social institutions
- A right for the juvenile
- A commitment by the accredited social representatives

Objectives

- Evaluate the progress and change in the protection level
- Reconsider at any time and whenever it is necessary, the measures taken, by an initiative of the judge or based on the request of any right-holder (Article 46 of the Law 422/2002)
- Help the judge to take the appropriate decision on continuing the Judicial Protection Measures or transferring the file to Non-Judicial Protection Measures by mandate of the court

Tasks of the social representative at this phase:

- Find, along with the specialists, the juvenile and the parents/guardians, logical indicators that confirm the persistence or elimination of the risk with respect to the adopted Protection Measures.
- Periodically (frequency to be specified by the judge) submit review reports of the juvenile's situation and discuss it with the judge (consult the case manager)
- Follow up the implementation and carry on the measures taken after review
- Ensure the file is closed

Review during the implementation of Non-Judicial Measures

This process requires a review of Intervention Plans and programs specific to the juvenile if the Protection Measures has followed a non-judicial pathway. It includes:

- Finding, along with specialists, the juvenile and parents/guardians, logical indicators that confirm the persistence or elimination of the risk
- Periodically drafting a report on the review of the juvenile's situation (every 3 months and when needed) to discuss it with the case manager
- Follow up the implementation and carry on measures taken after review
- Ensure the file is closed or transferred to the judicial authorities when necessary

In both cases, the review is based on the following three factors:

Degree of recognition of the danger

Capacity of the juvenile and the parents/guardians to participate in implementing the Protection Measures

Actual commitment of the parents/guardians and the juvenile to the implementation of the Protection Measures and showing willingness to cooperate

Chapter III

Case management methodology

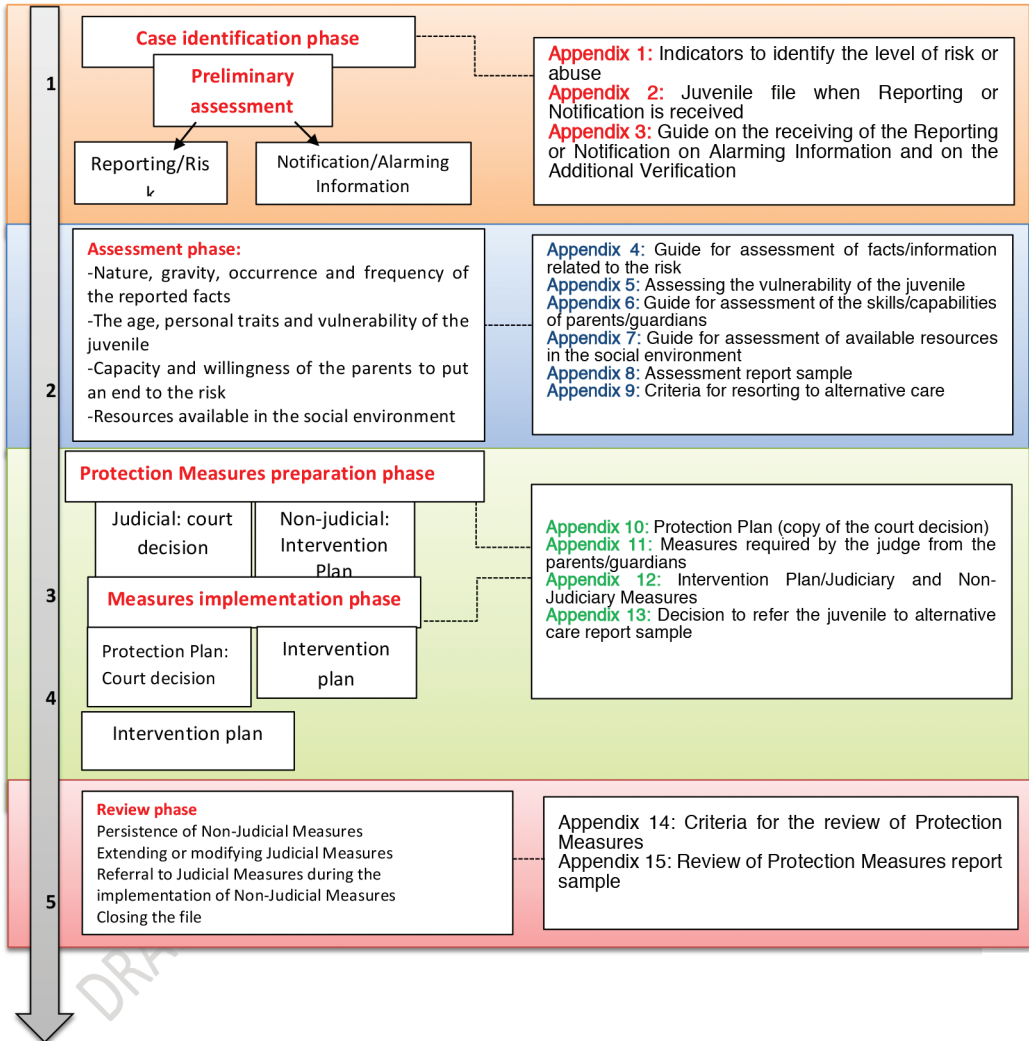
- 1- Identification and preliminary assessment of the case**
- 2- Assessment**
- 3- Preparation and implementation of Protection Measures**
- 4- Review**

Juvenile (Child) Protection Case Management methodology is structured into a series of programmatic interventions that aim to respond to the risk facing the juvenile's development and his/her safety. The Case Management methodology follows a pathway composed of five phases that must be followed by case managers, whether the case follows a judicial or non-judicial pathway. The following flowchart, case management methodology, shows how every case management methodology phase has specific objectives and implementation tools that ensure accuracy and practical linkages.

Flowchart 1: Case Management Methodology

Case Management Methodology

Tools



- The two intersecting boxes in orange (1st phase) refer to the case identification and preliminary assessment phase. This phase shall lead to the necessary decision regarding the appropriate pathway to take in order to ensure the juvenile's safety. The parallel box directly linked to the first one with a dotted line indicates the specific practical implementation tools that help the intervening actor in identifying the risk level and assessing it with accuracy, to avoid discretion or randomness in decision making.
- The dark blue box (2nd phase) indicates the assessment phase of the juvenile's situation and conditions, in order to determine the reality, check the facts and offer an opinion based on the following four factors: nature, gravity, occurrence and frequency of the reported facts, the age, personal traits and vulnerability of the juvenile, capacity and willingness of the parents/guardians to put an end to the risk and resources available in the social environment. In order to facilitate the necessary interventions, and since the assessment process is rigorous and commands all pathways and choices, whether judicial or non-judicial, the box in dark blue is directly linked, by a dotted line, to all the practical implementation tools which help the assessor make a reliable analysis for decision making.
- The green box (3rd and 4th phase) indicates the phase of the preparation and implementation of Protection Measures and of which two separate boxes independently come out, the first indicating the Judicial Measures and the second indicating the Non-Judicial Measures.
 - ✓ The court decision constitutes the "Protection Plan/framework" which includes detailed general objectives to be strictly achieved. An Intervention Plan is then prepared, emanating automatically from the court decision and including practical objectives to implement the Protection Measures in order to fix the situation.
 - ✓ In case of non-judicial pathway, an Intervention Plan is prepared on the psychological, social, and educational levels, targeting the juvenile and his/her parents/guardians and his/her social environment and aiming to help the parents/guardians to commit to their responsibility and protect the juvenile from any risk.

In both cases, and in order to facilitate the preparation of the Intervention Plan which includes objectives, in addition to a description of the tools used. The parallel green box is directly linked, with a dotted line, to all the practical implementation tools that help the intervening body in preparing practical plans with the inclusive participation of the parents/guardians and the juvenile.

- The fifth box (4th phase) indicates the phase of implementation and ongoing monitoring of the designed plan in order to ward off the risk on the juvenile. This phase emanates automatically from the one preceding it.
- The last box in red (5th phase) indicates the review phase. This phase allows the periodic reconsideration of the situation of the juvenile subject to the Judicial and Non-Judicial Measures. This box includes the choices that might be adopted. As for the parallel box, it indicates the practical tools to be used in order to have an objective overview of the juvenile's situation and its progress.

