



POLITIET
POLITIDIREKTORATET

A GUIDE

TO POLICE CONVERSATION INTERVENTION

A dialogue promoting responsibility and positive change

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Foreword

Dialogue is the most important means of interaction in the police toolkit. The situation often determines what approach we should use in each case.

Dialogue is a tool for resolving conflicts and for generating trust and understanding. When a child gets into trouble with the police, or risks getting into trouble, it is important to understand the reasons for its behaviour. It is vital to create a setting in which those who are involved can speak frankly, so that an overview of the situation can be gained and the parties can arrive at a common understanding of the problem. Only then can we start trying moving things in the right direction.

Conversation intervention has become an effective tool for creating such a setting for an encounter between the police and a child and the child's parents (or other legal guardians). The aim is to safeguard everyone's interests and arrive at a solution that is acceptable for, above all, the child in question, but also the parents.

The purpose of this guide is to clarify some basic principles for optimal conversation intervention, to provide documentation, and to outline the various tools and ground rules. Talks with the police are demanding for children, parents and also for the officer in question. Preparing well and using proper professional methods will improve the outcome of the conversation for all the parties involved.

We hope that this guide will encourage police officers to use conversation intervention more often, where appropriate. The National Police Directorate wants the police to intervene as early as possible and in close collaboration with the public services that bear primary responsibility for following up children and young people.

The National Police Directorate, 2011



Vidar Refvik

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Introduction

Part I of this guide explains when the police should use conversation intervention. We describe the target group and outline the police's responsibilities, role and tasks in conversation intervention. We highlight section 13 of the Police Act, pursuant to which the police have the authority to summon children¹ and their parents to attend a conversation at a police station.

The National Police Directorate wishes to promote a more uniform understanding of the use of police conversation intervention. At the same time, it wishes to emphasise the importance of interacting with other public services that have responsibilities and duties in relation to children and young people.

Conversation intervention may be perceived as an intrusion by a child and his or her parents. A case-by-case assessment must be made of whether or not a conversation is the most suitable means of motivating the child and/or its parents to change their ways. Serving the best interests of the child² must always be the main objective when the police intervene with respect to children.

Conversation intervention involves gaining a general picture of the situation and embarking on a dialogue with both the child and the parents. The general picture should encompass the whole family's current situation.

Conversation intervention is a preventive measure; it does not form part of criminal proceedings. Therefore, these conversations trigger no rights or obligations, as opposed to police interviews. These conversations are not an alternative to punishment; nor are they a form of therapy. They are intended as a tool that can be used to uncover the capacity and motivation of the child and parents to make constructive changes. Apart from that, the police can, and should, also talk to children (and adults) in general, without necessarily doing so within the framework of conversation intervention.

¹ In this guide, the word "child" is used to denote a person who is younger than 18 years of age.

² The best interests of the child are dealt with in section 48 of the Children Act: *"Decisions on parental responsibility, where the child shall live permanently and visitation rights, as well as procedures in such matters, shall first and foremost have regard for the best interests of the child. When making such decisions, regard shall be paid to ensuring that the child is not subjected to violence or in any other way treated in such a manner as to impair or endanger his or her physical or mental health."*

Many techniques and models can be employed when we engage in conversation intervention, the result of which may be a whole range of important decisions. Part II of this guide is intended as an introduction to a model that is based on many different techniques. It aims to strengthen the ability of the child and parents to take steps in the right direction. If it emerges that the child and/or parents wish to delve deeper into certain aspects of a situation, or if a conversation verges on therapy, it should be concluded, and the family should be introduced to a service that can offer appropriate professional assistance. If, during the conversation, the child discloses that he/she has been party to illegal activity, the family must immediately be informed about their rights and told that the matter may be reported.

Conversation intervention must be seen in the context of knowledge-based policing. Intelligence gleaned from such conversations may yield opportunities to implement more far-reaching preventive measures.

Part II of this guide provides some recommendations, tips and advice to those who are going to engage in conversation intervention. A minimum standard for such conversations is outlined. At the same time, we also hope that the guide will motivate police officers to seek further insight into the field.

The aim of this guide

Our aim is to facilitate an understanding of roles and responsibilities when we engage in intervention conversation, to promote suitable procedures and to indicate follow-up opportunities. The guide also aims to promote quality policing in relation to children and their parents.

One important goal of police conversation intervention is to ensure adequate follow-up of the child's development or general situation. Therefore, conversation intervention can serve as a reference in a 'child protection alert' to the Child Welfare Service or other public services.³ This will serve the child's best interests regardless of whether the police are acting alone or in collaboration with others.

This guide's target group consists of officers of the Norwegian police force.

³ The police can disclose information to other public services when the purpose is to prevent or interrupt criminal acts, see section 24, subsection 4, number 2, of the Police Act.

Conversation intervention as a tool

The first Norwegian guide to police conversation intervention was developed as a result of the lessons learned during the police's combat against an aggressive, far-right gang in Nordstrand in Oslo in 1995–1997.

In this guide, conversation intervention is a term used for a conversation between the police and a child and its parents. It is recommended as a tool when a child exhibits unwanted/criminal behaviour that could evolve into a criminal career. The tool is used in the police's preventive work as a reaction to unwanted behaviour, and as a means of guiding children onto a path of reconciliation and consideration. It is important to differentiate between conversation intervention and a traditional police interview in a criminal investigation.

The two tracks of conversation intervention

Conversation intervention has two main tracks; on the one hand mandatory participation, in accordance with section 13 of the Police Act,⁴ and, on the other, voluntary attendance, cf. Sections 1 and 2 of the Police Act.⁵ In addition, conversation intervention can follow up previous encounters with the police. The principles according to which both mandatory and voluntary conversations are conducted and documented are the same.

Even if section 13 of the Police Act allows the police to summon someone to attend a conversation, an invitation will in many cases suffice, cf. section 6⁶ of the Police Act, as an invitation is considered to be less disagreeable than a summons. When a written summons is issued, section 13 of the Police Act allows the police to collect whoever fails to appear. Invitations do not provide a legal basis for collecting the person in question.

If the authorities are primarily concerned about the subject's drug abuse, a useful supplement to police conversation intervention will be found in *Fra bekymring til handling*⁷, which is a guide to early intervention relating to drug abuse. It provides background material and information that can be incorporated into the conversation.

Follow-up conversations

During the conversation, you will need to decide whether there will be a need for additional follow-up talks with the police, and in the event, a date and time should be scheduled before the conversation ends. If contact with another public service is to be established as a result of police conversation intervention, and if the service in question is to continue the dialogue with the child and its parents, responsibility for continued dialogue rests with that service.

