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**National approaches to public participation in
strengthening crime prevention and criminal justice**

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Working paper prepared by the Secretariat

Summary

The present paper explores the opportunities and challenges presented by public participation in strengthening crime prevention and criminal justice, based on a variety of national approaches and experiences. It focuses on social media and new communication technologies, community-centred initiatives, the role of communities in the prevention of recidivism, community policing, legal aid, media and the role of victims in crime prevention. One of the conclusions and recommendations is that Member States should draw on good practices and should strengthen their policies and practices for the involvement of all sectors of society in strengthening crime prevention policies and programmes and the performance of the criminal justice system. Member States should also consider requesting the United Nations Office on Drugs and Crime to develop guidelines to assist Governments in such efforts.

* A/CONF.222/1.



I. Introduction

1. In the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,¹ adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, from 12 to 19 April 2010, the States Members of the United Nations recognized that an effective, fair and humane criminal justice system was based on the commitment to uphold the protection of human rights in the administration of justice and the prevention and control of crime. They also recognized that the development and adoption of crime prevention policies and their monitoring and evaluation were the responsibility of States, and expressed the belief that such efforts should be based on a participatory, collaborative and integrated approach that included all relevant stakeholders, including those from civil society.

2. In recent years, Member States have increasingly recognized the close link between effective crime prevention and fair, transparent and humane criminal justice systems as key elements of the rule of law on the one hand, and sustainable development on the other.² Security and justice are seen as both enablers and outcomes of sustainable socioeconomic development. Societies characterized by socioeconomic equality, good governance and a solid rule of law often have lower levels of crime, violence and victimization. In contrast, in societies characterized by high socioeconomic inequality, violence, unemployment and weak social fabric, the legitimacy and capacity of State agencies are often eroded and human rights may not be fully respected, potentially feeding into a vicious circle of more insecurity and development stagnation, or even losses in development gains.

3. Cognizant of the benefits of involving the public in strengthening crime prevention and criminal justice, which include, but are not limited to, increased public trust in the justice system³ and leverage of resources for preventive and law enforcement responses to crime, an increasing number of States have been adopting crime prevention and crime reduction approaches that are holistic, evidence-based, consultative and participatory in nature. Ideally, those approaches involve undertaking wide-ranging partnerships and consultations with all sectors of society, including non-governmental organizations, academia and the private sector, to develop and implement national and local crime prevention and security strategies. They are aimed at enlarging civic participation in criminal justice reform processes, including civil oversight and monitoring of the efficiency, fairness and respect for human rights of justice systems.

4. Such approaches and methods are anchored in the notion that, in order to effectively prevent and respond to crime problems, it is necessary to comprehend and consider local problems and traditions and the root causes and drivers of crime, violence and victimization; to base policies and programmes on knowledge obtained through data-gathering instruments such as victimization surveys, local safety audits and self-reported delinquency surveys; and to consult communities on their

¹ General Assembly resolution 65/230, annex.

² See General Assembly resolution 68/188.

³ See A/CONF.222/RPM.1/1, para. 36, and A/CONF.222/RPM.4/1, para. 74.

perceptions of crime problems and of the justice system, and to work with them in developing solutions.

5. New social media tools are increasingly being used alongside other methods to engage the public in crime prevention and criminal justice activities. Such approaches offer enormous potential for positive change. At the same time, owing to their relative newness and their dynamic and decentralized nature, social media tools present challenges to security and justice that require concerted efforts by Member States.

6. Of the various criminal justice actors, the police in particular have a key role to play in working with the public and communities to prevent and control crime, in particular through community-oriented policing and similar approaches that encourage consultative and collaborative arrangements between police and citizens. Courts can also play an important role, through restorative justice processes and their educational and preventive function, as well as by publicizing sanctions. Prosecutors can contribute to the prevention of crime by diverting criminal cases from the formal justice system or giving due consideration to available alternatives to prosecution when the facts and the law allow for such alternatives to be pursued. Legal aid providers, pro bono lawyers and volunteers can all play key roles in enabling access to justice for those without the means to pay for a defence lawyer. With prison overcrowding affecting many countries and recidivism rates being high worldwide, the social reintegration and rehabilitation of offenders are among the most pressing challenges. Partnerships and cooperation with communities, non-governmental organizations and the business sector for the employment of ex-prisoners need to be pursued to reduce reoffending.

7. Media organizations also have a central role to play in publicizing the long-term benefits of crime prevention activities and broadcasting public education programmes that raise public awareness of new and evolving crime risks. At the same time, the media approach to crime reporting can have a decisive influence on public perceptions of security, public knowledge of the root causes of crime and the workings of the criminal justice system.

8. The role of victims of crime in strengthening crime prevention and criminal justice cannot be overstressed. However, that is perhaps the least visible and most complex area of public engagement. In recent years, a number of national policies and practices have addressed the issue, with a view to providing increased support to and protection of victims, which in turn facilitate victims' contribution to strengthening crime prevention and criminal justice. Those policies and practices include restorative justice mechanisms, such as victim-offender mediation, community and family group conferencing and victim impact panels.