1- Identification and preliminary assessment of the case

Every person, whether a professional or not, who has suspicions or facts that push him to think that a juvenile is at risk, is concerned with the identification phase. In this case, he/she should report to the judicial authorities or inform the Ministry of Social Affairs or the non-governmental organizations in order to take a primary decision regarding the measures to be taken depending on the nature of the identified risk according to the two adopted pathways emanating from Law 422/2002.

1- In Judicial Measures: (Reporting/Risk)

Reporting receipt

The reporting is exclusively received by the following judicial authorities: the public prosecution/the juvenile court (the juvenile judge or the social representative of the court)/the judicial police

The reporting is addressed and afterwards, adequate Protection Measures are chosen based on the decision which indicates the type of the risk which threatens the juvenile's safety and development

Note: The non-judicial actors' role is limited to the participation in the assessment and rendering an opinion following the judge's request.

Determining the source of the Reporting

Citizen	<ul style="list-style-type: none">• The person to whom the juvenile came for help• Whoever knew about the juvenile's situation• Whoever has logical information indicating that the juvenile is at risk• Parents/guardians or the juvenile him/herself
Moral entities	<ul style="list-style-type: none">• NGOs and the private sector working with juveniles• Social Development Centers• Social and primary health care centers• Schools and nurseries• Professionals
Hospitals	Doctors, nurses etc...
Public institutions	Or civil servant

The legal characterization of the Reporting

The Reporting is considered within the legal characterizations stated under Part III - Article 25 of the Law 422/2002.

The juvenile's safety and security are considered to be threatened in the following cases:

- If he/she was found in an environment exposing him/her to exploitation or threatening his/her health, safety, ethics or the conditions of his/her upbringing.
- If he/she was exposed to sexual abuse, or physical violence exceeding the limits of what is allowed by custom as a manner of harmless discipline.
- If he/she was found begging or homeless.

(Refer to Appendix 1: Indicators to identify the level of risk or abuse)

The required conduct when receiving the Reporting

Do not insist on getting the name of the caller unless he/she is a practitioner or professional

Inform the caller that in case his/her identity is revealed, he/she might be called to testify in front of the court in the absence of the parents/guardians and the juvenile

Promise the caller that his/her identity will not be disclosed to the parents/guardians, under any circumstance. And reassure him/her that the law protects the confidentiality and identity of the reporter as well as the services provided to the juvenile and his/her parents/guardians after the Reporting.

Inquire from the caller about any action or solution taken by one of the parents/guardians

Inquire about the address and phone number of the juvenile and his/her parents/guardians

Focus on tangible and concrete facts which indicate the magnitude of the risk and do not rely only on fears and worries

(Refer to Appendix 3: Guide on the receiving of the Reporting or Notification on Alarming Information and on the Additional Verification)

Assess the Reporting and its credibility

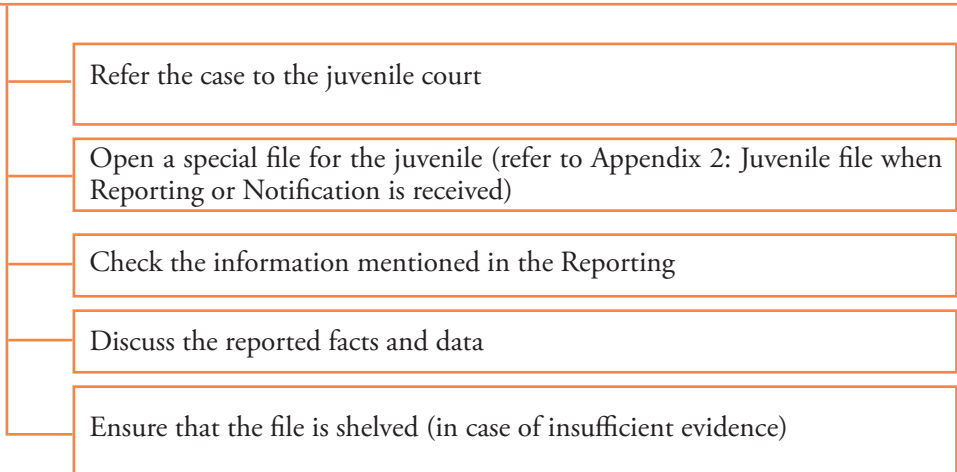
Every Reporting should take the following into consideration:

- The tangibility and concreteness of the reported facts
- The motive of Reporting
- The type of relationship with the juvenile and his/her parents/guardians: neighbor, friend, a member of the family or one of the guardians
- The relation between the victim and the aggressor

Decision on processing or shelving the report

A report is processed or shelved based on the existence of a crime or a risk, where Judicial Measures are taken by the following authorities: the public prosecution or the juvenile court.

At the receipt of the Reporting



Additional Verification

In case of insufficient information, the Juvenile Judge delegates the social representative adopted by the Ministry of Justice to do the following:

- Conduct the Additional Verification (social)
- Conduct an unannounced home visit
- Make sure the reported facts are real
- Inform the parents/guardians about the Reporting without disclosing the reporter's identity under any circumstances

Based on the data collected by the different actors, a report is drafted about the situation of the juvenile and based on it, the public prosecution takes the adequate measures to:

- Ensure the safety of the juvenile
- Prosecute the aggressor if he/she is a minor
- Signal the provision of a safe alternative care, and inform the juvenile judge of this decision later on
- Resort to “reconciliation” with the parents/guardians within a specific time period which could be retracted by the judge in order to take an appropriate decision if the result shows a persistence of the risk.
- Shelve the file, meaning closing it in case of insufficient evidence

(Review appendix 3- Guide on the receiving of the Reporting or Notification on Alarming Information and on the Additional Verification and Appendix 2- Juvenile file when Reporting or Notification is received)

2- In Non-Judicial Measures (Notification/Alarming Information)

The reported facts might be ominous facts about a potential risk, but it also requires protection and a quick assessment of the situation and intervention (the younger the juvenile is).

These cases necessitate Non-Judicial Protection Measures which are officially connected to the Ministry of Social Affairs and are governed by the law 422/2002. The latter promotes keeping the case within the family environment when the parents/guardians are capable of assuming their responsibilities to protect the juvenile.

Receipt of the Alarming Information/Notification

Any Alarming Information communicated to the following actors is considered as informing:

- Department of Juveniles Protection at the Ministry of Social Affairs and the adopted Regional Departments and the hotline
- Specialized non-governmental organizations not contracted by the Ministry
- Social Development Centers

These actors are centers for:

- Collecting, addressing and assessing Alarming Information related to the juvenile's risk situation
- Pursuing the adequate judicial and non-judicial pathways
- Providing any kind of counseling including legal, social, psychological etc...
- Providing answers if needed
- Referring the case to the actors specialized in case processing, including the Regional Case Management Committee

At the receipt of the Reporting

It is possible to communicate, through calling or by any other mean, to inform about Alarming Information that obstacles the juvenile's safety and development. Can do this each of:

- Citizen**
- The person to whom the juvenile came for help
 - Whoever knew about the juvenile's situation
 - Whoever has logical information indicating that the juvenile is at risk
 - Parents/guardians or the juvenile him/herself
- Moral entities**
- NGOs and the private sector working with juveniles
 - Social and medical centers
 - Schools and nurseries
 - Professionals
- Hospitals**
- Doctors, nurses etc...

Legal and social characterization of the Alarming Information

The safety and development of the juvenile are considered to be threatened based on suspicions related to a "potential risk" and focusing mainly on strengthening the capacities of the parents/guardians and the juvenile together in order to prevent any potential risk or deal with the outcomes of a previous risk to which the juvenile was exposed. Alarming information is considered as the entrance to the juvenile's protection. Thus, it is categorized as follows:

- **Urgent cases** which necessitate immediate reporting
- **Non-urgent cases** which is based on Alarming Information indicating the possible existence of a risk that threatens the juvenile's safety and development
- **Cases where the juvenile was subject to abuse but the risk is no longer present** and which requires to treat the damages in the framework of Non-Judicial Measures

Note: The above-mentioned actors should not keep to themselves data related to any crime or sexual abuse. They should notify the public prosecution of the facts or seek the support of the Regional Case Management Committee for the decision-making.

In order to specify the level of risk, please review Appendix 1-→ Indicators to identify the level of risk or abuse.