Follow-up conversations organised by the police will focus on how the child has fared in the wake of the initial conversation. This will provide an opportunity to check whether there is a need for additional follow-up on the part of the police and whether the child and its parents should be brought to the attention of other agencies.

// The very fact that a child has been summoned for a talk with the police should be considered a warning.

⁴ Section 13 of the Police Act deals with police intervention with respect to children, including ordering people to attend a conversation at a police station in the hope of preventing further offences.

⁵ Invitations to voluntary conversations are not regulated by law. Section 1 of the Police Act deals with the police's responsibilities and objectives, including crime prevention. Section 2 of the Police Act deals with the police's functions, including collaboration with other public services.

⁶ Section 6 of the Police Act deals with the general rules for the performance of police duties.

⁷ Produced by the Norwegian Directorate of Health, the National Police Directorate, the Directorate for Education and Training, and the Directorate for Children, Young People and Family Affairs.



PART I OF THE GUIDE

The legal basis for conversation intervention

Section 13 of the Police Act clearly states that only when there is *reason to believe that a child has committed an offence* can he or she and the parents be summoned for a conversation. This wording indicates that the requirement of fault is not great. Children younger than 15 can be summoned to a conversation with the police after having committed an otherwise punishable offence. However, children who exhibit unwanted behaviour that does not constitute criminal behaviour, or children at risk of committing offences, cannot be summoned to attend such conversations. They can be invited to voluntary conversations at a police station. In other words, section 13 of the Police Act only regulates mandatory attendance and not invitations to voluntary conversations.

Section 13 of the Police Act allows the police to collect people summoned to a talk with the police who fail to attend. However, the option of collecting people who fail to attend should be considered carefully and weighed against factors such as stigmatisation and the impact collection could have on the child's and the parents' confidence in the police. The likelihood of further constructive communication in a such a conversation should also be assessed. We should consider alternatives such as a home visit or some other more congenial setting than a police station. Nonetheless, it is important to stress that those who fail to attend can be collected if the police consider it necessary.

Section 13, subsections four and five, of the Police Act state that:

“If there is reason to believe that a person younger than 15 years has committed an otherwise punishable offence, or that a person younger than 18 years has committed a punishable offence, the minor and the parents can be ordered to meet with the police to prevent any further offences. Before the conversation starts, the minor and parents must be informed that they are under no obligation to make any statements.

The summons must be in writing and state the purpose of the conversation, where the meeting will be held, and the time and date of the meeting. Insofar

as it is possible, the people summoned must be notified at least three days in advance of the meeting. If the persons summoned have received the summons and still fail to attend without providing a valid reason for not attending, the police may decide to collect the minor and/or the parents. The power to collect people must be made clear in the summons.”

On the other hand, voluntary attendance requires no specific legal basis, but can be based on the general provisions of sections 1 and 2 of the Police Act.

Section 1, paragraph 2, of the Police Act states that: *“The police shall, by means of preventive measures, enforcement and assistance, contribute to society’s overall effort to promote and consolidate the citizens’ right to protection by law, and to safety and welfare in general.”*

Furthermore, section 2, paragraph 2, of the Police Act states that the police shall: *“prevent crime and other violations of public order and security.”*

Police crime prevention activities

Policing should be knowledge-based. The police will employ a problem-oriented policing (POP) approach, and the police will cooperate closely with other public services that bear responsibility for crime prevention. Policy relative to crime prevention among children demands that the police enter into binding agreements where the distribution of roles and responsibilities between the police and other agencies is clearly understood. Successful crime prevention is contingent on effective standard procedures and easily accessible written guidelines for interaction and communication. As a consequence, the risk of more than one party’s carrying out the same task will be diminished.

Conversation intervention will form part of the legal basis for initiating preventive measures, including measures beyond the sphere of the police’s responsibilities. From a holistic perspective, a number of conversations can, in conjunction with other information available to the police, provide a basis for various topical analyses to underpin a broader preventive approach.

The police's role, responsibilities and duties in conversation intervention

The police’s responsibilities in their work with children are regulated by, among other things, section 13 of the Police Act and section 12-4 of the Police Instructions.⁸ Police officers are trained to be able to detect indicators

⁸ Section 12-4 of the Police Instructions oblige the police to help children younger than 15 and to warn their legal guardians and/or the child.

of unwanted behaviour and crime. This kind of work also involves finding appropriate experts from the public services and facilitating future collaboration with regard to the behaviour in question.

If a police investigation has been launched, this does not mean that conversation intervention should replace the investigation or, for example, referral to the Mediation Service. In some cases, conversation intervention can serve as preparation before the parties meet before the local Mediation Board. The distinction between a police interview and conversation intervention is important, in that the police interview entails rights and obligations for the suspect or witness pursuant to the Criminal Procedure Act, while the legal basis for conversation intervention is the Police Act and Police Instructions. If the suspect is very young or if there are other mitigating circumstances, the police interview can be conducted in such a way that it resembles a talk held within the framework of conversation intervention. When appropriate, and at the request of the child or its parents, an invitation to a talk with the police may be extended to them once the investigation has been concluded.

The person who conducts the conversation must avoid giving the child or the parents unrealistic expectations of assistance of a kind that falls under the remit or sphere of responsibility of other services or professions. Even though the police need information about the underlying causes of the illegal or unwanted behaviour in question, it is important that the police officer refrains from assuming the role of a therapist. The police shall collaborate with other public services. This is part and parcel of their long-term binding cooperation agreements targeting young people.

When the police consider whether or not to engage in conversation intervention, it is of the essence that they clarify what is in the best interest of the child. Apart from section 48 of the Children Act, Article 3 of the UN Convention on the Rights of the Child⁹ applies as an overall guideline, and also explains how to interpret “the best interests of the child”. Before initiating conversation intervention, the police should contact the Child Welfare Service, because, in some cases, the Child Welfare Service will wish to participate. This will, for example, be the case if the child is the subject of care proceedings. If the Child Welfare Service is present during a conversation, this might save time and effort for both the police and the Child Welfare Service. Reducing the number of conversations will subject the family to less stress.

⁹ UN Convention on the Rights of the Child, Article 3: “1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration. 2. States parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures. 3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.”

EXAMPLE

A 13 year old boy was the victim of playground bullying when a fellow pupil attacked him. They were surrounded by children who were cheering the attacker. Another pupil filmed the incident on a mobile phone. The school had a brief talk with the victim and four pupils who admitted to having taken part in the incident, and sent a letter home to the victim's parents, in which they explained what had happened and what the school had done.