9. There are many challenges involved in ensuring broad-based public participation in crime prevention and criminal justice. They include lack of knowledge of mechanisms for and methods of implementing participatory processes at the national and local levels, absence of a tradition of State-public partnerships in crime prevention and criminal justice, limited political commitment and public mistrust of government. Other specific challenges include underdeveloped or insufficient community policing services, a lack of, or insufficient, provisions for the protection of public actors working in crime prevention in high-risk areas, deficient victim support and witness protection services, underuse of

community-based alternatives to imprisonment and of social reintegration and rehabilitation measures, and limited use of lay probation officers and pro bono and volunteer lawyers in the provision of legal assistance.

10. Many of the United Nations standards and norms in crime prevention and criminal justice and provisions of the relevant conventions urge Member States to cooperate and partner with the public in those areas, and contain some guidance on doing so.⁴ The development of United Nations guidelines on public participation in strengthening crime prevention and criminal justice would represent a useful tool to assist States and other actors in that area. Such guidelines could cover not only the methods on and approaches to increasing public participation in strengthening crime prevention and criminal justice, but also the safeguards that States need to have in place to protect the public, bearing in mind that the State has the ultimate responsibility for the security and safety of all its citizens.

II. Role of social media and new communication technologies

11. The rapid and ongoing development of information and communication technology, including wider access to the Internet and social media, not least because of the spread of smartphones, has radically changed the way people live, work and interact in many parts of the world. The role of social media tools and new communication technologies in crime prevention and criminal justice has therefore received considerable attention by Governments in recent years.

12. Law enforcement agencies around the world are increasingly using social media to strengthen communication with the public and for investigative purposes. The role of social media in crime investigations can be expected to become even more predominant in the future. Along with Facebook and YouTube, Twitter is one of the social media tools currently widely used by Governments and international organizations to disseminate information about services and projects. Twitter alerts in the United Kingdom of Great Britain and Northern Ireland, for example, provide direct access to critical information updates from all key public agencies, such as police forces and fire services. The Metropolitan Police Service in London provides its Twitter followers with advice on the prevention of theft, as well as information about criminal investigations and missing persons.

13. The “Tweets-by-Beat” initiative by the Seattle Police Department in the United States of America provides residents with up-to-date information on law enforcement activities occurring in their neighbourhoods. Some types of incidents are excluded, such as domestic violence or sexual assaults, and the Twitter posts are delayed to prevent people from coming to a crime scene. Map-based mobile phone

⁴ See the Guidelines for the Prevention of Crime, para. 9; the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, para. 22; the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice, subparas. 13(c)(vii)-(ix) and para. 16; the Standard Minimum Rules for the Treatment of Prisoners (paras. 79-81); the Organized Crime Convention (art. 31, para. 5); the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (art. 9, paras. 2-3); and the Convention against Corruption (art. 13).

applications for community safety are another use of new communications technologies.

14. Social media tools are used by law enforcement agencies to improve their interaction and relationship with local communities and to reach out to the public for cooperation in criminal investigations. Cases in which social media tools play an important role in criminal investigations are becoming more common. After the bombing of the 2013 Boston Marathon, for example, police officials used pictures and videos from the social media profiles of witnesses to help identify the bombers.

15. Contemporary forms of public participation in governance increasingly rely on electronic participation using social media tools, mobile phones and the Internet. Public participation in policymaking can also be enhanced by improving e-government systems, whereby citizens can provide views and suggestions on matters that concern them to the pertinent authorities.⁵

16. In Iceland, the world's first crowdsourced application gathered suggestions from social media with regard to the revision of the Constitution in 2012. In the Republic of Korea (which has been given the top spot three times in a row in the biennial United Nations e-government survey), the main Government website is not only an integrated portal offering an advanced categorizing function and downloadable mobile applications where citizens can find almost every service they may require, at both the national and local levels, but also an open gateway that provides citizens with opportunities for e-participation in decision-making.

17. While the benefits of social media in the field of crime prevention and criminal justice are clearly visible, special consideration must also be given to the inevitable adverse effects of social media and new communication technologies. The violation of online privacy and misuse of personal data, for example, are matters of concern, as the Internet (including social networking tools) holds vast stores of personal information. In 2012, to address that issue, the European Commission proposed a major reform of the European Union legal framework on personal data protection.⁶

18. Another issue of concern relates to cyberbullying and its adverse effects on children and teenagers. Online services aimed at providing help to children, teenagers, parents and schools on how to prevent and deal with cyberbullying have been established in a number of States.⁷ Of increasing concern is the use of social media to incite violence, hate and discrimination. Other examples of the misuse of social media and new information technologies include identity theft and phishing. There is increased recognition that criminal justice systems worldwide need to become equipped to respond to those new phenomena in a manner that is compliant with internationally agreed principles and norms.

19. There are few comprehensive statistics on social-media-enabled crimes and, consequently, measuring the impact of that type of crime remains problematic. That is the result of a number of factors, such as the broad nature of social media, the anonymity afforded to offenders and the relative lack of awareness of Internet users,

⁵ See A/CONF.222/RPM.1/1, para. 37, and A/CONF.222/RPM.2/1, para. 44.

⁶ For more information, see <https://ec.europa.eu/digital-agenda/en/online-privacy>.

⁷ For example, BullyingUK in the United Kingdom (www.bullying.co.uk/cyberbullying) and the website on cybersafety of the Government of Canada (www.getcybersafe.gc.ca).

which can create an environment that allows victimization to occur. States need to develop mechanisms to obtain such data, in order to quantify and better understand the impact of social media on offending and to develop strategies to address the issue.