Categorizing the motives of the call

The receiver of the call should help the caller to identify the main motive of his/her call which is summarized as follows:

- Consultation
- Inquiry about intervention procedures and tools, protection and provision of related services
- Request to directly help the juvenile and his/her parents/guardians
- Delegation of Reporting on the case

The required conduct when receiving the Notification

The receiver of the call should help the caller to identify the main motive of his/her call which is summarized as follows:

- Do not insist on getting the name of the caller unless he/she is a practitioner or a professional
- Inquire from the caller about any action or solution taken by the parents/guardians to fix the situation
- Inquire about the address and ask about details that will help to reach to the juvenile and his/her parents/guardians (school, neighborhood, etc.)
- Focus on tangible and concrete facts which indicates the magnitude of the risk and do not rely only on fears and worries
- Verify the existence of a judicial or non-judicial file for the parents/guardians or the juvenile, where and since when
- In case of possibility of Reporting, inform the caller about it
- Inform the caller that in case his/her identity is revealed, he/she might be called to testify in front of the court in the absence of the parents/guardians and the juvenile
- Promise the caller that his/her identity will not be disclosed to the parents/guardians, under any circumstance, and reassure him/her that the law protects the confidentiality and the identity of the reporter
- Open a case file for the juvenile: Appendix 2- Juvenile file when Reporting or Notification is received
- Prepare the file for discussion with the case manager in order to decide its referral to the assessment phase

Additional verification

In the case of any confusion or ambiguity related to the facts and the impossibility to verify them, an additional verification is conducted through a field visit to the family to double-check the Alarming Information, except for sexual abuse cases (Appendix 3: Guide on the receiving of the Reporting or Notification on Alarming Information and on the Additional Verification)

Note: When the family/guardians refuse to be visited, the intervention of the judiciary becomes indispensable. The process takes the following path:

The preparation for the visit or meeting with parents/guardians:

- Design a vision on how to approach parents/guardians without it being a danger or an to the risky situation affecting the juvenile
- Insure participation of the parents/guardians and the juvenile in the analysis and understanding of the Alarming Information, if possible, and understand how they perceive and understand the Notification and its content
- Get in touch with professionals who are aware of the juvenile's situation in order to get more information about it after informing the parents/guardians to avoid any conflict with the best interest of the juvenile. This exchange should only be limited to indispensable information for the protection of the juvenile
- Inform the parents/guardians beforehand about the exchanged information unless this is not in the best interest of the juvenile

Based on the data collected from all the sources, a primary report is drafted (Appendix 2- Juvenile file when Reporting or Notification is received). Based on this report, the nature of the risk is identified and the file is referred to the judiciary for immediate protection or continuation of the assessment.

Appendix 1: Indicators to identify the level of risk or abuse

The following includes the indicators for identifying the level of risk threatening the juvenile and which consequently requires protection

	Indicators of potential risk	Indicators of risk /level of abuse
<p>According to the article 25 of the Law 422/2002, a juvenile is considered to be at risk</p> <p>If he/she is found in an environment exposing him/her to exploitation</p>	<ul style="list-style-type: none"> • Marginalizing the juvenile • Inadequate housing • Poverty or living in poverty pockets • Social isolation • Difficult social conditions (asylum, displacement, calamity, war...) 	<ul style="list-style-type: none"> • Sexual exploitation and prostitution • Begging • Child labor/worst forms of child labor • Encouraging the juvenile to take drugs • Getting involved with dangerous gangs, in sorcery and criminal activities • Engaging the juvenile in armed conflicts/violence
<p>If he/she is found in an environment which threatens his/her health or safety</p>	<p>Relative negligence of the juvenile's basic needs. Its indicators are:</p> <ul style="list-style-type: none"> • Lack of food, clothing, health care, and surveillance • Medically unexplainable delay in the juvenile's growth including his/her ability to speak, walk as well as his/her intellectual and emotional development <p>Some behaviors which indicate a feeling of personal distress include:</p> <ul style="list-style-type: none"> • Isolation, fear, excessive timidity, seduction, phobia, resistance, fugue for a short-period 	<p>Significant negligence of the juvenile's basic needs. Its indicators are:</p> <ul style="list-style-type: none"> • Huge lack of food, clothing, housing conditions, health care, and surveillance • Development disorder represented by dangerous and recurrent pathological symptoms or confusion like disorders in the mental, psychological and intellectual development • Behavioral disorders and self-harm • Growth disorder caused by untreated medical problems • Set of behaviors which indicate acute behavioral disorders: self-harm acts, delinquency, nervous breakdown, refrain from talking, sexual abuse, physical violence, addiction, long-period fugue • Juvenile's organs trade • Acute and untreated mental disorders of the parents/guardians which impedes the fulfillment of responsibilities

1. Stanculescu E., 2006 «globalisations idéologiques et pouvoir d'une catégorie vulnérable : les enfants de la rue». Science de l'éducation 39,2 : 69-68
2. Berger M., La spécificité du travail clinique en protection de l'enfance / Neuropsychiatrie de l'enfance et de l'adolescence 54 (2006) : 137-141
3. Alfoldi F., (2010) Évaluer en protection de l'enfance, Théorie et Méthode. DUNOD : 158-164

<p>If he/she is found in an environment which threatens his/her ethics or the conditions of his upbringing</p>	<ul style="list-style-type: none"> • Atmosphere of lack of emotional security, feeling of exclusion or non-belonging to the family • Not recognizing the needs and requests of the juvenile • Insulting and humiliating talks • Hostile environment and worrying educational method • Encouraging a delinquent behavior or addiction 	<p>Everything that exposes the juvenile to an emotional stress beyond his/her capacity⁴ to bear:</p> <ul style="list-style-type: none"> • Rejection • Terrifying and defamation • Isolation • Being dominated • Negligence • Distressing family ties • Keeping a family secret • Recurring shocks or making the juvenile feel pain and guilt beyond his/her capacity • The parents/guardians conduct: nature of work of the parents/guardians (sexual exploitation, gambling, drug dealing) • Joint custody in case of divorce and the constant moving from one house to another • Single women heads of households or in charge of the juvenile
<p>If he/she has been sexually abused</p>	<ul style="list-style-type: none"> • Creating a sexually seductive atmosphere and using sexually stimulating talks • Inappropriate touching of the body • Peeking • Invasion of privacy • Erotic and sexually stimulating show • Humiliation of the body • Showing erotic movies • Early sexual maturity 	<p>Forced and violent possession of the juvenile's body for sexual motives. Its indicators are:</p> <ul style="list-style-type: none"> • Sexual abuse without touching the juvenile/showing porn movies/inviting him/her for sex/getting naked in front of him/her • Sexual touching/masturbating in front of him/her/touching his/her private body parts/inappropriate sexual cuddling/ physical penetration through the mouth or the anus • This abuse includes incest, prostitution and committing indecency • Sexual hinting especially for girls • Taking and publishing inappropriate photos of the juvenile

4. Brassard, M.R., Germain, R., Hart, S.N.(1987) in Somer, Braunstein 1999 "Are Children exposed to interparental violence being psychologically maltreated?" *Aggression and violent behavior*,4:4:450

<p>If he has been subject to physical violence exceeding the limits allowed by custom</p>	<p>Hostility without acute physical traces and which disappears immediately like:</p> <ul style="list-style-type: none"> • Slapping • Slapping on the butt • Violently shaking the baby (except newborns) • Hitting with or without a sharp tool • Pushing the juvenile onto the floor 	<p>Violent abuse having negative effects on the health and physical development of the juvenile. It has the following indicators:</p> <ul style="list-style-type: none"> • Wounds • Fractures • Burns • Drowning/strangling • Shaking a new-born • Poisoning • Distortion and torture • Swelling • Redness
<p>If he/she has been sexually abused If he/she is found begging or homeless</p>		<ul style="list-style-type: none"> • Without shelter • Without a shelter or home where he receives care and surveillance • Eviction, negligence or fugue • Idling • Family/guardians exploitation or absence of communication • Taking the streets as a place to live and earn money • Begging

Appendix 2: Juvenile file when Reporting or Notification is received

This file is opened at the receipt of the Reporting or Notification and it is completed after the Additional Verification. File number:

Name of social representative/case manager:

The represented body: Judicial: juvenile court or public prosecutor

Non-Judicial: Ministry of Social Affairs, name of the administrative department or center

Name of the non-governmental organization:

Contracted by the Ministry of Justice Contracted by the Ministry of Social Affairs for protection matters

Not contracted by the Ministry of Justice Not contracted by the Ministry of Social Affairs for protection matters

The actor concerned with the identification of the case through Reporting/Notification/calling/submitting a request

Professional/institution- title:

Official body:

Citizen: name, address and phone number:

One of the family members/guardians: specify

(Name, address and phone number):

Data related to the juvenile's identity

Name	Last name	Sex	Date of Birth	Age	Name of the gardian father	Name of the gardian mother	School	Class	Nationality	health situations/ special situations

Works: Yes No Type of work:

Place of work: Phone number:

Full address of the juvenile's place of residence

Siblings	Age	At risk	Not at risk

• *In case the Reporting, Notification, call or submitted request include more than one juvenile in the family, it should be mentioned in the previous table.*

Were the parents/guardians informed about the Report, Notification, call or submitted request which indicates a risk threatening their child/children?