The parents of the bullied boy were not satisfied with this and reported the matter to the police. During the police investigation, it came to light that seven boys under the age of 15 had been involved in the incident. All of them were interviewed in the presence of their parents in accordance with the conversation intervention approach. For each child, a child protection alert and statutory notification that the police had opened a file was sent to the Child Welfare Service.¹⁰ The Child Welfare Service did not participate in the interviews. Instead, it also opened a file on each of the boys. The boys were then summoned to the Child Welfare Service for new interviews together with their parents. This involved duplicate work and placed a needless strain on the involved boys and their parents.

Afterwards, at an evaluation meeting, the police and the Child Welfare Service assessed their procedures. The Child Welfare Service had not known that they were entitled to attend the police interviews. For their part, the police gained a deeper understanding of the distinction between statutory notification and a child protection alert. They also learnt what kind of measures each of the two trigger on the part of the Child Welfare Service.

¹⁰ Statutory notification is routinely sent to the Child Welfare Service when a child or either of its parents are the subject of a police investigation. It states, among other things, that the Child Welfare Service is welcome to participate in the police's conversation intervention.

Other public services with roles, tasks and responsibilities related to children

Section 2, item 6, of the Police Act states that: *“The police shall collaborate with other authorities and private organisations that are assigned functions which bear on the sphere of operations of the police insofar as rules laid down in or pursuant to law do not prevent this.”*

Section 15 of the Police Instructions, about the police's duty to collaborate with other public authorities, states that: *“The police shall collaborate with other public authorities and private organisations when their functions bear on the sphere of operations of the police and insofar as rules and regulations do not prevent this. The police have a special duty to collaborate closely with schools and social services, and to inform them, as soon as possible, about matters assumed to have a bearing on their activities.”*

Individual police officers need to familiarise themselves with other public sector service providers. They have to know how to collaborate with them, get in touch with them and exchange information. It is important that they know the municipality in which they are working and that they are familiar with its organisation, so that they understand what measures the municipality can implement and who is responsible for what. It is also important to know about the relevant voluntary organisations and associations, and local business and industry. It is equally important to know how the police force is organised, and to be able to draw on the expertise of, for instance, the police district's crime prevention coordinator.

Several public services have functions, duties and responsibilities relating to children. A few of them are listed and described below. The list is not exhaustive and does not include NGOs dedicated to promoting children's social and emotional well-being.

Ombudsman for Children

The Ombudsman for Children is an autonomous entity within the civil service. His or her main function is to promote the interests of children versus the public and private sectors. The Ombudsman for Children is tasked with monitoring the conditions for children's development.

Norwegian Mediation Service

The Mediation Service is a state-run body that provides mediation services throughout the country. Its aim is to resolve disputes between private

// It is of the essence that the conversation be a dialogue, not a confrontation. The dialogue must motivate the child to speak his or her mind within a given framework.

Haldor Øvreeide 2009

parties or between individuals and the community. It can also arrange mediation conferences, for instance when children under the age of criminal responsibility have committed otherwise punishable offences.

Child Welfare Service

The municipalities' child welfare services are among the police's most important partners in their work with children. The mission of the Child Welfare Service is to ensure that children receive timely help if they live in conditions that could be detrimental to their health or development.

Schools

School is an important arena for crime prevention, and collaboration between schools and the police is therefore very important. The primary functions of a school are to educate and to contribute to the pupils' personal development and social and cultural skills.

Health Visitor Service

The municipal health visitor services have standing partnership agreements with the local schools. They have offices with regular opening hours in each school, and they have set duties monitoring the health of pupils. They can be reached by pupils who need to talk about physical or psychosocial difficulties. Health visitors often develop a close rapport with individual pupils and have the means for creating an appropriate setting for conversations with children and their parents.

Child protection alert to the Child Welfare Service

The police have the duty and the powers to notify the local child welfare service when there is cause for concern with respect to minors in various situations. In some situations, they also have to notify others or to look after a child and deliver it to either its parents or the Child Welfare Service.

REMEMBER

If the initial report to the Child Welfare Service is of a high standard, this can ensure that the child receives the right kind of help and support at an early stage. This can also increase the effectiveness of the work of the police and the Child Welfare Service.

A child protection alert to the Child Welfare Service should include an analytic overview of the child's situation, from the perspective of the police.

Section 24 of the Police Act allows the police to disclose information, unobstructed by their duty of confidentiality, to other public authorities, including the Child Welfare Service, when the purpose is to prevent offences.

Section 12-4 of the Police Instructions directs the police to notify the local child welfare service when a person younger than 15 is living under conditions that are believed to entail a serious risk to that person's health or development and it is not possible or advisable to notify the child's parents or guardians.

Section 5-1 of the Prosecution Instructions and Section 232 a of the Criminal Procedure Act direct the police to notify the municipal child welfare service when an investigation has been launched into the activities of someone younger than 18 unless the matter is insignificant.

Section 5-2 of the Prosecution Instructions directs the police to notify the municipal child welfare service if they learn or suspect that a child is being, or has been, abused or is being subjected to sexual abuse by a parent, legal guardian or another person with whom the child lives.

// Only you know what it is like to be you
 Child Welfare Service, District of Sagene, Oslo 2009

Section 6-4, subsection two, of the Child Welfare Act directs public authorities to disclose information to the local child welfare service of their own volition and unobstructed by their duty of confidentiality, when there is reason to believe that a child is being abused at home or is being subjected to serious neglect, or when a child has exhibited serious, prolonged behavioural problems.

Child protection alerts from the police to the Child Welfare Service provide a basis for the Service to open a file, so they should be of a high standard. Prior to sending a child protection alert to the Child Welfare Service, we should consider whether to include additional information, apart from what has come to light in the course of conversation intervention (or the criminal investigation). If the police's child protection alert to the Child Welfare Service is good enough to start with, the basis on which the Child Welfare Service can make its own assessment will be better, and the likelihood of the police having to submit an additional statement in care proceedings will be diminished.

Evaluation

Evaluation is essential for appropriate allocation of resources and to ensure that the work that is carried out is of sufficiently high standard. We can evaluate plans for a project and for on-going or concluded projects and activities. We can also analyse tools or organisational entities. We do so by analysing systematically collected data. We can assess progress, measure effects, confirm results, and assess what may be useful when implementing future measures.

Evaluation of conversation intervention as a method

The National Police Directorate is responsible for evaluating conversation intervention as a method and a tool. Implementing the guidelines and standards in this Guide will improve our basis for such evaluation. Both parts I and II will continuously be updated.

Self-scrutiny

Officers who engage in conversation intervention should analyse their performance in each conversation for the sake of their own development. It is recommended that an observer sit in on the occasional conversation, so as to be able to provide feed-back, thus contributing to officers' skills in this field. Such guidance should be planned as part of the training programme.

