



# KEEPING YOUTH AWAY FROM CRIME: SEARCHING FOR BEST EUROPEAN PRACTICES

## SUMMARY

ILONA KRONBERGA AND SANITA SĪLE





The research has been created in Project „Keeping Youth Away from Crime: Searching for Best European Practices”. Project implemented with financial support from the Fundamental Rights and Citizenship Programme of the European Union and with financial support from State budget programme 2013, administrated by Society Integration Foundation. Sole responsibility lies with the author and neither the Commission nor Society Integration Foundation is responsible for any use that may be made of the information contained therein.

Partners



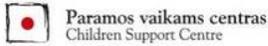
International Observatory of Juvenile Justice (Belgium)



International Child Development Initiatives (NL)



University of Edinburgh (incl. Centre for Research on families and un relationships and Centre for Research in Education Inclusion and Diversity) (UK)



Children Support Centre (Lithuania)



Ministry of Justice (Estonia)



Madona Municipality Council (Latvia)



State Inspectorate for Protection of Children`s Rights (Latvia)



Cēsis Municipality Council (Latvia)



Saldus Municipality Council (Latvia)

Summary of good practices was prepared by Ilona Kronberga and Sanita Sīle.

© PROVIDUS, 2015  
© Cover photo Jan Truter, flickr.com  
ISBN 978-9934-532-07-8

The private rights issuing from the research ore owned by the authors. The ownership rights issuing from the research belong to the Centre for Public Policy PROVIDUS.

Quoting information from research summary is allowed with due references to the original source.

**CONTENTS**

**INTRODUCTION.....4**

**AUSTRIA.....5**

**BELGIUM .....18**

**ENGLAND AND WALES .....25**

**ITALY .....30**

**SCOTLAND.....40**

**SWEDEN .....47**

**THE NETHERLANDS .....54**

**ESTONIA.....63**

**LATVIA .....70**

**LITHUANIA .....79**

## Introduction

Research “Keeping youth Away from Crime: Searching for Best European Practices” was one of the main results of a project with the same title. This research provides readers with a possibility to learn about legal framework of juvenile justice systems in 10 European countries, it gives an insight on how the tools and approaches foreseen in law work in practice. Most importantly, research addresses the issue of early prevention – *what* can be done to keep children away from entering the formal justice system and *how* it is done in Austria, Belgium, England and Wales, Italy, Scotland, Sweden, in the Netherlands and in all three Baltic states – Estonia, Latvia and Lithuania.

From the very beginning of carrying out research, three main objectives were kept in mind: exploring of best European practices on how to work with and for children at risk and children in risk situations; promoting a unified understanding and practice among European countries while applying EU and other international recommendations on children wellbeing; and transforming the policy objectives into unified action.

All these objectives were reached in the preparation process of research “**Keeping youth Away from Crime: Searching for Best European Practices**”. In total, material consists of two volumes. First volume is dedicated to comparative report, ensuring an overview of different systems and identifying the common principles that are in place across the Europe. Second volume includes full-length national reports from each country.

Research summary, as an additional reading material, is focused on practical part of the study with regards to what exactly is considered a good approach when working with children from risk groups and in risk situations. It enables the specialists working with and for children to look differently at the methods that are available for them and facilitating the change of attitude in a concentrated, targeted way.

Each reader will benefit most by reading the research in whole; however, research summary is a good starting point in order to obtain an overall insight of different systems, various approaches and applied tools.

Enjoy the reading!

Sanita Sīle and Ilona Kronberga

# Austria<sup>1</sup>

## Abstract

This overview intends to inform the reader about juvenile crime prevention strategies in Austria. This includes crime prevention, organized by the Federal Criminal Agency, whose task is crime prevention, as well as local prevention programmes organised by NGOs, the youth welfare authorities, and – what is most common in Austria – crime prevention strategies developed conjointly by several of these institutions. Several crime prevention projects<sup>2</sup> for juveniles are introduced briefly to give a short overview over the landscape of projects and programmes available. The projects discussed take regional diversity into consideration. *Gripso-Logisch* is a Viennese programme conducted in after-school day care to prevent violence; the *Friedenswochen* (“Peace Weeks”) on the “Peace Castle Schlaining” also aim at a reduction of violence and are located in Burgenland; *EigenständigWerden* (“Becoming independent”) is a nationwide programme on the reduction of addictions which is especially well implemented in Upper Austria. In the end of this overview some conclusions and recommendations on early prevention in Austria are presented.

## 1. The Austrian Youth Justice system

### 1.1. The principles of the youth justice system

The Juvenile Courts Act<sup>3</sup> is a law primarily concerned with educating and disciplining juveniles, which is expressed in the law itself: § 5 (1) JGG: *The use of the juvenile criminal law has the purpose to keep the juvenile away from committing further criminal acts.*

These aims are to be reached primarily by the Child Welfare Authority’s orders, actions taken by the Juvenile Court Assistance, forms of diversion in the criminal proceeding, orders, probation assistance, and convictions with or without punishment reserved. Prison sentences and fines are to be used as *ultima ratio* only against juveniles.<sup>4</sup>

---

<sup>1</sup> Created on the basis of the research report in the project “Keeping Youth Away from Crime: Searching for Best European Practices” by Dr. Ruderstaller Judith, available at: <http://www.oijj.org/en/keeping-youth-away-from-crime-results>

<sup>2</sup> The titles of many of these projects involve idiomatic German expressions, which cannot always be properly translated to English. The provided translations are, therefore, often approximations or paraphrases.

<sup>3</sup> Further: JGG (Germ. – Jugendgerichtsgesetz, Engl. - Juvenile Court Act).

<sup>4</sup> Köck: Der Erziehungsgedanke im Jugendgerichtsgesetz, JRP 1999, 269.