Father Yes No Mother Yes No Guardian Yes No

Other: Please specify:

Is the juvenile’s case known to any of the actors related to the Ministry of Social Affairs such as the social development centers or the primary health care centers?

Yes No What Center? For what reason?

Is the juvenile’s case known to the judicial actors?

Yes No For what reason?

What are the procedures undertaken to the date of Reporting, Notification, call submitted request? And by whom?

.....

What are the Alarming Facts?

Type of risk: its source, the description of the facts as described by the reporter/caller/ the person who declared the facts/ or who observed the case, the surrounding conditions, the observed challenges, and the chronology with dates. Focus on the description of the juvenile’s behavior in terms of proving the case (medically/statements and confessions of the juvenile/witnesses) or suspecting it. (For this passage’s formulation, review Appendix 3- Guide on the receiving on the Reporting or Notification on Alarming Information and on the Additional Verification)

.....

Decision taken following the Additional Verification with the signature of the professional case manager:

Based on:

We suggest that:

Signature: Name: Date:

Appendix 3: Guide on receiving the Reporting or Notification on Alarming Information and on the Additional Verification⁷

This appendix is a guiding tool for the receiver of the Reporting or Notification on Alarming Facts, to collect data and facts related to the risk in a comprehensive and thorough way provided that it does not become an interrogation.

<p>Parents/guardians position from the situation</p>	<p>Do the parents/guardians acknowledge the unsafe situation of the juvenile? What are the traits of the parents/guardians (points of strength and weakness) or do they have any problems important to mention? (substance abuse, detention, prostitution...) Did the parents/guardians try to ask for help to improve the situation?</p>
<p>Presence of a person who helps the juvenile and his/her parents/guardians in the social environment</p>	<p>Is there anyone in the social environment who can help the juvenile and his/her parents/guardians (extended family, husband or wife, paternal or maternal uncle or aunt, friend)? Are there any service providers providing support to the juvenile and his/her parents/guardians?</p>
<p>Indicators of the juvenile's vulnerable situation</p>	<p>What are the effects (implications) of the observed facts on the juvenile? Does the juvenile suffer from any physical or mental disability? How does he/she cope with his/her situation? Does the juvenile have any traits (points of strength and weakness) important to mention and inform us about?</p>
<p>Juvenile's identity data</p>	<p>Name, last name, date of birth, full address, nationality Name of the father, mother/guardian. With whom is the juvenile living? In which school or nursery is he/she? Are there any other siblings or juveniles at risk? If yes, what are their names? What are their ages?</p>

7. Inspiré du "Faire un signalement au DPJ c'est déjà protéger un enfant" Association des centres jeunesse du Québec, 2007

What are the Alarming Facts?	Does the facts originate from the juvenile's statements, his or his parents' conducts, confidential revelations, visible signs such as wounds and bruises?
Traits of these facts	Are the facts recurrent? Did the observed facts occur previously or only recently? Do you think the juvenile is at risk? Did you witness any of the facts?
Specific to the cases of sexual abuse and physical violence	Do you know who the offender is? (father, mother, brother, sister, husband, wife, member of the extended family, another adult, another juvenile) Name of the offender? And his/her age? Is the juvenile still in contact with the offender? Is the police aware of this? What is the current situation of the offended juvenile? Does the juvenile have any traits (points of strength and weakness) important to mention and inform us about?
Who is the gatekeeper?	Who is the person who can help us access the parents/guardians?

The assessment process governs both the judicial and non-judicial pathways, and would result in taking a decision which determines whether the safety and development of the juvenile are threatened and, based on it, choosing the appropriate Protection Measures. The assessment process starts after processing the Reporting or Notification and persists until the protection decision is taken (within a maximum period of 3 months except for high risk cases).

The assessment principles differ depending on the delegated body

The actor delegated by the judiciary uses the legal binding character of the law to investigate about facts/data and pursue the necessary or immediate measures depending on the nature of the risk

The actor delegated by the Ministry of Social Affairs such as the social development center, the contracted specialized organization or any other non-governmental organization, uses the voluntary and consensual character for the assessment of the case and pursuing the protection process depending on the nature of the risk

Objectives of the assessment phase:

- **Diagnose the factual situation** to know if the juvenile is in real existing or potential danger and its sources
- **Analyze the juvenile's social and familial situation** along with the parents/guardians awareness of the issues the juvenile is facing
- **Estimate the nature and level of the risk** which is at the basis of the proposition of Protection Measures
- **Network with NGOs/service providers** if needed with the approval and participation of the parents/guardians

The assessment is a collective participatory process reflecting the point of view of the

- Multidisciplinary team
- Parents/guardians who are involved in the facts analysis unless they present an additional threat to the juvenile
- The juvenile, depending on his/her age to get a deeper understanding of his/her reality and living conditions

<p>The bases of the assessment</p>	<ul style="list-style-type: none"> • Nature, gravity and recurrence of the reported facts (Appendix 4: Guide for assessment of facts/information related to the risk) • Age, personal traits and vulnerability of the juvenile (Appendix 5: Assessing the vulnerability of the juvenile) • Capacity and willingness of parents/guardians to put an end to what threatens the safety and development of the juvenile (Appendix 6: Guide for assessment of the skills/capabilities of parents/guardians) • The available resources in the social environment which can provide support to the juvenile and his/her parents/guardians (Appendix 7: Guide for assessment of available resources in the social environment)
<p>The assessment steps</p>	<ol style="list-style-type: none"> 1- Characterize the risk based on the facts 2- Analyze the situation 3- Render an opinion about the risk and propose necessary Protection Measures

This phase results in a written report (Appendix 8: Assessment report sample)

1. Characterize the risk by collecting present (or previous) facts and narrate them merely, objectively and accurately without analysing them

<p>Meet with the parents/guardians and juvenile in their own environment and aim to gain their trust and build a relationship with them</p>
<p>Conduct a dialogue with the parents/guardians and other family members to estimate the degree of care for the juvenile and the disciplinary methods used and to check the accuracy, objectivity and consistency of the facts they provide (without interrogating)</p>
<p>An accurate and detailed description of the juvenile’s situation detailing :</p> <ul style="list-style-type: none">• his/her basic development needs (physical, psychological, mental, social and preservation of his/her health and safety) from the perspectives of the family members and the juvenile himself;• his/her relationship with his/her parents/guardians and their ability to commit to the juvenile’s Protection Plan;• Facts from his/her family and social environment which affect his/her safety and development.
<p>Observe and examine the juvenile in his/her familiar places of living including accurately noting down his/her statements (the juvenile shall be informed that some of his/her statements will be used in assessment report for the sake of his/her protection). The statements are then transcribed word by word while mentioning the conditions in which they were disclosed. In case of statements being transferred through a third person, the name of the latter and the conditions in which the information was provided shall be included in the report, provided that the expressions used by the juvenile are transferred faithfully.</p>
<p>Looking for indicative and related facts from the juvenile social environment or the professionals who are constantly in contact with him/her and with his/her parents/guardians. The parents/guardians shall be informed . The best interest of the juvenile shall govern the process.</p>
<p>In case of visible signs of violence on the juvenile’s body, it is crucial to get a report from a forensic doctor documenting the case.</p>