The ultimate purpose of evaluation is to find and record approaches and procedures that work, and to preserve skills and knowledge that can subsequently be used by both the police and others. Lessons learned from using this guide, and suggestions for its improvement, will be monitored by the National Police Directorate.



PART II

Implementing conversation intervention

Police conversation intervention can be a turning point for a child and the child's parent(s) (or guardians), and should therefore be planned well.

Since the goal is to halt a child's negative pattern of behaviour, a comprehensive overview of the young person's situation should underpin an assessment of how to proceed. The child and the parents should take part in this assessment, so that they can take ownership of the situation, and so that the child can feel it is participating in its own development.

Many families will be capable of coping with and reversing negative trends themselves. Therefore, we have to clarify, during the conversation, whether or not there is a need for further assistance from the police or external parties such as the Child Welfare Service or the school. We also have to establish whether the child and his or her family have actually understood the potential consequences of continued unwanted behaviour.

As a general rule, the police should be frank about whom they intend to notify, and their reasons and the legal basis for doing so.

The conversation

Conversation intervention is part of the inter-agency and interdisciplinary work of the police and is intended as a means to help ensure that the police do not assume other services' responsibilities and that no police officer takes on the role of therapist. Nonetheless, it is important to uncover the underlying causes of criminal behaviour, although this should not be the main priority. A sufficiently good and not too detailed understanding will allow the police to make better choices when referring the persons in question to relevant experts or the correct services for additional follow-up. This is where we see how important it is to provide high quality child protection alerts to, for instance, the Child Welfare Service.

Conversations of this kind are among the most demanding and decisive steps the police take in relation to vulnerable families, and must not be left to chance. "The conversation must truly be a dialogue, not a confrontation. It must allow

// Prior to the conversation, we have to gather enough information to understand the cause of the concern and to be able to plan the conversation accordingly.

and motivate the child to express himself or herself freely within a given framework” (Haldor Øvreeide 2009).

A good dialogue requires the asking of open-ended questions and active listening, meaning, for instance, repeating what we have heard, confirming as we go along. We should avoid asking leading questions, and we should make ample use of clarifications and summaries. Pausing at the right moment, to give the child time to think and decide what to answer, is a good idea. The conversation must never seem rushed, and we must never give the impression that our interlocutor needs to reply at once. However, even though the conversation is a dialogue, we sometimes have to put our foot down.

We enter the conversation without prejudice and try to stick to the topic to prevent a shift of focus. If our interlocutor repeatedly tries to change the subject, we raise the issue, head on, and try to find out why he or she is evading the issue.

Listening (see below under *Listening levels*) is important. We need to show that we actually are listening by doing so actively. We nod, utter short words such as “yes”, “okay”, etc. The child must be allowed to take his/her time, and to choose the words that will convey what he/she wants to say. We often find that children who are not used to being listened to are the ones who have most trouble expressing their thoughts and feelings.

Avoid talking too much about negative consequences

The general public expects the police to focus on “right and wrong” and the consequences of breaking the law. Both the social services and parents often want the police to severely “give the kids a dressing down!” Occasionally, this is appropriate and absolutely necessary. However, research shows that in the long run, this is not necessarily the best approach.

We therefore recommend focusing on the subject’s positive skills and attributes, and on stimulating reflection in a positive direction. The consequences of negative and destructive behaviour should primarily be discussed with the parents. However, both children and adults should be made aware of relevant laws and regulations.

REMEMBER

Our brains continue to develop after we are born. The part of the brain that requires the longest time to develop is the one that controls how we utilise the relationship between our acts and their consequences. From the moment we are born, we are governed by sensations and emotions (the mesocortical pathway). We feel hunger, anger, joy, fear, etc., and the relevant parts of the brain are full of experiences even before language develops. Over time, we learn to associate feelings with various kinds of experiences. The pathway that connects cognitive and emotional brain centres develops slowly. The brain cannot fully translate an understanding of the relationship between acts and their consequences into self-control before adulthood.

If a young person feels pleasantly intoxicated as a result of having drunk alcohol, he will feel rewarded. If he feels sick the following day, he will not automatically associate his discomfort with the previous night’s pleasant intoxication. The negative consequences are overshadowed by the reward. The reward pathway (the mesolimbic pathway) is well developed in children. Actions that make them feel good and boost their self-confidence will be repeated.

This is why children and young people are particularly receptive to positive feedback and will repeat an act if, as a result of it, they achieve attention, acknowledgement and love, regardless of whether the act is positive or negative in itself.¹¹

Preparation for the conversation

Before we engage in conversation intervention, a careful assessment should be made of whether or not it is necessary, and what the police’s role in it should be. If we decide to have a conversation, we also have to decide whether to invite or to summon the subject and his/her parents. In most cases, the sensible thing to do will be to simply get in touch with them and ask them whether they would like to come for a talk (i.e. an invitation), cf. Part I of this guide.

¹¹ Chief Physician Dr. Med. Jon Johnsen, Clinic for Mental Health and Substance Abuse, Blakstad S.M. Stahl: Essential Psychopharmacology, Cambridge University Press (30 April 2008) Psychologist and neuroscientist Jaak Panksepp – Affektiv nevrobiologi (1998) ÖPP – Örebro Preventionsprogram

Prior to the conversation, information has to be gathered, so that we understand the cause of the concern and can plan the conversation accordingly. Examine what the police know about the child and the family. Who has physical custody and who has legal custody (i.e. parental responsibility). As a rule, you retain parental responsibility even if the child is taken away from you or ceases to live with you for one reason or another. How many “legal guardians” does the child have, and whom should we invite to the conversation? Occasionally, all involved parties may have to attend, when relevant information needs to be shared. We need to decide whether additional services should be invited, apart from the subject and the parents and, where relevant, the Child Welfare Service. We also need to establish, in advance, whether or not an interpreter will be needed.

An appropriate venue for the conversation should also be found and made ready. During the conversation we may need to ask one or more participants to wait outside, in which case, we will need to ensure, in advance, that they will be comfortable. We will need to schedule sufficient time and to prevent interruptions. To this end, we will avoid taking calls and, if relevant, notify the receptionist, etc. We should provide refreshments and make sure that necessary office materials (such as charts, pens and paper) will be available.

Naturally, there will be situations and circumstances in which it is not possible to make many enquiries in advance. In such circumstances, it is all the more important to keep a good written record and to ensure that the relevant enquiries are made afterwards. We can always agree to have a more thorough talk at a later date, when the necessary preparations have been completed.

Phases of the conversation

There are several ways in which a conversation can be structured. We need to focus on the child, but we also need to focus on the parents, perhaps as much or, even, more than on the child. To this end, and subject to the family’s consent, we may want to split the conversation into parts where only the one or the other participates. It may be appropriate to talk to the parents alone to discuss matters that the child need not or should not hear. In any event, the child has a right to express himself or herself freely and unattended.¹² We often gain more relevant information when talking to either the child or the parents on their own.