*Special deterrence* plays an important role and has to be taken into consideration when discussing a refrain from prosecution (§ 4 (2) (2), § 6 JGG), diversion (§ 7 JGG), conviction without punishment (§ 12 JGG) and conviction with punishment reserved (§ 13 JGG). *General deterrence* is only relevant at §§ 6, 12, 13 JGG. Furthermore the Juvenile Courts Act sets out in § 53 JGG, that the penal system shall educate the juveniles to a behaviour that is in line with the law and the requirements of community life. If the duration of the prison sentence the juvenile faces allows it, the juvenile is to have a job education which is in accordance with his/her abilities and interests.

Justice has several provisions how to avoid involving juveniles in a formal procedure, although the police, prosecutors and partly the court are involved in alternative penal measures of course. The responsible judges and prosecutors need to have special skills in pedagogy, psychology and social work. In any case of launching prosecution against a juvenile the Youth Welfare Office and the Guardianship Court has to be informed about that.

## **1.2. The functioning of the youth justice system**

The most important sources of law are the Criminal Code<sup>5</sup>, the Code of Criminal Procedure<sup>6</sup> and the Penal Law<sup>7</sup>. The laws therein are generally also applied to juveniles, although the Juvenile Court Act<sup>8</sup> provides additional provisions designated particularly for juveniles and young adults with regard to the sanctioning system, criminal proceedings, parental involvement, and the enforcement of sentences against juveniles. Additionally, it puts forth guidelines for the Guardianship Court and the Juvenile Court Assistance.

In general, the same courts are responsible for conducting proceedings against adults as they are for juveniles. However judges and prosecutors who deal with criminal proceedings against juveniles are required to have special skills in pedagogy, psychology and social work (see § 30 JGG).

Additionally, the Juvenile Court Assistance (see §§ 47-50 JGG) supports the court and prosecutor in the fulfilment of their respective responsibilities. While the main purpose of the Juvenile Court Assistance is to provide evaluations and psychological opinions, usually in the form of oral reports

---

<sup>5</sup> Further: StGB (Germ. - Strafgesetzbuch).

<sup>6</sup> Further: StPO (Germ.- Strafprozessordnung).

<sup>7</sup> Further: StVG (Germ.- Strafvollzugsgesetz).

<sup>8</sup> Further: JGG (Germ.- Jugendgerichtsgesetz).

during the trial or a written opinion at an earlier stage of the criminal proceeding.<sup>9</sup> This is effectively only available in Vienna.

The Guardianship Court is located in every district court which deals with so-called “non-contentious proceedings” (guardianship, divorce, visiting rules in divorced families, adoption...). The most important task in the field of juvenile justice is the question if any measures regarding the guardianship of the juvenile have to be taken. The Guardianship Court has to be informed by the prosecutor if criminal proceedings are initiated or finished.

In general, the Penal Code (StPO) is used for juveniles and young adults as well as for adults. However, there are some specific rules for juveniles (e.g. to have a person of trust with him/her, to have the parents informed, etc.). These rights and process guarantees are in general respected.

## **2. Reactions and sanctions against juvenile delinquency**

### **2.1. Impunity of juveniles**

The age of criminal responsibility is in Austria 14 years (see § 4 (1) JGG). Juveniles between 14 and 16 years are not punishable if they commit only a petty offence (threat of punishment less than three years imprisonment), if there is no serious guilt attributable to the offender and neither general nor specific deterrence require any kind of punishment (see § 4 (2) (2) JGG). This means that juveniles under the age of 16 cannot be punished for petty offences, as long as special deterrence does not require the use of any other measure of the juvenile justice system. The majority of offences which are typical for juveniles (shop lifting, property damage, assault etc.) are thereby not punishable for juveniles under 16.

Additionally, if a juvenile is not able to understand his/her action as an offence or is seen unfit to act according to such an understanding, the offence will not be punished. In these cases, the procedure will be suspended without any further consequences by the prosecutor (see § 4 (2) (1) JGG). These reasons are only presumed in case of a serious retardation of the personal development of the juvenile is determined by the High Court<sup>10</sup> and includes for instance psychological or physical diseases, massive neglect or serious social defects.

---

<sup>9</sup> See <http://strafvollzug.justiz.gv.at/einrichtungen/jugendgericht/> (last visited on 06.02.2014).

<sup>10</sup>RS OGH 1952/12/05 50s605/52; 100s38/70; 100s13/71; 100s196/72; 100s190/72; 100s8/73; 100s113/74; 1994/03/02 130s188/93; 120s114/02; 130s50/06m.

## **2.2. Refrain from prosecution**

The application of the youth penal law by a refrain from prosecution is required for juveniles who commit a crime subject to a threat of punishment less than five years imprisonment and if the use of diversion for the reason of specific deterrence is not necessary. If the offence caused a person's death the refrain of prosecution is excluded. The refrain of prosecution can be combined with an instruction by a judge for the juvenile. Compared to § 4 (2) JGG, the scope of applicability is much broader. Not only petty offences are included in the use of the refrain from prosecution according to § 6 JGG, but all medium-serious and partly even serious crimes can be ended by a refrain from prosecution.

However, the application of special deterrence as well as general deterrence reduces the scope of use. As an example of a requirement for general deterrence, the High Court<sup>11</sup> mentioned the repeated participation in attacks of a gang against visitors of a park without any specific reason, except the exertion of violence itself.

## **2.3. Diversion**

Diversions do not result in a conviction and can theoretically be used as a reaction to any kind of offence committed by a juvenile since the reform of the Criminal Code on 01.01.2008.<sup>12</sup> In practice, diversions are used for juveniles up to medium serious criminality. Of course not all prosecutions can end with a diversion, so a very important limitation is that the offender did not act with serious fault. A "typical" event of an offence, for instance a robber who violently tears away a woman's handbag and runs off, is not *per se* a proper basis for an assumption of "severe fault". A certain threat of punishment cannot cause "severe fault".<sup>13</sup> Further limitations of the use of a diversion are the settlement of the circumstances of the offence. Furthermore, specific deterrence must not require any other measure.