III. Role of public participation at the national and local levels

A. Community-centred initiatives

20. Community-centred initiatives in the area of crime prevention and criminal justice are aimed at increasing residents' perception of security in local communities, responding to community concerns and crime problems affecting the local population and strengthening social capital and social cohesion in the community.⁸ Community participation in crime prevention and criminal justice involves the active cooperation of local residents and organizations and has a long history of accomplishments in many countries around the world. Governments are increasingly partnering with communities and civil society organizations for the prevention of crime and violence because of their knowledge of local problems and their capacity to reach out to the most vulnerable and at-risk segments of society.

21. Participatory crime diagnostic tools have been used increasingly at the local level. They not only allow for public participation but also are tools for obtaining evidence-based quantitative and qualitative data to inform policies and programmes. Local safety audits, for example, are one of the main tools for carrying out systematic analyses of local crime problems. Ideally, such audits promote commitment and ownership in relation to crime prevention plans among the partners whose collaboration is necessary, taking into account the wider social, economic and political context in which problems occur.⁹

22. In Colombia, with the support of the United Nations Office on Drugs and Crime (UNODC), local safety audits have been conducted in seven municipalities in the Department of Antioquia. The results of that participatory research, on the drivers of certain types of crime affecting the municipalities, have been used to inform policies and programmes.

23. Community involvement has become an essential component of crime prevention in all kinds of partnerships involving municipalities, the police, schools, health and social services and the private sector. Such partnerships can cover a wide range of programmes and thematic issues. Examples include engaging female community leaders to reach out to young people at risk and provide them with information and help with regard to educational and job-seeking opportunities; and helping communities to work together to create safer urban spaces and sports and arts opportunities for at-risk young people.

24. The city of Cape Town in South Africa, for example, has cooperated with the German Development Bank to fight crime and violence through the Violence Prevention through Urban Upgrading project in the Khayelitsha community. Based

⁸ *Handbook on the Crime Prevention Guidelines: Making Them Work*, Criminal Justice Handbook Series (United Nations publication, Sales No. E.10.IV.9), p. 13.

⁹ *Ibid.*, p. 61.

on the principles of social crime prevention, situational crime prevention and institutional crime prevention, the project has focused on building four “safe node areas” and is aimed at reducing crime, especially rape, and encouraging residents to take ownership of the space.

25. The *Pro Paz* (For a Culture of Peace) programme in Pará State, Brazil, which began in 2004, engages the community in neighbourhoods and schools through community policing. Its objective is to integrate and coordinate public policies on childhood, adolescence, young people and socially vulnerable people to optimize financial resources and facilitate the development of actions to reduce levels of violence. The programme’s various components have at their core public mobilization for access to citizenship through documentation issuance, access to health, capacity-building on citizens’ rights, support to income-generating social projects developed by vulnerable communities themselves, and after-school services for children and adolescents living in at-risk areas.

26. In order to encourage community involvement, some States provide financial and other reward programmes in which successful and promising community crime prevention programmes are identified, commended and provided with support. The Australian Crime and Violence Prevention Awards, for instance, are monetary awards for good practice in the prevention or reduction of violence and other types of crimes. They are aimed at encouraging public initiatives and assisting local governments in identifying and developing practical projects to reduce violence and other types of crimes in the community. The awards are primarily given to community-led crime prevention initiatives. Projects addressing specific groups, such as rural and remote communities, women, children, young people and families, or specific problems such as alcohol-related violence, are eligible for nomination.¹⁰ A similar opportunity is offered by the Province of Yukon in Canada, where community groups are eligible to apply to a range of crime prevention funds, such as the Crime Prevention Victim Services Trust Fund and the Youth Investment Fund.¹¹

27. Volunteers are essential to the success of community-based programmes. Experience in countries relying on volunteers for crime prevention and community safety has shown that, for volunteerism to be effective and sustainable, volunteers need to be entrusted with responsibility. Local authorities need to develop capacities to identify volunteers, promote volunteers’ councils or associations, professionalize those who manage volunteers and support strong inter-institutional partnerships, for example through youth volunteer groups in schools.

28. Community-centred initiatives led by communities themselves and non-State actors are often invaluable resources that Governments need to support and engage with. Some of those initiatives focus on engaging young people, in particular those at risk of crime and victimization, in truly consultative and participatory processes, drawing on them as agents of positive change.¹² The Office of Juvenile Justice and Delinquency Prevention of the Department of Justice of the United States has developed a strategic planning tool to assess communities’ gang problems and to

¹⁰ Further information is available at www.aic.gov.au/crime_community.

¹¹ For further information, see www.justice.gov.yk.ca/prog/cjps/cp/funds.html.

¹² A/CONF.222/RPM.3/1, para 62, and A/CONF.222/RPM.2/1, para. 45.

plan strategies to deal with them. The tool provides a framework for collaboration between various parts of the community.¹³

B. Communities and the prevention of recidivism

29. With increased prison overcrowding and high rates of recidivism worldwide, it is paramount that States review their criminal justice policies, increase the use of alternatives to imprisonment, improve access to legal aid, address inadequate prison management and infrastructure and improve inadequate or insufficient social reintegration measures to reduce rates of recidivism. Recidivism is a major factor in prison overcrowding.