In the following, we suggest a way of structuring a conversation.

Introductory phase: Child and parents together

In this phase, we use elements described under “Initial contact”, “Introductory procedures” and “Introduction to the issue”. It is in this phase that we decide, in consultation with the parents and the child, the phasing of the rest of the conversation.

We should inform the family about police procedures for recording information in databases, about note taking during the conversation, and about our

subsequent handling of the notes. The family should also be informed of the police’s duty under certain circumstances to notify the Child Welfare Service and other public services, cf. section 12-4 of the Police Instructions, section 5-2 of the Prosecution Instructions, section 24 of the Police Act, and section 6-4 of the Child Welfare Act.

During this phase, we explain what police conversation intervention is and how it differs from a police interview in a criminal case, etc. Children and parents are under no obligation to make a **formal** statement to the police during conversation intervention, something that must be made clear to them as early as possible, so that all parties fully understand the potential legal consequences of the conversation before it starts. Each party should also explicitly be given the opportunity to speak to the police alone.

Phase 2: Child alone

The ground rules for talking to children are based on the Convention on the Rights of the Child, Article 12:

1: States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2: For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

When we talk to the child, we need to focus on opportunities, not on limitations.

The child should get the impression and actually believe that he or she is on the right track. We ask questions such as “what makes you happy?” and “what can you do to be happy more often?” What counts is not our definition of happiness, or society’s, but the child’s.

“Only you know what it is like to be you.”

(Child Welfare Service, Sagene District, Oslo 2009)

Our objective is to find out what ambitions the child has. We want to stimulate him or her to try to achieve the goals “legally”. The child must be taken seriously. By doing so, we can persuade him/her to voluntarily give a detailed statement. Many children, and especially children who have been subjected to neglect or maltreatment, are not used to verbalising their thoughts or feelings or describing what happens to them. It is important that we pay attention, that we be patient and help them gently by asking open-ended questions.

Children have less capacity than adults to absorb and understand the relationship between acts and their consequences, see page 30.

¹² Convention on the Rights of the Child, Article 12.



Depending on the age of the child, it may be appropriate to talk about the risk of their developing in a negative direction. We can use the “stairway to crime” illustration on page 48 to **briefly** illustrate, with examples, where the child stands in relation to crime, before directing the focus in a positive direction. We recommend that the child (and possibly the parents) draw their own staircase showing what steps they have taken in a direction towards or away from crime. Only the steps that the child feels are relevant should be included. The network chart on page 53 can be used in the same way. The correct educational approach is to focus on what is good, although we should also let them know what criminal offences can lead to.

We may learn something from the one-to-one conversation with the child that the parents should know, so that they can follow up and perform their parental duties. In the event, we have to let the child know, and we need to ask whether it prefers us to inform the parents rather than to do so himself/herself. The information in question should be given in the final phase when the child and parents are together.

Phase 3: Parents alone

The most thorough part of the conversation should be the phase during which we speak to the parents alone. The parents are our most important partners. They are responsible for the child until he or she turns 18. They live with the child, know the child and are supposed to guide and bring up the child. When we talk to the parents, we want them to understand their role as parents, and we want to boost their confidence as such, and their capacity and determination to handle their parental situation and the child’s development.

Talking to the parents on their own is important since not everything that needs to be discussed should be heard by the child. See *Phases of the conversation* on page 32.

As a point of departure we can ask how they feel about the concern that has been expressed about the child’s development. We allow them to express their views and to vent frustrations. Maybe they can suggest possible causes. More importantly, maybe they can suggest a few constructive measures that might bring about positive change. On our part, we can welcome constructive ideas; we can highlight warning signals, point out consequences, and ask open-ended questions that invite them to consider their own situation and the influence they exercise as parents.

We may want to show them the “stairway to crime” illustration. Parents should be able to understand how far down the stairway a child has gone, to guide it back up, to motivate it to take the “right path”. Here we can explain the meaning of being “on the right path” according to social standards, and we can outline the potential consequences of committing an offence.

Our hope is that they themselves are able to come up with specific measures that can lead to positive change.

It may be appropriate to give advice. However, we do not give advice without asking the parents whether they want it. If they specifically want our advice, they are more likely to follow it than if they basically see no need for it. We might, for example, suggest when children should be home in the evening (cf. section 13 of the Police Act¹³).

At any rate, the best help parents can give their children is to break the myth that “everyone” drinks, smokes, shoplifts, etc., and to help them find convincing and accepted ways of saying “no” when they are under pressure from their peers.

Conclusion: Child and parents together

It is often appropriate to end the conversation together with both the parents and the child and to tell the child a bit about what the adults have agreed. The child must also have the chance to update his or her parents as described above under *Phase 2: Child alone*.

Will the family want a follow-up conversation? Will they need to talk to other officers, or representatives from other public services? In either case, they should be referred by the police. Making the initial contact with the officer or service in question should not be left to the parents.

We always make sure to inform the family whom we will notify in the wake of conversation intervention, e.g. the Health Visitor Service, the Child Welfare Service, school¹⁴, cf. above under *Introductory phase: Child and parents together*: “The family should also be informed of the police’s duty under certain circumstances to notify the Child Welfare Service and other public services.”

In cases where the Child Welfare Service takes part in the conversation, it may also be useful to consult with them alone, and possibly to evaluate the conversation with them, after the child and parents have left.

Any written agreements and statements of consent that need to be signed should be signed during this last phase.

Planning the conversation

There are some fundamental principles we might do well to adhere to in this context. It is a good idea to give thought to the aspects discussed under the following subheadings, so that they provide a backdrop when we plan, conduct and follow up the conversation. The discussion below relates to interaction with a child, but can also be adjusted for interaction with the parents.

13 “The police may send or bring home unaccompanied children that are loitering in a public place after 2200hrs.”

14 Section 24 of the Police Act.

Initial contact

We talk about “the weather”, etc., getting used to each other’s voices and persona, e.g. “how did you get here today?” In other words: we make small talk.

Cognitive and linguistic level

In order to adjust our language and vocabulary, we need to get an idea of the child’s and the parents’ cognitive and linguistic levels. It is important that the child and parents can follow what we want to convey without difficulty, and that we adjust our speech accordingly. We do not want to use words that are too difficult, or language that the child in question considers “childish”.

Note taking

We try to follow a sensible note-taking policy, and we explain that notes will be taken during the conversation, and why they will be taken. However, we do not spend much time staring at the computer, and we do not lose contact with our interlocutors as we write.