The measures of diversion are the same for juveniles as they are for adults: paying a fine, community service, a probation period of up to two years (partly combined with probation service or certain constraints) and victim-offender mediation.

## **2.4. Social-net conferencing**

---

<sup>11</sup> OGH 17.12.1996, 11Os157/96.

<sup>12</sup> BGBl.I Nr. 93/2007.

<sup>13</sup> Kucera: Die Anwendung der §§ 6 und 7 JGG 1988 in der Praxis, ÖJZ 1990, 586.

The so-called social-net conferencing was introduced as an alternative measure in Austria and was conducted as a model project during the time from 01.01.2012 to 31.12.2013 in Vienna, Carinthia, Styria and Upper Austria. It focused on juveniles and young adults who were subject to probation services. The project will be continued at least until the end of 2014 and an expansion to all of Austria is being discussed at the moment with the Ministry of Justice.<sup>14</sup>

The social-net conferencing is used for all problems dealing with social inclusion and integration, especially the step from a prison sentence to freedom, but also concerning restorative justice while including the victim and his/her social network. The advantages of the use of social-net conferencing are the activation of the juvenile's family and friends as well as the strengths of the juvenile him-/herself. The organisation "*Neustart*", which is responsible for probation services in Austria, organises and supports these meetings. In practice, the coordinators informed the judges and prosecutors about the model project in advance, explained the methods used and indicators for the use of the measure to increase the acceptance and use of the social-net conferencing.<sup>15</sup>

The first evaluations in 2013 showed a positive development of the project, especially in the use of social-net conferencing as an alternative measure to pre-trial detention. Social-net conferencing as a measure of sanctioning also showed positive results because the juveniles were put in positions that forced them to become active and allowed them to experience appreciation. The result was usually that the juveniles took responsibility for their own actions, not least because they wanted to avoid disappointing their social environment.<sup>16</sup>

## **2.5. Conviction without punishment & with punishment reserved**

A conviction without punishment (see § 12 JGG) can be a sanction if a juvenile committed an offence which would justify only a minor punishment, but where it can be expected that the conviction without punishment will also fulfil the requirement of specific deterrence. Neither the specific threat of punishment, nor the concrete severity of fault and wrongdoing by the offence are relevant, but only the prospective prognosis concerning the juvenile's behaviour in the future.<sup>17</sup> This prognosis is a

---

<sup>14</sup> E-Mail from Hansjörg Schlechter on 07.01.2014.

<sup>15</sup> Sozialnetz-Konferenz - finde selbst die Lösung: <http://www.neustart.at/at/de/blog/entry/3094> (last visited on 10.02.2014).

<sup>16</sup> Interview with Christoph Koss (Neustart); <http://kurier.at/chronik/wien/termine-einhalten-ist-besser-als-haft/35.032.421> (last visited on 10.02.2015).

<sup>17</sup> Kucera: Die Anwendung der §§ 6 und 7 JGG 1988 in der Praxis, ÖJZ 1990, 586.

discretionary decision by the court, its use (or refrain of use) can be reason for an appeal.<sup>18</sup> The use of the conviction without punishment is limited by the requirement that the punishment can be only of minor severity - thereby the threat of punishment and individual fault are observed. General deterrence shall only be considered in exceptional cases.<sup>19</sup> The reasons for the conviction without punishment have to be given in the judgment in detail and thereby replace the punishment.

While the juvenile faces fewer consequences directly affecting him/her, a clear disadvantage of a conviction without punishment is the criminal record entry, which inevitably leads to the stigmatisation of the juvenile. Thereby, convictions without punishment have more drastic and long-term effects than in the case of a diversion being applied, which is not part of the criminal record. The knowledge and awareness of the consequences of a conviction without any form of punishment can be questioned.<sup>20</sup>

In case of a conviction with punishment reserved a period of probation is allotted, during which the punishment can be promulgated. This period is required to last for at least a year but not longer than three years. The prolongation of an ongoing probation period is not possible.<sup>21</sup>

## **2.6. Fine and prison sentence for juveniles**

In general, the threat of punishment through fines or imprisonment for juveniles is about half as severe as for adults. Generally speaking, the minimum levels of punishment from adults' are not applicable for juveniles, except for crimes with a threat of punishment from 10-20 years or life imprisonment: If the juvenile is below 16 years there is a threat of punishment of 1-10 years, for juveniles over 16 years it is 1-15 years.<sup>22</sup> Only very few prison sentences against juveniles are unconditional or partly conditional (14% respectively 11%), while most of the fines (74%) are unconditional. In general, the number of convicted juveniles is constantly decreasing slightly. In 2012, 2562 juveniles were convicted. Compared to 2011, this means a decrease of 6,7 %.<sup>23</sup>

---

<sup>18</sup> OGH 14.01.1997, 14Os188/96.

<sup>19</sup> Amtsblatt zu BGBl I Nr. 599/1988.

<sup>20</sup> Ruderstaller: Rückfälligkeit jugendlicher Gewalttäter, page 149.

<sup>21</sup> OGH 30.05.1995, 14Os62/95.

<sup>22</sup> See § 5 JGG.

<sup>23</sup> Sicherheitsbericht 2012, page 54-55.

When a juvenile is convicted to a prison sentence he/she is to be placed in a youth prison (see § 55 JGG).<sup>24</sup> In prison, a juvenile is subject to a more relaxed form of incarceration, meaning that even on weekends and national holidays the cell must be open at least for three hours a day.<sup>25</sup> People who are working in a youth prison have to show a special education in pedagogy, psychology and psychiatry (see § 54 JGG).