2. Analyze the situation

The analysis of the juvenile's situation and living conditions is a process of linking the major existing and narrated facts and the reasons behind them in order to show their impact on the safety and development of the juvenile

The analysis includes a justification of the intervening body's fears and suspicions based on the tangible and precise indicators before-mentioned

The analysis process is conducted through a comparison of views among professionals with different expertise, respecting the confidentiality principles in terms of transfer and exchange of information

The assessment indicates the situation's level of gravity through the dynamic analysis of the following four indicators:

- Nature, gravity and recurrence of the reported facts.
- Age, personal traits and vulnerability of the juvenile.
- Capacity and willingness of the parents/guardians to put an end to all what threatens the safety or development of the juvenile.
- Resources available in the social environment that can provide assistance to the juvenile and his/her parents/guardians

3. Render an opinion about the risk

<p>Facts which are at the basis of the assessment phase</p>	<p>Primary: documented facts that indicate that the risk threatening the safety and development of the juvenile inside the home persists.</p> <p>Secondary: documented facts that indicate that the safety and development of the juvenile were threatened in the past and that the consequences should be addressed.</p> <p>Tertiary: there is no risk on the safety and development of the juvenile</p> <p style="text-align: center;"><i>Only the judiciary has the right to recognize the primary facts. Thus it is mandatory to report in case the assessing actor is not part of the court. Based on the report of the concerned professionals, adequate Protection Measures are proposed.</i></p>
<p>In the judicial files</p>	<ul style="list-style-type: none"> • Not intervening and shelving of file • Carrying on or amending Judicial Measures: including addressing the current situation or resorting to alternative care • Obtaining, through the judiciary, the parents’/guardians’ commitment to immediately stop any kind of risk and to identify the adequate ways of rectifying the current situation (for example, resorting to hospitalization, refraining from meeting certain people, and if needed, requesting a social follow-up from a contracted and specialized NGO)
<p>In non-judicial files</p>	<ul style="list-style-type: none"> • Propose the adequate measures for the protection of the juvenile and means of support for his/her parents/guardians in coordination with concerned organizations working in the protection sector • Refer the file to the juvenile court to pursue the judicial pathway • Not intervening
<p>Search for indicative facts</p>	<p>Indicative facts are found in the social environment of the juvenile and/or obtained from the diagnosis of experts who are in a constant contact with him/her and his/her parents/guardians This is governed by the principles of informed consent and the best interest of the child.</p>
	<p>In case of need for alternative care arrangements, a special report should be drafted (Appendix 9: Criteria for resorting to alternative care)</p>

Drafting the assessment report

The assessment phase results in drafting a unified report presenting the overall situation and taking into account observations and diagnosis of the multidisciplinary team of professionals in contact with the juvenile.

The drafting of the assessment should be participatory including all family members/guardians especially those who have previously participated actively in the assessment process (except for cases where family members/guardians are involved in the abuse such as in some sexual abuse cases). (refer to Appendix 8: Assessment report sample)

The proposal of the Protection Plan should be discussed in a joint meeting based on intersecting facts and professionals' opinions. The proposal should be included in the assessment record and attached to the report.

Appendix 4: Guide for assessment of facts/information related to the risk^{8,9}

The nature, gravity, recurrence and frequency of the reported facts

The fundamental question: Are the facts still occurring or have occurred in the past? What are their characteristics? And what are their impact on the juvenile?

Nature of the reported facts	<p>It includes conducts, behaviors, statements and violent and harming actions of the parents/guardians. These facts are identified through observation of the juvenile's situation or through a medical report which indicates the signs of an abuse. Facts are documented and confirmed in the following cases:</p> <ul style="list-style-type: none">- The amount of information proves, to a large extent, the occurrence of the facts- The incident is accurately characterized in time and location- Ability to clearly identify the source of information at any given time- Availability of similar information that affirm the reported facts- The witness's reported facts are doubtless, in addition to existence of several witnesses reporting the same facts.- The aggressor's honest confession of the occurrence of the incident- Statements and confessions of the juvenile describing the facts
Gravity of the reported facts	<p>It includes the impact or possible effects of the facts on the physical and psychological being of the juvenile depending on his/her age. The gravity is linked to a specific current or previous incident.</p>
Recurrence of the reported facts	<p>It includes the purposeful, periodic and ongoing or predicted incidents which have a negative impact on the safety and development of the juvenile. This recurrence is based on:</p> <ul style="list-style-type: none">- The accuracy of the facts: its identified nature, time and location of its occurrence including what is existing, observed, and verified- The authenticity of the existing facts: honesty of the witnesses, harmonized statements, objectivity and the quality of the relationship between the juvenile and his/her parents/guardians.
Frequency of occurrence of the reported facts	<p>It indicates the recurrences of the incident in a specific period of time, knowing that an occasional incident is not categorized as a periodic and recurrent incident.</p>

8 Gouvernement du Québec Ministère de la Santé et des Services Sociaux "La Protection sur mesure : un projet collectif », Harvey 1990

9 Alfoldi F. (2010) évaluer en protection de l'enfance, théorie et méthode, DUNOD:158-164

Appendix 5: Assessing the vulnerability of the juvenile

The fundamental question: who is the juvenile in need of protection? What are the factors and traits that make his situation vulnerable?

The vulnerability of the juvenile is the balance between:

The weakness of the juvenile while he/ she is at risk;	The strength and capability of the juvenile to develop self-protection and self-defense capacities
---	---

The analysis of the juvenile’s vulnerability takes into consideration the following: the juvenile’s age, traits, autonomy level, cultural environment, physical, mental and emotional capabilities as well as his/her skills, strengths, development, self-defense capacities and awareness of his/her situation and of the reported facts.

The following guide is a list of non-exclusive indicators which allow intervening actor/actors to assess the juvenile’s vulnerability		Yes	No	Sometimes
On the emotional level	Has a positive self-image			
Self-appreciation	Has self-confidence equally to his/her peers (having the same age range)			
Self-assertion	Asserts him/herself sufficiently			
	Shows a level of maturity lower than his/her peers			
Mental Health problems	Expresses a visible mental health problem			
	Expresses visible mental health symptoms			
Attention deficit disorder and hyperactivity	Expresses a visible disorder			
	Expresses alarming symptoms			
On the social level	Surrounded by a supportive environment			
	Receives care from his/her parents/guardians			
	Presence of a person he/she can go to when needed			
On the intellectual level	His/her school grade and age are matching			
	His/her school results are satisfactory			
On the physical level	He/She is growing and behaving normally			
	His/her general physical development is satisfactory			
Ability to adapt	Adapts with the problem			
	Needs special care			

Appendix 6: Guide for assessment of the skills/capabilities of parents/guardians¹⁰

The fundamental question: What are the parents/guardians doing to counter the circumstances that are putting the juvenile's life at risk?

The capacity of the parents/guardians to counter the difficult circumstances is related to:

- 1- The level of their ability to assess the magnitude of risk and their awareness of its consequences
- 2- Their readiness and capacity to take the necessary measures to change or improve the situation (capacity here means existing behaviors, actions and willingness to protect the juvenile).
- 3- Level and quality of their commitment to their responsibilities and parental obligations

The assessment of the parents'/guardians' capabilities is based on the five following themes:

1- Performance of parental roles: identifying strengths and weaknesses	
Care	Provide the juvenile with : medical care, nutrition, shelter, hygiene, clothing, physical protection, adequate resource management, supervision.
Education and facilitation of knowledge	Support the juvenile with : participation in activities, teaching of life ethics, stress, pressure and conflict management, sexual education, using adequate education methods, mobilizing the juvenile's capabilities depending on his/her age, support in activities and homework, responding to the juvenile's intellectual and educational needs, the ability to explain, inform and conduct educational follow up
Exercising authority	Includes: Setting up the rules, frameworks and limits and respecting the parental responsibilities (parents/guardians-juvenile), as well as the capacity to negotiate with the juvenile
Showing affection	Includes: Understanding and responding to the juvenile's needs, accepting him/her, respecting his/her privacy, showing affection, interest and motivation, spontaneous care for the juvenile (appreciation, emotional security, accepting and expressing emotions)
Social accompaniment	Motivate and support the juvenile in learning, participating in recreational activities, building social networks, engaging in activities with friends and interacting with others. It includes as well support to the socialization of the juvenile