30. Social reintegration efforts are aimed at providing offenders with the support, assistance and supervision needed to lead crime-free lives upon release. Communities can significantly facilitate the social reintegration of offenders who return to their families and resume their place within the social fabric of their local community. Community stakeholders can get involved in three practical aspects of offender treatment, namely: (a) the treatment, rehabilitation and reintegration of offenders; (b) diversion programmes; and (c) involvement in community corrections, conditional release, aftercare and offender re-entry programmes.¹⁴

31. Full-time employment is a key factor associated with preventing recidivism and is therefore important for the successful reintegration of offenders.¹⁵ Having employment provides ex-prisoners with structure, routine and opportunities to contribute to the work and lives of others, while facilitating valuable social contacts. It contributes to their enhanced self-esteem, self-confidence and self-sufficiency and is one of the best predictors of the post-release success of ex-prisoners.¹⁶ The Yellow Ribbon Project in Singapore involves public, private and non-governmental bodies working together to help ex-offenders find employment and housing, reconnect with families and friends, learn new skills and feel welcomed back into society.¹⁷

32. The Cultural AfroReggae Group was founded in 1993 in Rio de Janeiro, Brazil, to promote social inclusion and social justice through arts and culture in the city's *favelas*. Through the Group's "Second chance" employability project, former drug traffickers and ex-prisoners help released prisoners to find employment through partnerships with some 80 private businesses and the Federation of Industries and the National Service for Industrial Training. Since 2008, some 5,000 former prisoners have been given assistance in the job-seeking process, and some 1,500 have found jobs through the programme.

¹³ See www.nationalgangcenter.gov/SPT.

¹⁴ UNODC, *Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of Offenders*, Criminal Justice Handbook Series (Vienna, 2012), pp. 81-82.

¹⁵ *Ibid.*, p. 10.

¹⁶ See J. Graffam and others, *Attitudes of Employers, Corrective Services Workers, Employment Support Workers, and Prisoners and Offenders towards Employing Ex-Prisoners and Ex-Offenders* (Burwood, Victoria, Deakin University, School of Health and Social Development, 2004), p. 4.

¹⁷ *Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of Offenders*, p. 56.

33. The From Prison Back Home project of the Uganda Prisons Service, also known as the Social Rehabilitation and Reintegration of Offenders project, is another initiative that involves the community and civil society organizations in the social reintegration of offenders. It is based on a restorative justice approach that emphasizes mediation and healing between offenders, victims and local communities for the purpose of repairing the harm caused by crime. The programme has consistently involved local council leaders, clan leaders, religious leaders, police, individual members of the community and civil society organizations in the rehabilitation and reintegration of offenders.¹⁸

34. The Kenya Department of Probation and Aftercare Services implements an aftercare support programme on a voluntary basis, providing supervision and support to ex-offenders as a continuation of rehabilitation efforts started while in prison. As part of the project, a volunteer probation officer is appointed to assist the probation officer with the supervision and rehabilitation of offenders. The appointed volunteer probation officer is often someone who lives close to the offender and engages in frequent contact with them.¹⁹ Japan's Volunteer Probation Officer Law formalizes the country's unique and long-standing reliance on volunteers to assist professional probation officers and aid offenders of all ages with their rehabilitation. There are currently some 50,000 volunteer probation officers working alongside the fewer than 800 paid probation officers who provide services to approximately 60,000 people on probation or parole. Half of the volunteer probation officers have over 10 years' experience of the work.²⁰

35. In some situations and places, communities may not be responsive to community-based initiatives for the social integration of ex-offenders. The reasons may include a culture of punishment as opposed to rehabilitation, and an overreliance on the criminal justice system to supervise and support ex-offenders. In order to address that challenge, there are several community approaches that can be adopted to increase and encourage public participation. In Fiji, for example, the Corrections Service uses branding as a means of marketing and promoting its work. It targets schools, villages, settlements and neighbourhoods and uses all forms of media to disseminate its message that every offender needs a second chance.²¹

C. Community policing and similar approaches

36. Community policing, or community-oriented policing, focuses on decentralizing responsibility in order to enable local commanders and front-line officers to work in conjunction with communities on developing and implementing policing strategies. Community policing seeks to change the relationship between

¹⁸ Ibid., p. 55.

¹⁹ Kenya, Office of the Vice-President and Ministry of Home Affairs, Department of Probation and Aftercare Services, *Research Report on the Impediments to Offender Reintegration and Resettlement* (Nairobi, 2007).

²⁰ *Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of Offenders*, p. 94.

²¹ I. Naivalurua, "Community social reintegration: the Fiji approach", in *Survey of United Nations and Other Best Practices in the Treatment of Prisoners in the Criminal Justice System*, K. Aromaa and T. Viljanen, eds., HEUNI Publication Series, No. 65 (Helsinki, European Institute for Crime Prevention and Control, affiliated with the United Nations, 2010), p. 42.

police and the community and strives to develop innovative and effective strategies to control crime through an ongoing dialogue between the different stakeholders.²²

37. Various forms of community-oriented policing initiatives have been developed or strengthened in a number of countries. In Rio de Janeiro, Brazil, the state government has launched Police Pacification Units, with the aim of re-establishing a permanent security presence in the *favelas* and improving the relationship between the police and the local communities. Initial research shows that the Units have successfully established their presence in areas that were formerly under the control of armed violent groups, leading to a reduction in conflict between drug trafficking factions and a reduction in homicide levels.