### **3. The juvenile crime prevention in practice**

#### **3.1. Juvenile Crime prevention organized by the Federal Criminal Agency**

Crime prevention is part of the ministry of the interior's responsibilities. The main focus is the prevention of youth crime and property crime, the latter being implemented more in regard to preventing victimisation.<sup>26</sup> The Federal Criminal Agency defined preventive measures against violence, particularly against women, and the intensification of victim-protection measures as its main goals.<sup>27</sup> Concerning juveniles, there are several ongoing projects, for example:

**Click&Check:** This project targets a responsible use of modern communication devices (mobile phones and the internet). It takes happy slapping, cyber bullying, dangerous political, violent and religious contents and dangers in connection with chat-rooms and social networks into consideration. In this programme, a prevention officer shows juveniles short video clips with typical situations juveniles can be subject to. The goal is to enhance the knowledge of the law, awareness of possible problematic behaviour and dangers and a sense of wrongdoing. The viewing of the video clips is followed by a class discussion with the prevention officer.<sup>28</sup> The target group is juveniles in 6<sup>th</sup> and 7<sup>th</sup> grade. The programme takes at least five lessons and can be blocked or spread over the course of 1-2 years.<sup>29</sup>

**All Right – alles was Rechtist** is a follow up project to **OUT-Die Außenseiter** (OUT-the outsiders). It focuses on violence and general juvenile delinquency and targets youths in 7<sup>th</sup> and 8<sup>th</sup> grade. In this programme, a prevention officer visits schools and shows the adolescents short video clips involving typical situations of juvenile delinquency (theft, robbery, burglary, vandalism and assault), while also

---

<sup>24</sup> Regierungsvorlage zu BGBl I Nr 599/1988.

<sup>25</sup> BMJ: Untersuchungshaft für Jugendliche – Vermeidung, Verkürzung, Vollziehung, page 28.

<sup>26</sup> See [http://www.bmi.gv.at/cms/BK/praevention\\_neu/wir\\_ueber\\_uns.aspx](http://www.bmi.gv.at/cms/BK/praevention_neu/wir_ueber_uns.aspx) (last visited on 04.02.2014)

<sup>27</sup> BMF: Teilheft, Bundesvoranschlag 2013, Untergliederung 11, Inneres, page 26, 62.

<sup>28</sup> See [http://www.bmi.gv.at/cms/BK/praevention\\_neu/projekte/ClickCheck.aspx](http://www.bmi.gv.at/cms/BK/praevention_neu/projekte/ClickCheck.aspx) (last visited on 28.01.2014).

<sup>29</sup> See [http://www.schulpartner.info/wp-content/uploads/2012/03/ssr\\_bildungsgespraechewien\\_05mar2012handout\\_3.pdf](http://www.schulpartner.info/wp-content/uploads/2012/03/ssr_bildungsgespraechewien_05mar2012handout_3.pdf) (last visited on 28.01.2014).

including certain school-related topics (gangs, participation in a criminal offence). The videos also take the victim's perspective into account. Furthermore, role plays and discussions are used to develop a deeper understanding. The programme takes at least four lessons and includes the parent's and teacher's participation as well.<sup>30</sup> Legal terms, the threat of punishment and the application in practice are described with the help of the presented situations.<sup>31</sup> In 2012, 590 advisory discussions were held, by which 12.871 juveniles were reached.<sup>32</sup>

In addition to these national projects, there are also projects conducted on a regional basis, which are also organised and conducted by the ministry of the interior's prevention officers, for example:

**Burgenland** introduced a project called **Los, check dein Leben** (Go, check your life) which aims at preventing addictions. This project was developed by the local police, the youth ombudsman and the province's *Landesschulrat* in 2009/2010 and is offered in all types of secondary schools. The target group are juveniles in 8<sup>th</sup> grade. There are five sessions, consisting of three lessons each, which are conducted during one semester. The main aim is to make adolescents reflect on their search for their own identity, peer group pressure and appreciation within the group, accepting responsibilities, their consumption patterns and handling of frustration and aggression. This approach intends to support the juveniles in developing their social competences and to avoid addictions and violence.<sup>33</sup> Furthermore, courses for multipliers, who shall carry on independently the knowledge to other persons of the target group, were held at the fire fighters' school to train fire fighters as youth workers in cooperation with the *FachstelleSuchtprävention* (specialist agency for the prevention of addictions).<sup>34</sup>

In **Vienna** the project **No Legal Drugs – wirmachenmit** has an approach and aims at raising awareness for problematic consumptions of legal and illegal drugs. The target group are pupils in 7<sup>th</sup> grade and children aged 13 and older, but the project addresses also parents, workers in gastronomy, tobacco shops and youth centres. It is conducted by the local police in cooperation with youth centres, the organisation *B.A.S.I.S.*, and school physicians.<sup>35</sup>

---

<sup>30</sup> See [http://www.bmi.gv.at/cms/BK/praevention\\_neu/projekte/OUT.aspx](http://www.bmi.gv.at/cms/BK/praevention_neu/projekte/OUT.aspx) (last visited on 28.01.2014).

<sup>31</sup> Bierigner/Tanzberger/Schroffenegger/Liebentritt/Kröpfl/Spannring: „Nicht Passt“ – Fachreader zur geschlechtsbezogenen Pädagogik und Gewaltprävention (2008), page 47-49.

<sup>32</sup> BKA: Kriminalprävention, Jahresbericht 2012, page 17.

<sup>33</sup> Fachstelle für Suchtprävention Burgenland: Jahresbericht 2010, page 11.

<sup>34</sup> BKA: Kriminalprävention, Jahresbericht 2012, page 13.