¹⁰ Inspiré du Guide d'évaluation des capacités parentales, Steinhauer, 1990 et du rapport évaluation-orientation, 2006 CJM-IU

2- Parents/guardians personal traits: identifying strengths and weaknesses	
On the physical level	<ul style="list-style-type: none"> • Major health problems, • physical disability, • incapacitating • medical condition
On the intellectual level	<ul style="list-style-type: none"> • Signs of intellectual insufficiency, • inability to foresee things, • repeating inadequate decisions, • limited capability to change conducts and positions
On the emotional level	<ul style="list-style-type: none"> • Control emotional reactions to the juvenile's behaviors (self-control) thinking before acting, capability to give alternative solutions, • capability to ask for help in controlling and suppressing emotional reactions in dealing with domestic problems (such as: domestic violence, offensiveness, threatening)
On the social level	<ul style="list-style-type: none"> • Capacity to exercise a profession, • social isolation, • relation with small and extended family members, • existing behavioral problems, • relationship dynamics

3- Acknowledgement of responsibility towards the juvenile's situation: identifying strengths and weaknesses	
Verbal acknowledgment and admission of the risk	<ul style="list-style-type: none"> • Acknowledges difficulties but blames others for them, • belittles the size of the difficulties, not aware about the effects on the juvenile, • does not offer solutions and refuses the ones proposed, • randomly changes positions, • responds to the proposed solutions, • acknowledges his/her need for help, • worries about the situation, • neglects the juvenile's suffering
Position in relation to the facts	<ul style="list-style-type: none"> • Indifferent to what happened, • defensive position, • biased and extremist position with regard to norms and traditions, • lack of commitment to the promises he/she makes, • indifference to the negative behaviors towards the juvenile, • claims that acts committed were out of his/her control, he/she do not remember acknowledges them all, such as saying "I was under the effect of alcohol and I don't remember anything or I got out of control", • denying facts

4- Individual factors affecting the parents'/guardians' competencies

The father's and mother's/guardian's mood and behaviors, ability to reconsider their positions, flexibility, organization, ability to self-control, symptoms of nervous breakdown, unstable mood, anxiety symptoms, perfectionism/continuous critiques, substance abuse, visions, hallucinations, feeling of oppression, acuity in discerning, self-perception and perception of others, sexual behaviors harmful for children, precedents of neglect in the parents/guardians childhood, domestic violence...

5- The historical overview of services

Health centers, specialized social services...	<ul style="list-style-type: none">• Knowledge of and efficient usage of the available services,• Attitudes towards different services,• Willingness to follow up the treatment/accompaniment,• perception of the social worker,• Consistency in making use of the treatment/accompaniment,• ability to benefit from services,• recurring conflicts,• excessive requests,• extreme dependency,• attempts to escape commitments,• a quasi-permanent attendance in the center,• Inconsistent attendance to the center,• offensiveness,• manipulation,• active participation,• efforts to understand the problem and hold responsibilities,• tangible results following the intervention,• ethical behavior.
--	---

Appendix 7: Guide for assessment of available resources in the social environment

Fundamental question: Is there any person or more, in the juvenile's closest environment, who is contributing or can contribute in protecting him/her?

Within the assessment of the available resources in the social environment, there should be an assessment of the presence or absence of personal and social networks that can support the role of the parents/guardian

- Personal networks: communication with a family member, friends, neighbors
- Social networks: workplace, school or nursery, clubs, recreational centers, social and religious references
- If the father/mother/guardian asks for support from any personal or social network, and if not, is it because he/she finds it difficult to reach these resources?
- How does the presence or absence of these networks affect the mother's/father's/guardian's capacities?

Appendix 8: Assessment report sample^{11 12 13}

File number:

1- Juvenile's family status

Juvenile's identity:

Name: Place and date of birth: Last name:

Sex: Male Female Nationality:

Father's name: Mother's name:Guardian's name:.....

Parents' family status: married separated divorced Widowed

Siblings: number: Names and ages:

Full address: Phone number:

Assessment request by: In

Source of the Reporting/Notification on Alarming information/submission of request:

- One of the parents or family/guardians the juvenile him/herself
 Specialized professional a third party (extended family, neighbors, friends...):

2- Characterizing the risk case and narration of facts without analysis

2-1. Nature, gravity and recurrence of the facts threatening the safety and development of the juvenile

What are the present or previous facts and what are their characteristics? (Describing the facts, as reported, without any analysis)

2-2. Juvenile's age, personal traits and vulnerability: who is the juvenile? What are his/her strengths and weaknesses? What makes him/her stronger or weaker than others?

11. Direction de la protection de la jeunesse Centre jeunesse de Montréal Institut universitaire 2006
12. République et canton de Genève département de l'instruction publique de la culture et du sport office de la jeunesse service de protection des mineurs
13. Alföldi Francis (2010) évaluer en protection de l'enfance théorie et méthode : DUNOD p.158-164

2.3- The personal capability of the parents/guardians to put an end to the risk and their readiness to take full responsibility: what are the strengths and weaknesses. What is the parents'/guardians' history with regards to performing their parental roles?

- Parents'/guardians' awareness of the gravity of the situation and acknowledgement of their responsibility
- Parents'/guardians' personal traits affecting their parental capabilities/ mention any other issues if present
- Parents'/guardians' level of cooperation, and their position with respect to the proposed and offered services

2.4- Capabilities of the social environment to support the juvenile and his/her parents/guardians

Is there any person or more, in the juvenile's closest environment, who is contributing or can contribute in protecting him/her?

(extended family, family resources/references, nature of their contribution to finding solutions to the current situation/protection factors)

3- Situation analysis

The interactive and dynamic analysis of the four before-mentioned elements contributes to the assessment and balance of the risk and strength factors of the juvenile, his/her parents/guardians and his/her social environment. In addition, it helps in proposing the decision of adequate Protection Measures.

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

* In case an alternative care for the juvenile is requested, review appendix 9 (criteria for resorting to alternative care) and validate the reasons according to the criteria mentioned in the appendix.

4- Propositions

Based on the risk factors

.....
.....

And considering the following (available strength factors)

.....
.....

We propose to your reverent court/ request from your respectful organization

.....
.....

5- The protection decision taken

- The court decision attached
- The decision taken in case of Non-Judicial Measures (by the organization or assessment committee) with the signature and date

Name: Signature: Date:

Appendix 9: Criteria for resorting to alternative care

The first life project for the juvenile is to keep him/her in his/her family environment where he/she can live and grow sheltered by his/her parents/guardians or an adult who can take care of him/her such as a member of his/her extended family.

An alternative life project based on a court decision or by consensus of the parents/guardians, includes placing the juvenile temporarily or until he/she reaches his/her adult age, in an alternative family or alternative care.

The alternative life project is based on:

- The interest of the juvenile and respect of his/her rights.
- Draining all resources before resorting to take the juvenile out of his/her family environment
- Ensuring the sustainable care for the juvenile and the stability with regards to relations and living conditions
- Delegating the priority for taking care of the juvenile to his/her parents/guardians in his/her place of residence and involving the juvenile and his/her parents/guardians in decision making unless the judge decides otherwise

The alternative life project can be initiated at any phase of the protection/intervention phases: beginning with the assessment and orientation, to the implementation measures, ending with the review phase, if factors emerged required it.