38. For community-oriented policing to be effective, the necessary capacities and training are needed, in order to engage with and respond to the specific needs of the most at-risk groups, which may include women, children and young people, elderly people, ethnic minorities, migrants, displaced persons and refugees.²³ Promising practices include foot patrols, sometimes jointly with police volunteers, neighbourhood police stations, community-police consultative security councils, joint police-community awareness campaigns, police lectures at schools, targeted joint police-youth activities and specialized police stations.

39. A number of countries have set up women's police stations or gender desks to improve the ability of the police to respond to the unique needs of female victims and witnesses of crime. Employing women on the front line of law enforcement can help to prevent violence against women and increase women's access to justice. Research has also shown that there is a correlation between the presence of female police officers and reporting of sexual assault. The first all-female police unit, which was deployed in Liberia in 2007 and staffed entirely by female Indian peacekeepers, increased the reporting of sexual violence and has also attracted more women to the profession.²⁴

40. Police can also play a key role in preventing crime and victimization among children and young people by reaching out to them with preventive messages. The *Escola segura* (Safe schools) programme in Portugal is an example of a crime prevention strategy directly targeting children. It entails informing school children and young people, with the help of specially trained police officers, of the dangers and implications of engaging in criminal activities. The programme's objectives are to guarantee the safety of the school community and to promote trust between police, teachers and school children.

41. Local citizen security councils are forums in which citizens participate, in collaboration with the police, in identifying crime problems and solutions. Set up to respond to crime and safety issues within a local context, they are often used to monitor community policing strategies and ensure local-level action to prevent crime. In Peru, for example, citizen security councils have been set up as municipal councils in order to act as bottom-up mechanisms to hold police officers

²² UNODC and United Nations Human Settlements Programme, *Introductory Handbook on Policing Urban Space*, Criminal Justice Handbook Series (HS/072/11E), pp. 19 and 28.

²³ See A/CONF.222/RPM.1/1, para. 40, A/CONF.222/RPM.2/1, para. 43, and A/CONF.222/RPM.3/1, para. 64.

²⁴ *Progress of the World's Women 2011-2012: In Pursuit of Justice* (United Nations publication, Sales No. 11.III.F.1), chap. 2.

accountable for their conduct and quality of service, and to offer a means of community participation in security issues.²⁵

42. Public-private partnerships between the police and the business sector can also contribute to crime prevention, as they bring together public and private resources to achieve outcomes that would be difficult to achieve independently. In some countries, such partnerships have established social inclusion programmes, employability schemes for vulnerable members of society and those released from prison, and support to victims.²⁶ For example, the South African organization Business Against Crime is composed of business leaders who work with the police at the local and national levels to improve the effectiveness of police responses to crime, increase the services offered by police stations and expand victim support schemes. The initiative has increased the number of victims reporting crimes to the police and referrals for victims to other government departments.²⁷

43. In the Netherlands, a National Platform for Crime Control, composed of justice officials, insurance companies, banks, the retail trade and organizations of employers and employees, was created to analyse crime trends, set joint policy priorities and initiate joint programmes, as well as to improve security and law enforcement in relation to crimes against businesses.²⁸

44. It should be noted that such partnerships need to be carefully crafted in order to avoid both the appearance of police extorting resources from businesses and the possibility of police officers falling under the sway of private interests. Transparency and third-party oversight are important components in preventing such risks.²⁹

45. Policing can also be significantly strengthened through partnerships with research institutes and universities, especially in low- and middle-income countries where limited resources pose a major challenge for many police departments. In cooperation with such entities and other government departments, the police can set up crime observatories that, among other functions, monitor trends in specific crimes and responses to crime prevention efforts, and improve information and understanding about crime to better inform policy decisions. In Uruguay, the national Observatory on Violence and Crime of the Ministry of the Interior formed a partnership with the police in Montevideo in order to identify geographical and temporal patterns of crime in the capital.³⁰

D. Public participation in legal aid

46. Legal aid is an essential element of a fair, humane and efficient criminal justice system that is based on the rule of law. Public participation in legal aid is

²⁵ UNODC, *Training Manual on Policing Urban Space*, Criminal Justice Handbook Series (Vienna, 2013), p. 18.

²⁶ See A/CONF.222/RPM.1/1, para. 38.

²⁷ *Training Manual on Policing Urban Space*, p. 21.

²⁸ Laura Capobianco, "Sharpening the lens: private sector involvement in crime prevention" (Montreal, International Centre for the Prevention of Crime, 2005).

²⁹ *Introductory Handbook on Policing Urban Space*, pp. 91-92.

³⁰ Uy.press, "La policía junto al Observatorio de Criminalidad realizarán un mapa del delito", 18 February 2012. Available at www.uypress.net/uc_25113_1.html.

becoming an increasingly important strategy for facilitating access to justice. In many countries, the growing number of community-based groups providing different types of legal services, such as legal advice, assistance and representation, legal education, access to legal information and other services, has helped to extend the reach of legal aid. The United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems³¹ provide a sound basis for States to develop policies and programmes on legal aid. In the guidelines, it is recommended that States should recognize and encourage the contribution of lawyers' associations, universities, civil society and other groups and institutions in providing legal aid and, where appropriate, that public-private and other forms of partnership should be established to extend the reach of legal aid.