<sup>35</sup> Projektkatalog Schulische Suchtprävention in Wien 2011, page 44-45

## **3.2. Promising practices in early juvenile crime prevention**

### **3.2.1. *Gripso-logisch (after-school day care programme to prevent violence).***

**Development and administrative aspects of the project:** *Gripso-logisch* (wit-o-logic) is a Viennese early prevention programme for the reduction of violent behaviour among school children aged six to ten in after school care centres. The project was conducted by the city of Vienna, namely the department of city administration which is responsible for kindergartens (MA10). Three psychologists and pedagogues for children with special needs were the persons responsible for the project.<sup>36</sup> Today, after a positive evaluation, the programme is still conducted and financed by the city of Vienna. After the project-phase it was turned into steady practice in after school care centres.<sup>37</sup>

**The functioning of the project & methods<sup>38</sup>.** The intention was to develop a programme which includes all effective methods of general crime prevention, and that would not be limited to therapeutic interventions. The main aims are the reduction of the likeliness of aggressive behaviour and a strengthening of social integration, self-confidence and social engagement. Additionally, the programme aims at imparting legal basics about criminal law and children's and human rights.

Empathy, the control of impulses and different strategies for conflict resolution are the main pillars this project relies on. The program's protagonists are two hand-puppets, the little witch *Rikki* and her trainee *Toni*, who go to magic school where they are educated in the field of *Gripsologie* (witology), which deals with better ways to interact with others and how to solve conflicts. The children also learn some magic tricks and spells in this programme.

The programme is divided into four modules:

#### **Module 1: feelings**

The first module has the aim of imparting the basic feelings of joy, anger, sadness, despise, surprise and fear. The children are to learn about the different perceptions of these feelings, both by the person experiencing these emotions as well as the person targeted by them. Consequently, the exercises in this module intend to enable the children to show a more empathic behaviour. This first part of the

---

<sup>36</sup> Tischer: Evaluation eines Gewaltpräventionstrainings für schulpflichtige Kinder (2008), page 69-70.

<sup>37</sup> See <http://www.adulteducation.at/de/bifodok/projekte/3213/> (last visited on 20.02.2014).

<sup>38</sup> Tischer: Evaluation eines Gewaltpräventionstrainings für schulpflichtige Kinder (2008), page 75-78.  
Geppert: Gripso-Logisch! Das Wiener Gewalt-Präventionsprogramm für Hortkinder, page 68-73.

programme takes eight magic workshops, at their beginning the hand puppets are introduced and basic rules of behaviour are agreed on.

### **Module 2: control of impulses**

The second module includes four magic workshops and wants to show methods which enable the children to control their emotions in a better way and to show them alternative reactions to negative feelings such as anger. Furthermore, the children are taught relaxation techniques and reflexion as well as first steps for problem resolution.

### **Module 3: conflict resolution**

Within the nine magic workshops of the third part, the children learn constructive strategies to deal with problems, which are worked out with the children and exercised several times. The children get to know different coping-strategies and basic communication techniques for the contexts of inside the family, with friends and among grown-ups.

### **Module 4: rights and obligations**

In these last four magic workshops, the children are informed about children's and human rights and should thereby recognise what they need to consider in contact with other persons. Informal rules for the functioning of a society are subject to this module as well. Furthermore, the children are confronted with the legal consequences they would have to face in case they were to commit an offence. This information is surrounded by explanations about situations which are typical for children and juveniles, such as peer group pressure and tests of courage.

The methods used are the play with the hand-puppets, role plays, breathing and relaxation exercises, magic tricks to strengthen the children's self-confidence etc.

### 3.2.2. Friedenswochen auf der Friedensburg Schlaining (“Peace Weeks”)

**Development and administrative aspects of the project**<sup>39</sup>: the name of this programme can be translated to “Peace Weeks on the Peace-Castle Schlaining”. The programme is organised by the Austrian Research Centre for Peace and Conflict Resolution (ÖSFK) and Peace Institute. The workers involved in the trainings are certified mediators, outdoor-pedagogues and forest-pedagogues. The project’s target group are school classes from 3<sup>rd</sup> to 13<sup>th</sup> grade, with each of these age groups being subject to a different schedule and methods.

The functioning of the project & methods<sup>40</sup>: the project aims at preventing violence by showing the children and young adults an interactive, reflected and age-adequate approach towards their own feelings, the people they are surrounded with, to nature and the topics of conflict and peace. In general, the programme is designed for the duration of a week or several days, but can be reduced to participation for a shorter period, too. If requested, the programme’s content can focus on certain topics, i.e. gender, mobbing, etc. During the project days, the school class as a whole takes part and is not mixed with other classes.

In the programme for 3<sup>rd</sup> and 4<sup>th</sup> grade, the pupils should find a playful access to their own feelings and the topics of conflict and peace through the course of several modules, which can be adapted according to the group’s wishes and needs:

In the first module, called “conflict”, basics about positive communication are imparted; the pupils should understand that a society has rules that have to be considered to maintain its function ability. On an individual level the “inner conflict” and feelings like sadness, frustration, anger and violent thoughts are discussed. Regarding the class climate, the programme begins with an evaluation of the current situation, including negative as well as positive aspects. Finally, the group works on solutions for an improvement of the class climate together.

The second module is called “team”. It is an outdoor-programme which aims at building bridges, in an actual way as well as in the figurative sense. The outdoor-activities are rich in phantasy, entertaining, interactive and cooperative and try to implement the motto “together we are stronger” to strengthen the classes’ social cohesion. Finding one’s own borders and overcoming one’s limitations are enhanced

---

<sup>39</sup> See ÖSFK: Friedenswochen auf der Friedensburg Schlaining; see also: [www.friedenswoche.at](http://www.friedenswoche.at) (last visited on 20.02.2014).

<sup>40</sup> See ÖSFK: Friedenswochen auf der Friedensburg Schlaining; see also ÖSFK: Modellprogramm Friedenswoche für Volksschulen, 3. und 4. Schulstufe.

as well. Although the activities seem like games, there is a pedagogic concept in the background which is completed by reflective activities within the group after finishing each exercise to deepen the effects and make them sustainable.