The binding reasons for an alternative life project

- The inability of the parents/guardians to perform their responsibilities adequately
- The absence of the parents'/guardians willingness to use their personal capacities and their unwillingness to put an end to the risk threatening the juvenile's safety
- The juvenile's age, vulnerability and level of autonomy in addition to possible recurrence of risks/facts that threaten the safety and development of the juvenile
- The absence of a social safety network which provides support to protect the juvenile.
- The absence of elements of stability which secures the juvenile's protection

Accordingly, the presence of only one of the above-mentioned reasons cannot be at the basis of deciding to take the juvenile out of his/her environment, but an interaction of different reasons is required. Thus the case manager delegated with the assessment, should ask a list of questions to which he/she should try to reply according to the following list of questions

Questions	Yes	No	Not Specified
1. Is there a current or imminent risk on the juvenile's life, health and safety?			
2. Does the juvenile need immediate protection?			
3. Is the juvenile victim of physical or sexual abuse? Or severely neglected?			
4. Does the juvenile need to be hospitalized for medical care?			
5. Does the juvenile propose or participate in proposing a solution which prevents leaving his/her home?			
6. Does the juvenile refuse to stay at home?			
7. Are parents/guardians aware of the gravity of the situation?			
8. Are the parents/guardians aware of what is happening? Or are they under a shock, the effects of drugs or psychological disorder?			
9. Do parents/guardians propose or participate in proposing a solution which prevent the juvenile from being placed in an institution as part of an alternative care arrangement?			
10. Do parents/guardians refuse the juvenile's presence at home?			
11. Is there someone, within the family or social environment, who can protect the juvenile and insure his/her safety to prevent resorting to alternative care?			
12. Is there a resource or service within the social environment that can provide protection to the juvenile and insure his/her safety? Specify			
13. Are the consequences of taking the juvenile out of his/her environment more precarious than his/her presence within this environment?			
14. This is an unaccompanied juvenile and is at risk			

3 and 4- Preparation and implementation of Protection Measures

The juvenile's representative adopted by the ministry of justice follows up on the implementation of the Judicial Measures decided by the juvenile court.

Meanwhile, the ministry of social affairs representative/case manager or any other social center representative provides help to counter the risk and protect the juvenile through Non-Judicial Measures.

As for the preparation and implementation of measures, it is based on two types of plans depending on the nature of the adopted pathway and the measures decided upon.

Protection Plan and Intervention Plan: Judicial Measures

The **Protection Plan** concerns only Judicial Measures as it emanates automatically from the court decision. It includes the general objectives to be achieved and which will be translated, at a later stage, in the Intervention Plan that contains the specific objectives and the operational means to protect the juvenile and implement the judge's decision. It is the responsibility of the juvenile's representative to draft the Intervention Plan and follow up on the implementation of Judicial Measures with the judge at the juvenile court.

Intervention Plan: Non-Judicial Measures

The **Intervention Plan** concerns both Judicial and Non-Judicial Measures. It is the individual-based approach plan to be followed to insure the protection of the juvenile and to help him/her, in coordination with his/her family and other resources. It includes the specific objectives and the operational means to protect the juvenile. The Intervention Plan is a work plan that aims at:

- Providing the best protection for the juvenile
- Put an end to the risk situation and prevent its recurrence
- Implement the adopted Protection Measures

The characteristics of the plan

The Intervention Plan is based on psychological, social and educational dimensions targeting the juvenile, his/her parents/guardians and the surrounding social environment (schools, health or specialized centers, etc....) . It helps parents/guardians to take their responsibilities to counter the risk threatening the juvenile.

The plan includes the following:

- Describing the facts that are threatening the juvenile's safety and development and are acknowledged by the juvenile and his/her parents/guardians
- Specifying the juvenile's conducts with regards to the personal, social, educational autonomy levels and skills he/she needs to develop, etc.
- Specifying the conducts and changes required from the parents/guardians at the levels of fixing the relations between them and the juvenile
- Coordinating services to be provided to the juvenile in case there is a need for the intervention of a larger number of organizations/service providers concerned with the protection of the juvenile
- Formulating the objectives in the form of desired end results linked directly and exclusively to the protection the juvenile from the risk
- Describing in details the tools that parents/guardians and the juvenile should adopt, commit to or mobilize in order to counter the risk
- Achieving tangible end results within a specific detailed timetable

Review appendix 12: Intervention Plan/Judiciary and Non-Judiciary Measures

Appendix 11: Measures required by the judge from the parents/guardians

Article 27 of the law 2002/422 was keen to the priority of keeping the juvenile within his/her family/guardians. After hearing the parents/guardians, the decisions that the judge can take, if they acknowledge that the juvenile's safety and development are at risk and show that they are capable of countering this risk, are as follow:

- To keep the juvenile, as long as possible, within his/her natural environment in addition to assigning a social worker/case manager or organization to observe and counsel the parents/guardians and help them in upbringing the juvenile. This person or organization should present to the judge, a periodic report on the progress of the juvenile's situation. Thus, in case the judge decides to keep the juvenile in his/her environment, there are set of conditions that parents/guardians and the juvenile should follow including enrollment in school or in a specialized social or medical institution.
- To impose the above-mentioned measures in case, based on the parents/guardians or social representative's/case manager's request, the juvenile gets out of his/her parents/guardians authority and acts in ways that expose him/her to the before-mentioned risks.

In addition, the judge can decide on any measure that he/she deems in the best interest of the juvenile such as to impose to/on:

- The parents/guardians and the juvenile to actively participate in the adopted Protection Measures
- Some persons specified by the judge him/herself not to interact with the juvenile.
- The juvenile not to interact with some persons specified by the judge him/herself under social supervision
- The juvenile to be put under the custody of a caregiver other than the parents/guardians
- The juvenile and his/her parents/guardians to conduct regular visits to the supporting organization to follow up on the progress made toward the set results
- The juvenile and his/her parents/guardians to receive psycho-medical care services
- The juvenile enrolled in a school or education institution where he/she can learn a profession or follow a program aiming at learning and developing his/her autonomy.
- The judge to give some powers of the parental authority to specific organizations or individuals
- To specify several locations for the juvenile's residence

- To specify the timeframe in which the juvenile should be reunited with his/her family and environment
- The juvenile to respect certain obligations (for example the hour for coming back home, not smoking or others)

Appendix 12: Intervention Plan/Judiciary and Non-Judiciary Measures

File number:

- Intervention Plan based on the Protection Plan (court decision)
- Intervention Plan (Non-Judicial Measures)
- Work plan following review

Name: Last name: Place and date of birth:

Sex: Male Female Nationality:

Father's name: Mother's name:Guardian's name:

Full address: Phone number:

Name(s) of case manager(s):

Reference: Judicial Non-judicial

**1- Short summary of the causes of the risk which have led to the request for protection.
Read it for the parents/guardians and make sure they acknowledge them**

.....
.....

2- Formulate the general objectives of the intervention in the form of results after reading the assessment report(s)

- Are directly and exclusively linked to the risk, subject of protection
 - Noting the points of strength and family resources that can be used to counter the risk and help in finding solutions for the revealed problems
 - Targeting parents/guardians and the juvenile
 - Is linked to a practical time limited and specific timetable
- * It is important to note that the general objectives related to Judicial Measures are the same as the ones noted in the court's decision

.....

3- The practical desired objectives

Objective 1:

Concerns the father: mother: guardian:

Juvenile: Others, specify:

Agreement of the concerned parties:

Tools adopted to achieve the objective:

Timeframe for achieving the objective:

Timeframe for reviewing the objective:

Objective 2:

Concerns the father: mother: guardian:

Agreement of the concerned parties:

Tools adopted to achieve the objective:

Timeframe for achieving the objective:

Timeframe for reviewing the objective:

Objective 3:

Concerns the father: mother: guardian:

Agreement of the concerned parties:

Tools adopted to achieve the objective:

Timeframe for achieving the objective:

Timeframe for reviewing the objective:

4- Progress tracking

Conduct observation visits specified by the court every

Conduct follow-up and supervision visits every

Name and signature of the case manager:

Name and signature of the father:

Name and signature of the mother:

Name and signature of the guardian:

Name and signature of the juvenile (if available):

Appendix 13: Decision to refer the juvenile to alternative care report sample

File number:

Referring party:

Date of referring:

Party receiving the referral:

Date of receipt of the referral:

Juvenile's identity:

Name	Place and date of birth	
Last name	Sex : Male <input type="checkbox"/>	Female <input type="checkbox"/>
Father's name	Guardian's name	
Mother's name	Siblings : number	
Full address	Name	Age
	Name	Age
	Name	Age
	Name	Age
	Name	Age
Phone number	Name	Age

Overview of the facts/risk which led to the decision to resort to alternative care:

.....

Intervention Plan issued by the court (decision as stated)

.....

Desired objectives from resorting to alternative care, their implimentation mechanisms and the review process (inclusive participation of the case manager(s), the parents/guardians and the juvenile in setting the objectives)

.....