47. Law societies and bar associations have an important role to play in guaranteeing legal aid in the criminal justice system. Some law societies require their members to do some pro bono work, to ensure that as many people as possible have access to legal aid.

48. Universities have also developed public outreach programmes that allow law students to receive practical experience by taking legal cases, under supervision, and, at the same time, support the community through pro bono work. In Lithuania, for example, in article 16 of the 2005 Law Amending the Law on State-Guaranteed Legal Aid, a framework is established for public institutions to provide legal aid. Those institutions are permitted to use law students to conduct the work. While clinical legal education is prevalent in some parts of the world, it is a rather new development in other countries. With international assistance provided as part of the Open Society Justice Initiative's legal aid and community empowerment clinics programme and the Ford Foundation, clinical law programmes have started in various African countries, including Botswana, Lesotho, Nigeria and Zimbabwe.³²

49. In recent years, there has been a growing recognition of the role of paralegal services in the community. That is particularly important in regions where the number of practising lawyers does not meet the needs of the overall population and legal advice from paralegals is an important part of legal aid. In some legal systems, legal aid is not available at all stages of the criminal justice process. It is particularly rare at police stations and is only sometimes available in prisons and in the lower courts. In Kenya, Malawi and Uganda, paralegals conduct legal aid clinics on a daily basis in the main prisons, empowering prisoners to apply the law in their own cases, assisting prison officers to screen and filter prisoners whose cases require attention, and supporting courts in dealing with backlogs of cases. The latter issue, if not dealt with, contributes to the overcrowding of prisons and the degradation of prison conditions and has implications for the fulfilment of a country's international human rights obligations. By informing prisoners and suspects of their rights and helping them navigate the criminal justice system, paralegals make the system more accessible to the general public, bring it closer to communities and make it more responsive to their needs.

50. In Sierra Leone, paralegals working with the paralegal network Timap for Justice facilitated the reduction of the remand population in Bo prison by

³¹ General Assembly resolution 67/187, annex.

³² UNODC, *Access to Legal Aid in Criminal Justice Systems in Africa — Survey Report* (Vienna, 2011), p. 17.

50 per cent over four months in 2009. In Malawi, between 2000 and 2009, paralegals contributed to an overall reduction in the remand population in prisons, from 40 per cent in 2000 to 18 per cent in 2009. Also in Malawi, during 2008 and 2009, as part of the Village Mediation Programme, training was provided to 450 village mediators, who are respected members of the local community and are supervised by paralegals from the Paralegal Advisory Service Institute. In Uganda, the Commissioner General of Prisons has attributed a reduction of the remand population, from 63 per cent to 56 per cent in 2011, to the work of paralegals.³³

51. Paralegals receive adequate training for their functions and, in some cases, paralegal training may be provided by universities. In South Africa, the University of KwaZulu-Natal has developed a two-year paralegal diploma course that provides paralegals operating in the criminal justice system with a practical and theoretical education. The intention is that paralegals who pass the diploma can pursue further legal studies and become lawyers.³⁴

52. Cognizant of the benefits of paralegal programmes, several countries have officially recognized the role of paralegals in their legislation. For example, paralegals are explicitly mentioned as providers of legal aid in article 16 of the 2007 Law on State Guaranteed Legal Aid of the Republic of Moldova, and in article 30 of the 2012 Legal Aid Act of Sierra Leone. Furthermore, under article 17 of the 2011 Nigerian Legal Aid Act, non-governmental organizations and law clinics are entitled to provide legal aid and the Legal Aid Council may grant licences to persons who have undergone a prescribed course in paralegal services.

E. Role of the media

53. As experts on mass information and communication strategies, media professionals can play an important role in strengthening crime prevention and criminal justice. They can contribute to a better understanding of the economic, social, political and cultural drivers of crime and can educate the public on prevention strategies and on how to recognize and address risk factors. In Australia, the effectiveness of the television series *Families*, which offered parenting strategies for dealing with “common” behavioural problems, was studied by assessing participants before and after watching the series. Compared with those who had not watched the series, participants reported feeling greater efficacy as parents after viewing the series. Of the children in the series, 43 per cent were in the clinically elevated range for disruptive child behavioural problems before the programme started. Immediately after the series, that fell to 14 per cent, and six months later, to 10 per cent.³⁵

54. The media may also play an active role in mobilizing support and advancing nationwide and international commitment to crime and violence prevention. The Blue Heart Campaign against Human Trafficking³⁶ is a public education campaign initiated by UNODC to raise awareness about trafficking in persons, encourage

³³ Ibid., pp. 24-25, 32, 38.

³⁴ Ibid., p. 16.

³⁵ World Health Organization, *Violence Prevention: The Evidence* (Geneva, 2010), pp. 12-13 and 20.

³⁶ www.unodc.org/blueheart.

public involvement and inspire action to help stop the crime. Pursuant to the launch of the programme, some States have launched their own communication strategies on combating trafficking in persons. For example, the Government of Mexico, with the assistance of UNODC and the United States Agency for International Development (USAID), organized workshops to promote the exchange of ideas between media representatives and stakeholders responsible for the formulation of public policies.