The third module of the programme for children in 3<sup>rd</sup> and 4<sup>th</sup> grade is called “arts”. Art as a form of communication via music, pictures and texts is subject to discussions and actual exercises. The children should express their wishes, dreams and phantasies in paintings, modelling, through music or in plays. For instance, the pupils paint peace pictures, symbols of peace and power, make prints in plaster with their hands etc. These actions are accompanied by reflections. The children are thereby to be enabled to see themselves as an individual person in the community of their school class and to respect their class mates.

The fourth module of the Peace Week is called “peace castle”: The children are out in the woods as “forest detectives” and go on an adventure in the castle’s moat. This programme is supported by forest-pedagogues, who introduce the children to the environment. Outdoor-activities in the woods are also part of the programme, in order to show that even nature can have both a stable and peaceful condition or can be instable and precarious and thereby in some kind of conflict.

Finally, the last module includes a tour of the peace museum where the natures of conflict and peace as well as different levels of conflict, war and peace are elaborated further. Certain topics, for instance human rights, children’s rights and their meaning in every day’s life are discussed in the museum.

In order to enhance the sustainability of the programme, the class takes the peace-picture they produced together back to school, as it should remind them of the Peace Week, particularly the positive feelings they experienced there and the team-building they completed.

#### **4. Some concluding remarks**

Early crime prevention programmes in Austria are mostly used in schools and thereby applied to all children, not only those who are at a particular risk for some reason. These measures often aim at an improvement of social skills, an increase of self-confidence and the development of coping strategies.

By implementing the policies of the youth welfare authorities in practice at the stage of tertiary prevention, children and juveniles at risk could be identified at an early stage to hinder a further

involvement in criminal activities. The systematic implementation of these measures could have a great impact on crime statistics.

Is recommended to develop a common national strategy for crime prevention which includes the available knowledge of researchers and experiences made with current and past projects and programmes. This strategy should ensure a certain level of quality and harmonisation by providing guidelines, but still should leave some flexibility to react on hotspots or regional problems. The strategy should include all forms of criminality and takes social issues, education, the health system and core issues of security and justice into account.

\*\*\*

## Belgium<sup>41</sup>

### 1. Brief overview of Belgian legislation and measures

In 2006, Belgian youth protection system underwent a reform which emerged from the following context: reinforcement of the minors rights and their responsibility, emergence of restorative practices (mediation procedures, community work), public concern over insecurity, intense media coverage of violent local news and also, as always in Belgium, importance of the contrasted points of views between Communities.

Since Law on Youth Protection came into effect, there is Minors' Justice in Belgium, which is a specialised justice, separated from the adults'. Within this system, Juvenile Court is the central organ. Together with the Juvenile Court Judge, it is competent for any minor suspected of a crime (« a fact that is legally classed as offence »), but also for minors considered as « in danger » due to deficiencies in their family environment that have been reported to them.

The Juvenile Court and the Juvenile Court Judge have a large spectrum of measures to use, whether it is to protect or punish the child. These measures can be « protectional » (educative guidance, health care...), « punishing » (custody) or « restorative » (community work, mediation procedures).

In the case of delinquent minors, the judge must first take restorative measures (mediation through a neutral service that will bring the child, his parents and the victim together). The judge has to bring the child's attention on his responsibility. The parents and any person who has the child in charge (grandparents, step-parents, foster parents, etc.) are associated: they are systematically called and informed. On top of it, the child's parents may eventually be proposed or imposed with a parental apprenticeship.

It must be noted that the support system for the endangered youth in Belgium is divided between Federal institutions (Ministry of Justice) and Federated institutions (Flemish, French, German speaking Communities, Bruxelles-Capitale Region).

---

<sup>41</sup> Created on the basis of the research report in the project "Keeping Youth Away from Crime: Searching for Best European Practices" by J. Moriau, available at: <http://www.oijj.org/en/keeping-youth-away-from-crime-results>.

## 1. Promising practices in early juvenile crime prevention

### 1.1. School reintegration services (SAS)

Exclusion, school dropout and school relegation process are very important phenomenon in Belgium, especially in the French-speaking part of the country.

Following Eurostat figures, 12% of young adults aged between 18 and 24 in 2007 have prematurely left school. It climbs up to 14% in Wallonia and 16% in Brussels region<sup>42</sup>. As a result, this has important consequences in terms of employment<sup>43</sup>, poverty risks<sup>44</sup> or health<sup>45</sup>.

In schools, the selection of students is based on two major procedures: the decision of the teachers to make a pupil repeat the same class (a sanction that is very much used<sup>46</sup>) and the expulsion from school followed by relegation, because when a pupil wants to enrol in a new school, she will have to accept a more down-graded orientation. These two logics reinforce a real segregation in school education: youngsters of more disadvantaged families, many of whom come from immigrant families, repeat classes more often than others and they follow most often relegated or down-graded orientations.

The passage through school produces segregation between different types of youngsters and makes them face very different experiences and expectations according to the kind of school they go to. This was also lately pointed out by UNICEF Belgium<sup>47</sup>, based on discussions with young people. School education in Belgium hurts and excludes children who are already socially vulnerable, who make up as many as one out of five children in Belgium nowadays. They are often left aside and feel excluded from the moment they start in school, and this is due to a structural deficit in what schools offer children.

As shown by a recent study in Brussels, these exclusion processes have crucial impacts on dropout risk<sup>48</sup> and many scientific studies also show a statistic link between school dropout and delinquency<sup>49</sup>.

---

<sup>42</sup> IWEPS, *La situation des jeunes en Belgique francophone. Photographie statistique*, Namur, 2010.

<sup>43</sup> IWEPS, *La situation des jeunes en Belgique francophone. Photographie statistique*, Namur, 2010

See also Service public fédéral Economie, *Enquête sur les forces de travail*, 2011.

