



Making Legal Protections a Reality for Children Accused of Crimes

Series Five of A Collective Failure

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Making immediate, tangible and meaningful changes to ensure children accused of crimes in Somaliland are treated fairly and humanely is feasible, easy to implement and costs nothing.

Somaliland's criminal laws set a progressive standard of legal protections for children. Children, however, do not always receive the protection of these laws.

In a report issued today, *Making Legal Protections a Reality for Children Accused of Crimes*, *Horizon Institute* details practical and cost effective steps that can be taken without further delay to make sure the criminal justice system upholds these safeguards. This report speaks directly to those responsible for implementing these laws – police, prosecutors and judges – and is informed by *Horizon Institute's* experience of providing legal assistance to incarcerated children and their families.

The 2007 Juvenile Justice Law envisions the establishment of infrastructure, including the construction of separate child courts and detentions centres. The expense of building, equipping and staffing these institutions has eluded successive governments. Because building the courts and detention centres is seen as the first step to implementing the law, children and their families have been denied the advantages of the laws which are in place for their benefit. Children should not be made to wait for expensive infrastructure before they can make use of these laws. Justice actors can fulfil the letter and spirit of the Juvenile Justice Law, even those that require new buildings, with little to no financial resources.

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The 2007 Law gives police, prosecutors and judges the legal basis they need to treat children as children. They do not have to wait for infrastructure to be built. They can act now. The basis of the 2007 Law is the understanding that children, those aged 17 and younger, are not as mature as adults – those aged 18 and older. Because children are still growing physically and developing emotionally and mentally, the law dictates that any response to their wrongdoing must be different by taking this reality into account. Children aged 14 and younger cannot be held criminally responsible at all. For teenagers 15 to 17 years of age, imprisonment must be the last resort and the maximum prison sentence they can receive is 15 years.

This is the final instalment in the five-part series, *A Collective Failure: How Somaliland's Criminal Justice System Harms Children and What We Can All Do About It*. Series One to Four focus on what the public can do to right these wrongs. This last report aims to bring the police, prosecutors, judges and other government actors into this conversation. Somaliland's children deserve a criminal justice system that treats them as children. We all, whether we are working in the government or are members of the public, can contribute to this goal.

To read the full statement [click here](#).

Horizon Institute is working to advance the rule of law and human rights. Our reports and discussion papers explore issues identified through our work. They provide information and analysis intended to stimulate debate among the public, government institutions, the media, human rights groups, NGOs, independent bodies and donors and promote government policies based on respect for human rights, the rule of law and the encouragement of self-reliance.

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