55. Although the media has a crucial role to play in informing the public about security- and justice-related issues, media representations may also negatively influence perceptions of crime. Overcoverage of news on specific groups, such as young people or specific ethno-cultural communities, may also reinforce stigmatization. Media coverage can at times be biased and inaccurate and may not help the audience to understand the complexity of the underlying drivers of crime and violence.³⁷

56. If the media covers crime exceedingly, or overrepresents violent behaviour in a community, it may contribute to citizens demanding more repressive measures to address crime-related issues. An example is the criminalization of youth gangs in Central America, exacerbated by the media, which resulted in popular demands for “*Mano dura*” (heavy-handed) policies. Those policies have now largely been phased out but they resulted in large-scale arrests of suspected gang members, stiffened penalties for gang membership and, ultimately, prison overcrowding and heightened levels of intergang violence inside and outside the penitentiary system.³⁸ Excessive media coverage of violent crime can also bring about an increase in copycat crime.

57. Another important aspect of media participation relates to challenges encountered by Governments in ensuring the security of journalists and media workers, in particular in societies and situations affected by high levels of crime and violence, and in ensuring freedom of the press. Since 1992, more than 1,000 journalists have been killed, most while reporting on politics, war, corruption, human rights and crime.³⁹

IV. Role of victims in crime prevention

58. Victims of crime can play a fundamental role in strengthening crime prevention and criminal justice responses by holding offenders accountable for their actions, being involved in determining appropriate responses to crime, helping to strengthen the rule of law and the accountability of criminal justice systems, assisting to build resilient communities and, ultimately, achieving reconciliation.

59. Victimization surveys are crime diagnostic tools that give voice to victims and witnesses of crime with the aim of complementing police-recorded statistics on crime and violence and accounting for types of crime that are often underreported,

³⁷ Vivien Carli, Valérie Sagant and Laura Capobianco, “The media, crime prevention and urban safety: a brief discussion on media influence and areas for further exploration” (Montreal, International Centre for the Prevention of Crime, 2008), p. 3.

³⁸ See Clare Ribando Seelke, “Gangs in Latin America” (Washington, D.C., Congressional Research Service Report for Congress, February 2014).

³⁹ See <http://cpj.org/killed>.

such as violence against children, rape and domestic violence. Victimization data and statistics are crucial for setting up specific targets and objectives for more effective crime prevention and justice systems. The *Manual on Victimization Surveys*⁴⁰ contains international methodological guidelines for the design of victimization surveys.

60. The communication of the experiences of victims through other channels can also play an important role in strengthening crime prevention and criminal justice. Victim impact panels, for example, can help offenders understand the impact of their actions by listening to victims' experiences and learning first-hand about the physical, financial and emotional consequences of their crime. As an illustration, judges in the United States may require offenders who drive under the influence of alcohol or drugs to attend a victim impact panel.⁴¹

61. Restorative justice refers to a process of resolving crime by focusing on redressing the harm done to the victims, holding the offenders accountable for their actions and engaging the community in the resolution of the conflict.⁴² A restorative process is commonly defined as any process in which the victim and the offender, and, where appropriate, any other individuals or community members affected by a crime, participate together actively in the resolution of matters arising from the crime, generally with the help of a facilitator.⁴³

62. National approaches to restorative justice can take various forms. A commonly used approach is victim-offender mediation, also called victim-offender dialogue, which is designed to address the needs of crime victims while ensuring that offenders are held accountable for their actions. Victim-offender mediation can be used at all stages of the judicial process and is often restricted to less serious criminal offences. It relies on the common will of the victim and offender and can involve the drafting of a restorative agreement to repair any damages suffered by the victim as a result of the crime.

63. Research shows that victims who participate in victim-offender mediation are more satisfied with the justice system and less fearful of being revictimized. Offenders who participate in victim-offender mediation are more likely to successfully complete their restitution obligation and have lower rates of recidivism.⁴⁴ In some countries, restorative justice mechanisms are incorporated into legislation. In Belgium, for example, restorative mediation services have been included in national legislation since 2005, with the aims of facilitating communication between the victim and the offender and reaching an agreement on how the damage done to the victim could be repaired.

64. Community and family group conferencing is yet another restorative justice mechanism that can be seen as an extension of victim-offender mediation, bringing

⁴⁰ UNODC and Economic Commission for Europe, document ECE/CES/4 (Geneva, 2010).

⁴¹ See www.madd.org/local-offices/il/victim-impact-panels.html.

⁴² *Handbook on Restorative Justice Programmes*, Criminal Justice Handbook Series (United Nations publication, Sales No. E.06.V.15), p. 6.

⁴³ Basic principles on the use of restorative justice programmes in criminal matters (Economic and Social Council resolution 2002/12, annex).

⁴⁴ G. Bazemore and M. Umbreit, "A comparison of four restorative conferencing models", *Juvenile Justice Bulletin* (Washington, D.C., Office of Juvenile Justice and Delinquency Prevention, United States Department of Justice, February 2001), p. 3.

together the families and friends of both the victim and the offender, as well as other members of the community and interested parties, such as teachers or counsellors. In New Zealand, it was incorporated into national legislation in 1989 and is widely used in the area of juvenile justice. Community and family group conferencing can be particularly effective in reintegrating offenders, ensuring compliance with rehabilitative and reparative measures and promoting the community's participation in strengthening the criminal justice system.⁴⁵

65. The protection of victims and witnesses of crime is an additional goal of restorative justice. While criminal justice systems have traditionally focused on the investigation of criminal cases, prosecution and sentencing, it is now recognized that victims and witnesses of crime, as well as whistle-blowers, are often intimidated and physically threatened and, on occasion, become the victims of intentional homicide. Victims and witness protection programmes need to be strengthened so that the rights of victims are respected and that victims are encouraged to report, thus also contributing to more effective justice systems.