<sup>44</sup> « Les jeunes bruxelloises », *Bruxelles Santé*, n°54, avril 2009

<sup>45</sup> D. Favresse, *Etude de la santé des jeunes en décrochage scolaire et de la consommation du cannabis à l'adolescence*, Bruxelles, Ecole de santé publique, ULB, octobre 2000.

<sup>46</sup> And that costs 422 millions euros per year in the french community, according to *Le Soir*, 21 février 2014, p. 6.

<sup>47</sup> Unicef Belgium, *Egalité des chances à l'école? Voilà ce qu'ils en pensent*, Overpelt, Vaes, 2013.

<sup>48</sup> B. Galland, V. Hospel, *Etat des lieux du risque de décrochage scolaire en Région bruxelloise*, Forum belge pour la prévention et la sécurité urbaine, UCL, Région de Bruxelles-Capitale, décembre 2011, p. 49. In the Bruxelles-Capitale Region, 2007 Security Plan integrated, for every 19 districts of the region, a « watch and struggle against school dropout cell ». Based on the informations given by these cells, a local diagnosis on the school dropout factors was established for the Bruxelles-

For both strain theory<sup>50</sup> and social control theory<sup>51</sup>, the relationship a young person cultivates with the school, her involvement in school, play an important role in her becoming involved or not in delinquency.

In order to address the problems highlighted above, SAS « Parenthèse» was opened – the SAS’s action is much more than bringing back the pupil to a scholar structure. It is a deep work to restore the child’s self-confidence and to allow him to think of the future.

To bring a social, educational and teaching help means to collaborate with different actors following the problematics. The SAS has active partnerships with different sectors: justice, youth care, health, psychological care and social care, and of course, education.

### **Practices**

Self-worth of the child is thus the center of SAS’s action. The assumption is that to recognise a status of actor to the youngster within the frame of the SAS will stimulate his positive social insertion.

The SAS’s objective is triple: integrate the child in group teaching activities, allow him to build and develop a personal project and thereby recover confidence, in oneself and in the adult, in order to finally get reintegrated in a scholar structure.

*Parenthèse* insists on the importance of giving the youngster the credit of his capacity for discernment: he is always met alone first, his parents will be associated in a second time, but following the same first meeting. The institution’s goals, the work to be done, the collective life rules and the details of the activities are largely explained to the child and his parents. A convention is signed between the educational team, the youth and his parents, convention that describes in details the missions proposed to each co-signer. Finally, the child is invited to write a letter of intention, in order to freely express his expectations.

This desired and established proximity tends to generate an attachment from the youngsters to the adults, to the places but also between the children, by given them the feeling of belonging to a

---

Capitale Region.

<sup>49</sup> Fagan J.A. and Pabon E., ‘Contributions of delinquency and substance use to school dropout’, *Youth and Society*, 21, 1990, pp. 306–354; Jarjoura G.R., ‘Does dropping out of school enhance delinquent involvement? Results from a large-scale national probability sample’, *Criminology*, 31, 1993, pp. 149–172; Sweeten G., Bushway S.D. and Paternoster R., ‘Does dropping out of school mean dropping into delinquency?’, *Criminology*, 47 (1), 2009, pp. 47–90.

<sup>50</sup> Elliott D.S. and Voss H.L., *Delinquency and Dropout*. Lexington, Lexington Books, 1974.

<sup>51</sup> Hirschi T., *Causes of Delinquency*, Berkeley, University of California Press, 1969.

group which members all have in common a break-up experience and a will to « be » in the SAS.

Educative strategies of the SASs aim at generating an attachment from the youngsters to the SAS institution and to the adult educators who carry it. This attachment – or affective involvement- is the main educational lever that allows hoping in a conversion from the child regarding school and adults in general.

Workshops are organised to develop self-expression, imagination and competencies of the youngsters, putting them to form through different methods. Writing workshops, image production, films, documentaries, art workshops... the aim of the work is to tell each other their own story, through their experience, dreams or imagination. Social interaction is at stake, but also self-reconstruction.

### **Evaluation**

On the basis of several years of practice, of a research report<sup>52</sup> and of systematic evaluation interviews of the young people coming out of the SAS, different positive elements can be pointed at:

- From the youth point of view, the SAS is a scheme identified as a unique occasion for self-reassurance.

- The SAS appears as an alternative to school, more appropriate to certain audiences. It can thus also be used as a pedagogic laboratory and tests some practices that could be exported to regular schools, helping them to become spaces more open to diversity.

- The school reintegration system appears as an original prevention tool. Halfway between scholar life and social life, it touches the youngster at the deepest of his life experience and allows him to think of what is happening to him.

The prevention work has not only a « pacifying » aspect, intended to protect society. Prevention is also about giving a place to the youth and trying to avoid a break between the youth world and the adults' world.

- Finally, it should be noted that SASs are, from a strictly accounting point of view, much less expensive than special education or the hosting of dropped out youngsters by medico-psychological institutions. With a different type of supervisory staff and organisation, SASs manages on one hand to act on youngsters' behaviour and on the other to reintegrate them to the « regular » educational

---

<sup>52</sup> M. Cornil, *Espaces de resocialisation pour jeunes en décrochage scolaire*, Recherche action en éducation, rapport de recherche, Ministère de la Communauté française, 2000.

system.

## **1.2. Municipal platform for an integrated approach of prevention.**

### **The BRAVVO example**

Since 2004, Brussels city has put up an original prevention platform under the form of a non-profit organisation (Bravvo). It holds and manages all the city budgets dedicated to prevention policies (in a broad sense) and the total workforce in charge of these policies. Under the direct responsibility of the town council's politicians and of the policy-makers in social care (social action public centre), the platform is directed by the prevention officer mandated within the PSSP (strategic security and prevention plan).

Bravvo's activities, as well as its funding, are mixed, at the cutting edge of social policies and security policies. The platform aims at improving urban security, struggling against social exclusion and developing the quality of life in town.