Name and signature of the first case manager of the referring party:

Address: Phone number:

Name and signature of the second case manager of the party receiving the referral for the provision of alternative care:

Address: Phone number:

Name of the father/mother/guardian: Signature:

Name and signature of the juvenile (if available):

5- Review

Definition	<p>It is an official and legal mechanism to revise the juvenile’s case every 3 months, in principle. It allows the juvenile to receive the protection services as enacted by the law 422/2002.</p> <p>It is a mechanism to revise the juvenile’s case and allows him/her to receive non-judicial services from any private or public, specialized or non-specialized organization</p> <p>The review phase is a corrective and not an administrative stage which aims at determining objectively the real situation of the juvenile during the implementation of Judicial or Non-Judicial Protection Measures.</p>
Objectives	<ul style="list-style-type: none"> • Continuation of Non-Judicial Measures • Transfer to Judicial Measures during the phase of implementation of Non-Judicial Measures • Amend and prolong the period of Judicial Measures • Close file <p>Every choice depends on specific considerations and criteria (Appendix 14: Criteria for the review of Protection Measures)</p>
Elements	<p>The decision of continuing Judicial or Non-Judicial Measures depends on specific criteria that indicates the elimination or the persistence of the risk. In both cases, the review is based on the following 3 elements:</p> <ul style="list-style-type: none"> - The extent to which the parents/guardians acknowledge the existing risk situation - Capacities of the juvenile, parents/guardian to participate in the implementation of Protection Measures - Real commitment of the parents/guardian and the juvenile to implement the Protection Measures and showing their willingness to cooperate
Preparing the report	<ul style="list-style-type: none"> • In Judicial Measures, the social representative adopted by the Ministry of Justice should submit, every 3 months, to the juvenile court, a report that explains the progress or deterioration of the juvenile’s protection situation • In Non-Judicial Measures, the case manager adopted by the Ministry of Social Affairs or any other organization should submit, every 3 months, to his/her organization, a report that explains the progress or deterioration of the risk situation • In case the review process shows a deterioration in the situation of the juvenile, either at the level of his/her development and safety or at the level of the parents/guardians cooperation to put an end to the risk, the case manager in charge should propose the referral of the case to the judicial pathway for follow-up. <p>(Refer to appendix 15: Review of Protection Measures report sample)</p>

Appendix 14: Criteria for the review of Protection Measures

Criteria for continuation of Non-Judicial Measures

- Parents'/guardian's acknowledge the existence or probability of the risk
- Progress observed, in the parent/guardians and juvenile's capability to counter the risk
- Parents/guardians and juvenile commits to participate in the implementation of the protection measures .
- Perceptible cooperation of the juvenile and his/her parents/guardians observed, in implementing the measures
- Tangible changes toward realizing the results observed, indicating a willingness to continue the implementation of the protection measures
- Parents/guardians and juvenile's express enthusiasm and willingness to stop the risk and limit its recurrence
- Parents/guardians and juvenile's express clear and declared readiness to accept the proposed services and to actively participate in the implementation

Criteria for amending or extending the period of Non-Judicial Measures

- Failure to achieve the desired protection objectives
- Disrespect of one of the parties of the court's decisions and adopted measures
- Emergence of new information, data or facts that predicts a risk
- Persistence of important gaps in terms of the father's/mother's/guardian's and juvenile's acknowledgment of the problem and their ability to commit to put an end to the existing risks

Transfer to Judicial Measures during the implementation of Non-Judicial Measures

- Major drawback in the parents'/guardians' and juvenile's acknowledgment of the existing risk
- Denial of the gravity of main facts the effects the gravity of the situation (parents/guardians acknowledge the facts but are not aware of their gravity)
- Ignoring the negative effects of the risk on the juvenile which impedes the achievement of the desired objective
- Inability of parents/guardians or juvenile to eliminate or limit the risk
- Inability of parents/guardians or juvenile to commit to a certain promise (taking into consideration the juvenile's age)
- Deterioration of the risk situation
- Failure of one of the parties to commit to the provisions of the Non-Judicial Measures
- Declared rejection of the proposed services despite the negative consequences of this position on the juvenile

Appendix 15: Review of Protection Measures report sample¹⁴

File number:

Judicial Measures

Non-Judicial Measures

Name of the juvenile: Last name:

Place and date of birth:

Sex: Male Female Nationality:

Full address: Phone number:

1- A short summary of the causes of the risk which led to the request for protection and the conclusion of the assessment process which led to resorting to Protection Measures (Judicial or Non-Judicial)

.....

2- Enumerate the principle protection-related objectives set since the beginning of the intervention or after the last review of the case

.....

3- Describe all the benefits, services and steps that have affected the situation of the juvenile (whether stated or not in the plan)

.....

4- A thorough description of the progress in the juvenile's and his/her parents'/ guardians' situation. Write a short passage with all the below-mentioned elements. It should include occurring tangible and concrete data and facts related and having an effect on the situation and the risk.

- **Development of the juvenile's conducts** in all his/her life circles (school, social, recreational, health and psychological) within his/her family or alternative care environment. If the juvenile is a teenager, his/her conducts are assessed in relation to his/her social integration: on the personal, relational, family and professional levels

.....

14. Inspire du Guide de rédaction, rapport revision, 2006 Centre Jeunesse Montréal. IU

- **Development of the parents'/guardians' capacities:** write two different passages, one for the mother and another for the father/guardian, while specifically mentioning all the steps that they have taken so far, with a description of strengths and challenges they have faced and their self-motivation
.....
- **Development of the relations between the juvenile and his/her parents/guardians:** parents'/guardians' awareness of the juvenile's needs and the consequences of the situation on his/her development. Describe the relation between the mother and the juvenile, the father/guardian and the juvenile and the juvenile with his/her siblings
.....
- **The juvenile's point of view and assessment of the current situation:** mention every statement of the juvenile including explanations, notes, confessions and solutions if any
.....
- **The parents'/guardians' point of view and assessment of the current situation:** mention every statement of the parents/guardians including explanations, notes, revelations and solutions if any
.....
- **The point of view of the direct and permanent case manager following up on the juvenile's case:** development of the juvenile's conducts and describe the nature of the relation between him/her and his/her parents/guardians (frequency of visits, period of time, quality of the supervision and follow up)
.....

5- Professional opinion and propositions

.....

- Continuation of Non-Judicial Measures
- Amend or extend the period of Judicial Measures
- Transfer to Judicial Measures during the implementation of Non-Judicial Measures
- Closing the file

Name(s) of case manager(s) assigned to follow up:

Was the report read and explained to the parents/guardians and the juvenile: Yes or No and Why?.....

Name..... Signature Date

Appendix 16: Required documents depending on the judiciary/non-judiciary nature of the file

<p>Part 1: The pathway</p>	<ul style="list-style-type: none"> • Juvenile’s health certificate • Assessment report of the case (Appendix 8: Assessment report sample) • Report of the Regional Case Management Committee • Protection Plan (Appendix 10: the court decision) • Intervention Plan (Appendix 12: Intervention Plan/Judiciary and Non-Judiciary Measures) • Review report (Appendix 15: Review of Protection Measures report sample) • Appendix 2 with suggestions (Juvenile file when Reporting or Notification is received)
<p>Part 2: The reports and communications of the different professionals</p>	<ul style="list-style-type: none"> • Report sent to the alternative care (appendix 13: Decision to refer the juvenile to alternative care report sample) • Communications with the parents/guardians • Request for assessment of the psychological situation • Reports of other professionals (police, psychologist, school director...) • Decision of file closure • Forensic doctor’s report
<p>Part 3: The legal documents</p>	<ul style="list-style-type: none"> • Identity card or any equivalent identity documents (baptism certificate, certificate from the <i>Mukhtar</i>, neighbor’s or any other person’s statement, birth certificate) • The custody decisions of the spiritual/<i>Sharia</i>/<i>Jaafaria courts</i> • Residency certificate from the local <i>Mukhtar</i> • Death certificate of either or both parents • Decision of the juvenile court • Official delegation of custody • Written statement of witnesses



Lebanese Republic
Ministry of Social Affairs



Université Saint-Joseph de Beyrouth
Faculté des lettres et sciences humaines
École libanaise de formation sociale



unite for children



This project is funded
by the European Union