Introductory procedures

We do not want the child and parents to feel intimidated, so we start by adjusting their perception of our power. Conversation intervention is not supposed to be “fun”; nor should it be excessively uncomfortable. It is important to establish an atmosphere that inspires trust and a desire for positive change.

We offer something to drink and we explain the rules. We also tell the family that there will be a record of our talk in our “Police Operational System”, possibly also in the “National Police Intelligence System”. We have to explain what this entails: We should for instance emphasise that this does not mean that the subject “has a record”.

We explain the meaning of “exemption from the duty of confidentiality”, if representatives from other public services participate in the conversation or if we expect that the family situation will require that we collaborate with other public services in the future.

We should roughly outline our plan for the conversation during the first phase, when all participants are in the same room. We need to explain why we think it is sensible to have a talk with the adults alone and we need to clarify whether the child wishes to talk to us, the police, on a one-to-one basis, cf. above under *Introduction: Child and parents together*, page 32.

Both the child and the parents have to be informed about the police’s responsibility to notify other public bodies, see section 24 of the Police Act, section 6-4 of the Child Welfare Act, section 5-2 of the Prosecution Instructions, and section 12-4 of the Police Instructions.

Introduction to the issue

We ask the child first, and then the parents, why they think they have been summoned (or invited) to attend this conversation. We should give them a chance to reply before we explain the cause of our concern. We will discuss with them whether this was an isolated incident or one in a series of indicators. It may be appropriate at this stage to mention possible legal consequences.

The very fact that a child has been summoned for a conversation with the police should be considered a warning.

“Give an account in your own words”

We invite the child to explain himself or herself, and we do not interrupt, although we help if the child gets stuck. We then encourage him or her to continue, by asking open-ended questions such as “you said that ..., could you tell us a bit more about that”.

It is important to give the child time to get started and to think. We try to make pauses feel natural. The child may continue talking freely for just a few seconds or for many minutes. The important thing is to grant as much time as is needed for the child to think, to find and to pronounce the right words. Children think differently from adults and need time to find words. If a child fails to respond, this does not necessarily mean that it does not want to respond; maybe it just finds it difficult to translate thoughts into words.

Exploration

We need to get an overall picture of the situation and its consequences. To this end, we primarily focus on improvements and on the future. We discuss key points gleaned from the child’s own account, or, if the child has not adequately explained himself or herself, we describe the police’s understanding of the situation. Together with the child and/or parents, we examine hypotheses and touch upon possible consequences for the family if the child continues down the same path. What are the child’s views about this? What are the consequences of unwanted behaviour or criminal acts? References to consequences are incorporated as an integral part of the conversation and should be based on and invite reflection. We are engaged in a conversation, not in “finger pointing”!

Without dwelling too much upon the consequences, we soon shift attention to the future, which we refer to in favourable terms. We try to focus on and reinforce the child’s capacity to shift to a constructive and positive track. To map the circumstances of the child’s life, we touch upon topics such as the family’s financial situation, friends, school, family life, hobbies, etc., (see *Appropriate topics to discuss*, page 47). We run systematically through the relevant topics, one at a time, finishing, for instance, the topic “money” before moving on to “leisure activities”, “adventure”, “school”, etc. The child should be allowed to talk freely about each topic. What triggered the unwanted behaviour? How to evade the triggers or to replace them with something that triggers acceptable behaviour? We need to give the child time to ponder the matter and to come up with good solutions on its

own, solutions that we may not necessarily “approve of” or “like”. We may feel that football is an excellent leisure activity, but the child may prefer to play in a rock band, in which case we make sure to encourage his or her interest in rock bands, regardless of what we think about loud music. However, there are exceptions to this rule, for instance if the child wants to learn a martial art to boost his or her terrifying image. This is an example of the kind of choice we might deliberately want to discourage. If the child is in the process of developing a dubious reputation, the steps we take should counter rather than further such a development.

Perhaps the child would like pen and paper so that he or she can draw or jot down various points under our guidance.

We determine the entire direction of the conversation, since we introduce each topic.¹⁵

We might ask questions such as the following:

What can you do to get out of ...? What can you (a parent) do to help your child get out of ...? Questions to both the child and the parents should be open-ended (cf. a list of suggestions for questions at the end of this guide). They should stimulate the child to reflect on its own capacity to change tack.

We should be very cautious about giving advice, and if we feel we have valuable suggestions, we need to first ask whether the family would like advice. Nor do we want to give the impression that we “know best”.

It is a good idea to elicit more detail when somebody comes up with an idea or a suggestion. It is also a good idea to discuss whether they need help to implement the suggested measures.

We summarise what we have discussed, and ask the parents and/or the child to confirm what they have said or decided, e.g. “I believe you said that ... Have I understood you correctly?”

Rounding off the conversation

We round off by drawing back a little from the issue, normalising the situation. We can chat about innocuous matters, asking what the child thinks about our conversation or what he or she intends to do while we talk with the parents. We insert time and space, allowing the child to regain composure and let things sink in. Conversations of this kind can be exhausting and require a lot of thought on our part and, not least, on the part of the child and the parents. It is therefore important to round off properly, making sure that nobody’s integrity is violated.

We can ask for an off-the-cuff evaluation from the child and parents. We also tell them that the police may phone them to ask how they are doing after some time. We explain that the police will monitor developments in the

“Police Operational System”, the “National Police Intelligence System” and the “National Database of Criminal Cases”, and that we will continuously assess whether or not to get in touch again.

Follow-up

We need to plan subsequent steps of the process with the parents, together with whom we should consider what the police and/or others can contribute and how. We, police officers, are not supposed to serve as therapists. We are involved only because concern has been expressed about an activity that calls for law enforcement. As was mentioned above, our goal is to ascertain whether or not there is a need for further assistance from other public services, or whether the police must take more vigorous action with respect to the subject’s delinquent behaviour. Who should continue the dialogue, the police or representatives from some other public service?

To ensure progress, the child, parents and police should each commit themselves to carrying out at least one task subsequent to the conversation. For example: The police may undertake the task of introducing the child and parents to a professional in another public service. The child’s task could be to try out a new kind of leisure activity, or to stay away from a “friend”. The parents’ task could be, for example, not to give their child alcohol before going to parties, not to take the child with them when they go to parties, or to spend some time with the child every day.

NB! Once an agreement has been reached about the tasks, a date must be set for a check: Have the tasks have been performed? (The check can be made by phone, in an encounter at school, etc.).

The role of the police is primarily to focus on what relates to crime. This could entail telling the child and parents that once we have made our concerns known to collaborating parties, our direct involvement with the family will end for the time being. If the child’s behaviour continues in a criminal direction, we explain, the police may have to open a file and launch a criminal investigation. The role of other services is to follow up in relation to treatment, etc.