66. The international standards and norms on victims provide Member States with guidance on the development and implementation of policies and programmes. They include the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power,⁴⁶ Economic and Social Council resolution 1989/57, on the implementation of that Declaration, the plan of action for the implementation of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power,⁴⁷ the basic principles on the use of restorative justice programmes in criminal matters⁴⁸ and the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime.⁴⁹ The guidelines for cooperation and technical assistance in the field of urban crime prevention determine that the authors of an integrated crime prevention action plan, in order for it to be comprehensive and efficient, should consider providing for action at various levels, including the protection of victims by practical improvements in their treatment.⁵⁰ The international community has affirmed the importance of victims' rights through the inclusion, in international conventions, of specific provisions aimed at ensuring respect for the rights and legal position of victims of crimes.⁵¹

⁴⁵ See the *Handbook on Restorative Justice Programmes*.

⁴⁶ General Assembly resolution 40/34, annex; see also the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (Assembly resolution 60/147, annex).

⁴⁷ Economic and Social Council resolution 1998/21, annex.

⁴⁸ *Ibid.*, 2002/12, annex.

⁴⁹ *Ibid.*, 2005/20, annex.

⁵⁰ *Ibid.*, 1995/9, annex, para. 3(d)(iv).

⁵¹ See article 25 of the Organized Crime Convention and article 32 of the Convention against Corruption.

V. Conclusions and recommendations

67. The Thirteenth United Nations Congress on Crime Prevention and Criminal Justice may wish to consider the following recommendations:

(a) Member States should recognize the benefits of public participation in strengthening crime prevention and criminal justice delivery and consider people-focused security and justice provision as important elements for achieving sustainable development;

(b) Member States should design and implement effective crime prevention strategies, plans and programmes that ensure the involvement of all sectors of society (civil society, academia and the private sector) in strengthening crime prevention, the performance of the criminal justice system and the services provided to the communities concerned. Special attention should be given to the role of young people in crime prevention, not only through appropriate educational programmes, but also through their involvement in policy and programme development;

(c) Member States should assess the ever-increasing role of social media and new communication technologies, as well as e-government systems, with a view to enhancing public participation, while paying due attention to any adverse effects of the increased use of social media and new communication technologies. Member States are encouraged to gather reliable information about the extent of the problems, drivers and enabling factors of crime and to establish effective countermeasures that can be used by the criminal justice system and social media providers;

(d) Member States should foster community initiatives for the prevention of crime and violence and for the social reintegration and rehabilitation of offenders, and promote the active participation of the business sector in social inclusion programmes and employability schemes for vulnerable members of society and those released from prison;

(e) Acknowledging that prisoners' rehabilitation needs do not end upon release, Member States should create new and strengthen existing programmes for community-based social rehabilitation and reintegration that involve the public and relevant social services. All efforts should be made to provide aftercare services soon after release to prevent reoffending, taking into account the capacities and needs of local communities and key stakeholders;

(f) Member States should strengthen the capacities of their police services to promote a community-oriented approach to public safety involving partnerships with local communities to build trust, enhance local ownership over security and justice matters and allow for better intelligence-led policing and more effective criminal investigations;

(g) Member States should implement the provisions of the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, including through the allocation of appropriate resources to develop a legal aid fund for those who are not able to access a lawyer or legal services because of a lack of financial resources. Cooperation and partnerships with law societies, universities and paralegals are highly recommended for that purpose. Alternative conflict

settlement mechanisms should also be taken into consideration in policies and programmes as, in some instances, they may achieve better and more appropriate results than the formal justice system;

(h) Member States should take into consideration the role that media groups can play in informing and reaching out to the public in the context of crime prevention and criminal justice, thereby contributing to the prevention of crime and to community safety, and should ensure that freedom of expression and the security of journalists are safeguarded. In order to eliminate violence against journalists and to combat impunity, special attention needs to be paid to developing legislation and initiatives that promote the safety of journalists and adequate criminal justice responses for crimes against journalists;

(i) Member States should make use of tools and mechanisms that ensure the participation in the design and implementation of crime prevention strategies and measures of victims, in particular of those groups that face a higher risk of victimization, such as women, children, young people, the elderly, ethnic minorities and migrants. Involving victims in crime prevention will provide valuable insight to policymakers and to justice and security actors who are fundamental to developing targeted prevention strategies;

(j) Member States should promote restorative justice policies and programmes, such as victim-offender mediation, in order to hold offenders accountable for the crimes they have committed, support victims and promote healing. Such policies and programmes can be implemented at different levels of the judicial process, as appropriate, and as an alternative to or during imprisonment, as well as upon release from prison;

(k) When following up on the Thirteenth Congress, the Commission on Crime Prevention and Criminal Justice, at its twenty-fourth session, may consider requesting UNODC to continue promoting public participation in its technical assistance programmes and, in cooperation with relevant United Nations entities and other relevant partners, to develop guidelines on public participation in strengthening crime prevention and criminal justice, building on the Guidelines for the Prevention of Crime⁵² and other relevant standards and norms in crime prevention and criminal justice.

⁵² Economic and Social Council resolution 2002/13, annex.