Subsequent work

Entry in the National Police Intelligence System

We enter a brief summary in the police intelligence system. Agreements that have been reached concerning who is responsible for what subsequent steps must also be logged. The entry is made in such a way that it can be used for research and analysis.

Evaluation

Every conversation should be followed by internal evaluation, preferably together with a colleague, in which the practical implementation of our conversation intervention is briefly discussed and its outcome assessed. The purpose of this is systematic self-improvement. We also want to learn from each others’ experiences.

¹⁵ See the drawing suggestions at the back of the guide.

PIZZA PIZZA

Grill & Kebab



PIZZA PIZZA
Grill & Kebab

Menu
Burger, Kebab
Fries, Salads
Desserts

OPEN

Appropriate approaches and questions to ask

Effective conversation intervention is contingent on our first taking a good look at ourselves, asking “how do I come across in a conversation?” “What is my attitude towards the people I will be meeting? What results do I expect from the conversation?”

Resetting

We need to be able to reset ourselves, to flush out prejudice and unreasonable expectations, to rein in unrealistic hopes with regard to the outcome of the conversation. It is important to have a fundamentally positive attitude, to believe that the family in question has resources that can be harnessed and put to good use. Our task is to make people aware of these resources, so that they recognise them and think about how they can be reinforced and accessed. This applies equally to conversations with children and adults. Although we are not meant to display our own feelings, we need to be empathetic and to express interest by asking questions.

Listening

During the conversation, we need to devote our full attention to our interlocutors. The police officer should not hold the limelight, but facilitate communication and help participants understand and improve their own situation.

It is important to listen actively and to demonstrate that we are fully focused. Active listening means showing that we actually hear and understand what is being said, and that we are truly “present”. We do this by:

- nodding
- uttering short encouraging words
- asking the subject to elaborate

Listening levels

People listen at several different levels

Below is a list of three levels we should master:

1. We need to be able to listen at the verbal level and to hear what is actually being said (the words).
2. We need to listen to our own emotions, those that are evoked during the conversation, and to make sure they do not interfere. For example, we might feel hurt, irritated, curious, discouraged, angry, pleased, etc. We have to deal with our feelings then and there and to take note of them so that we can analyse them later for self-improvement.
3. We also need to listen to non-verbal communication, i.e. what people more or less unconsciously communicate through body language.

Listening at all three levels at the same time is challenging, and a useful exercise is to analyse each conversation when it is over. We might consider asking a colleague to observe the conversation and provide feedback afterwards.

Open-ended questions

“Telling people something, or asking questions that require only a short or single-word reply relieves them from having to think. Open-ended questions invites them to think for themselves” (John Whitmore).

Open-ended questions encourage reflection and yield details.

Open-ended questions start with words like:

- What
- Who
- Which
- Where
- How
- When

Examples of open-ended questions:

- What are your thoughts about ...?
- How would you describe ...?
- What are you interested in at the moment?
- Whom do you want to hang around with?
- What do you think about ...?
- What is important to you?
- What do you expect from this conversation?

On the other end, you have questions that can be answered with a “yes” or “no” or one or two words. Examples:

Does your stomach hurt? No

Do you like riding bikes? Yes

Do you have a lot of friends? Yes

Avoid questions that allow people to choose not to answer at all, like “Can you tell me about ...?”

Instead, you should ask questions in an encouraging and inviting manner, for instance: “Tell me about ...”

Other questions you might want to ask:

What can you do to get out of ...?

What can you (a parent) do to help your child get out of ...?

Who do you hang around with at the moment?

Where do you usually hang out?

What type of books do you read?

What is your pocket money situation like?

Avoid using the word *why* since this word can evoke defensive feelings, so that the child or parent could take a self-justifying stand or refuse to say anything at all.

// You can create your own "questions library" to which you add questions that seemed to work well in various conversation situations.

EXAMPLE QUESTIONS

What do you spend money on?
 Tell me what you do in your free time from day to day?
 What are the bright spots in a normal week?
 What do you do when you are bored?
 Who do you spend your free time with?
 Where do you feel safe/unsafe?
 What do you do to get some excitement?
 How is school?
 What is the most positive/negative thing?
 What is the classroom situation like?
 How are the breaks?

What people do you think want to help you?
 If you are sad or unhappy, who do you confide in?
 What do you think you should be able to decide yourself?
 What limits do your parents set for you?
 What give you status/recognition in your own circle?

Remember to continue with follow-up questions to the responses you get.

Pauses

It is important to make deliberately use of pauses. Pauses can give our interlocutor time to think and search for the right words, and they can invite the child or parent to contribute additional information. Pauses need not be embarrassing, and they are not, if we insert them with care. On the other hand, pauses should not last so long that they feel artificial or uncomfortable.

Appropriate topics to discuss

Money

A "money" issue can often underlie criminal acts.

Free time

Most children participate in a number of organised leisure activities. Such activities give children a chance to master certain skills and to learn to deal with setbacks. All in all, this helps build their self-confidence.

Excitement

Some young people feel that their everyday lives are monotonous and boring, that ordinary leisure activities are not enough, and that they have little to look forward to. They may even actively generate excitement by breaking rules and regulations.

Schools

We live in a rapidly evolving society in which skills and knowledge are increasingly important. In most cases, you need to provide documentation of what you can do before being given a chance on the labour market. School is where skills and knowledge are acquired, and an overload of "theory" can cause school fatigue in many children.

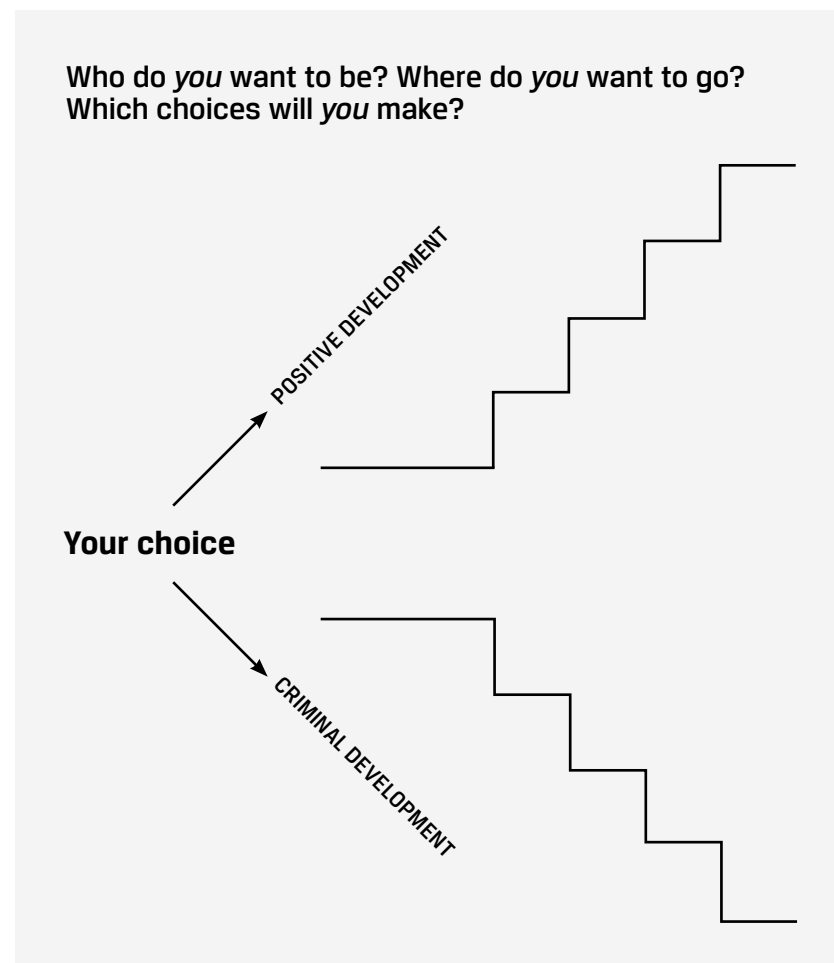
Friends and family

Adolescence is a period when you disengage yourself from your parents, and in some cases, from what your parents stand for. This is often a painful process, but it is a natural one. Nonetheless, we need people we can talk to, get support from and spend time with. In our teenage years, our friends play a greater part in our lives than before, and choosing the "right" friends can be decisive.

Self-esteem and self-confidence

Self-esteem is what you think about yourself as a person, and self-confidence is your faith in being able to master tasks. You can be very self-confident and yet have poor self-esteem. It is perfectly normal for a young person to be self-centred and to urgently need to be accepted by others. Meanwhile, however, he or she is vulnerable and, if self-esteem is poor, particularly susceptible to influence. He or she might even fall under the influence of destructive forces, cf. page 31

Self-esteem is what we know or think about ourselves. Self-esteem depends on our degree of insight into who we are, and on how we relate to this insight. We recognise healthy, well-developed self-esteem when it reflects that a person feels generally comfortable, as it were, and at ease. Low self-esteem is recognised as a reflexion of constant insecurity, self-deprecation and guilt (Juul, 1996:78).



Logging

Relevant information from conversations must be recorded in such a way that it can easily and readily be accessed and reused if, for instance, the Child Welfare Service has to be notified, and if the young person continues to develop a pattern of unwanted or criminal behaviour.

Keeping minutes

Minutes should be kept and should contain whatever information could be of value later, for instance if a child protection alert has to be issued or if specific action has to be considered. Minutes should include a list of those who were present, as well as the personal details of the child and the parents. The minutes should explain why the conversation was held and include a summary of the main points that were discussed. It should list what the parties have agreed (measures to be taken) and who is responsible for what.

Relevant acts

- Police Act
- Police Instructions
- Criminal Procedure Act
- Prosecution Instructions
- General Civil Penal Code
- Police Bylaws
- Child Welfare Act
- Children Act
- Human Rights Act (incorporates the UN Convention on the Rights of the Child into Norwegian legislation)
- Act pertaining to police records
- Regulations to the act pertaining to police records



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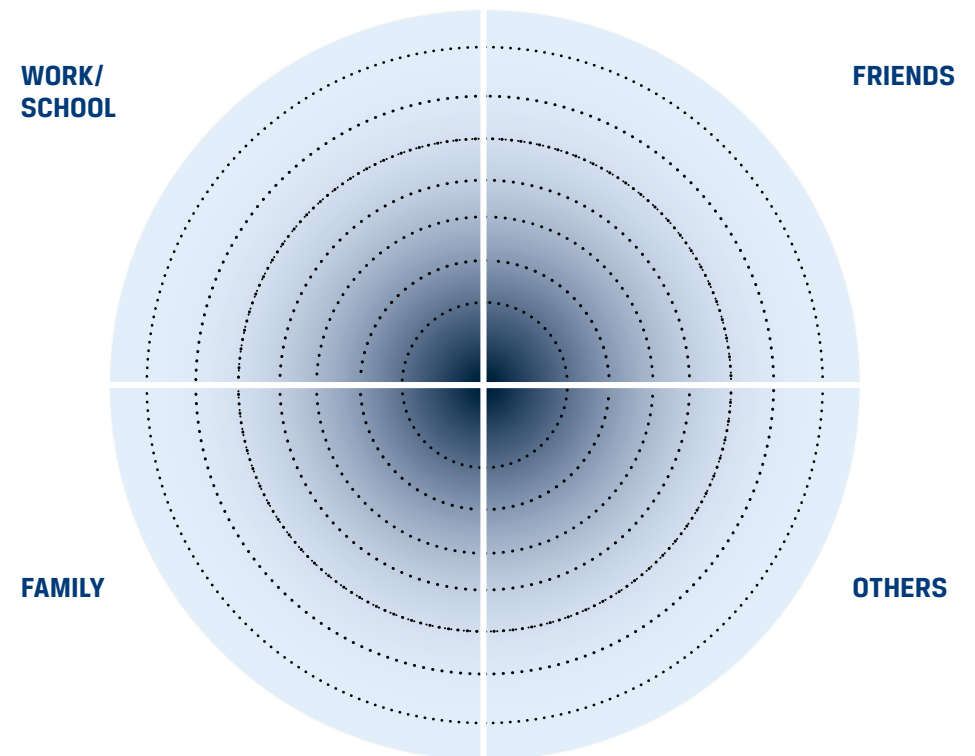
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Network chart

What people do I know?



During the formative years of childhood, the foundation for our entire adult life is laid. We are likely to change from day to day, and many serious choices have to be made. Making such decisions on our own is not easy. We all need to be seen and heard, and children and youngsters have a particularly strong need for validation.

It may be tempting to accept attention from and be drawn into circles that are anything but beneficial to a child's development. Adults are responsible for creating networks in which children, young people and adults relate to each other in a constructive and supportive manner. Nonetheless, some people make choices that take them in the wrong direction, which is why it is important to help them as early as possible, before too much damage is done.

The purpose of this guide is to facilitate dialogue between the police and children who need guidance to get back on the right track and who need to be prodded into shouldering more responsibility for their own development, together with their parents. We also give suggestions for how to assess what additional assistance may be needed, so that the right kind of help can be enlisted as expeditiously as possible.