Bravvo must implement an « integrated » prevention policy, which means a set of actions that make a link between situational crime prevention and a more social prevention.

Furthermore, a special organ called « general coordination » is there to ensure coherence between actions and the correct use of resources. General coordination also manages the partnerships with local stakeholders, in accordance with the PSSP's goals. As the platform ensures that all the projects, funding and actors get integrated in one single policy, its role is particularly crucial in integrating federal plans and regional plans for prevention.

### **Description**

Bravvo conducts its activities of integrated prevention along the following principal axes of intervention:

#### **Social and civic prevention**

This line of action starts from an assessment: the Brussels population gets younger and younger. Lots of these young people are in a particularly vulnerable situation and often without supervision.

These young people of Brussels are confronted to important socioeconomic difficulties and thus to a lack of means to participate in blooming activities. They also very often act in reference to different

codes and values than the ones of older generations.

This situation stresses the conflicts of generation, the appearance of violence and the feeling of insecurity. In front of this situation, a platform of educational care was set up by Bravvo, mainly in districts that are socially and economically discriminated. The platform is based on three tools: street workers, youth centres and community centres.

### **Prevention through presence in the neighbourhoods**

This service sets up and coordinates the town guards. The « town guard », as defined by the law, is a municipal agent that has mission to increase the safety feeling of the citizens and to prevent public nuisance and crime. This mission includes raising public awareness in safety and crime prevention in the public space, around schools and during events organised by the municipality.

The Brussels town guards cannot make a report on someone. Their work only completes that of the local police. The local police exercises the repression and Bravvo assumes an important part of the preventive work. In this context, no prevention agent of Bravvo is authorised to make notes of infractions of the general police regulations.

### **Conflicts prevention**

This working axis of Bravvo wants to maintain, or to restore, a harmonious cohabitation in Brussels and to avoid the degradation of interpersonal relations.

The mediation projects implement communication mechanisms and mechanisms that are made to restore the social bonds among citizens. The role of the mediator is to help the protagonists to solve the conflicts.

#### *Local mediation*

The team of local mediation proposes mediation if a Brussels inhabitant meets a conflict with a neighbour, a friend or within a couple or family. The multidisciplinary team is decentralised and stays at the disposal of the people from Brussels, whatever district they live in.

#### *Social mediation*

The mission of social mediators is to inform the public, to create a social link and a positive dynamics in districts, to facilitate the relations between the citizens and the institutions, to anticipate problematic situations and to propose solutions to the local power.

#### *School mediation*

The school mediators are integrated into the schools of the City of Brussels who practice affirmative action (« positive discrimination »). They fight against school dropout.

### **Prevention by the quality of life**

These projects want to improve the living conditions of the inhabitants such as the housing conditions and the development of public spaces.

Projects ensure a bound between physical renovation (renovation of housing, embellishment of the physical space) and social projects (support, strengthening of the social ties).

### **Prevention by alternative measures and sentences**

Bravvo put up 2 processes for alternative measures and sentences - *The Supervisory service of alternative judicial measures (SEMJA) and Mediation in administrative fines*. They aim at a diversification of the penalties or procedures of repair answering delinquency or incivilities and a better adaptation of the answer to these facts.

## **2. Some concluding remarks**

The establishment of an effective prevention policy begins with the definition of a youth policy which allows formulating more general and cross-cutting objectives (education, health, support, leisure, etc.). The first place for juvenile delinquency prevention is nevertheless the school<sup>53</sup>. This institution continues to operate as a "social elevator". It is with school failure that most of the exclusion processes begin. The issue of prevention opens on the issues of inclusiveness and of the existence of a space for debate. Prevention policies must absolutely avoid reinforcing punishment and exclusion - creating isolated areas or policies, restricted to certain public - but rather encourages discussion and negotiation.

\*\*\*

---

<sup>53</sup> See J. Moriau and S. Van Praet, "The institution hidden behind correlations : Interrogating the link between school failure and delinquency" in D. Sorvatzioti *et alii*, *Critical Views on Crime, Policy and Social Control*, Nicosia, University of Nicosia Press, 2014, pp. 74-90.

## England and Wales<sup>54</sup>

### 1. Brief overview of English and Welsh legislation and measures

The criminal justice system in England and Wales did not distinguish between adult and juvenile offenders until the early twentieth century, when the Children Act's 1908<sup>55</sup> established the principle of dealing with juvenile offenders separately from adult offenders. In the same year the Crime Prevention Act 1908<sup>56</sup> also set up the first young offender's institution. Later, the Children and Young Persons Act 1933<sup>57</sup> introduced a statutory principle that courts must have particular regard to the welfare of the child and in 1963 the age of criminal responsibility was raised from eight to ten years old.

In 1996 the Audit Commission published 'Misspent Youth: Young People and Crime'<sup>58</sup>, which found that there was no integrated youth justice system in England and Wales and highlighted a number of deficiencies. This prompted a fundamental change to the structures and framework for responding to offending by under-18s, most notably through the Crime and Disorder Act 1998<sup>59</sup> ('the CDA 1998'). This Act defined the principal aim of the youth justice system as 'to prevent offending by children and young persons'. It placed a duty on every local authority to establish and fund a multi-agency youth offending team for their area (YOT), to coordinate youth justice provision.

At national level, a Youth Justice Board (YJB) was established to monitor and advise the Secretary of State in relation to the youth justice system; monitor steps taken to prevent offending by young people; identify, spread, and make grants to develop good practice; and enter into agreements for the provision of secure accommodation for the detention of under-18s in custody. The CDA 1998, and subsequent legislation, also made significant changes to the types of sentences and out-of-court disposals available for young offenders.

---

<sup>54</sup> Created on the basis of the research report in the project "Keeping Youth Away from Crime: Searching for Best European Practices" by Daniel Breger, available at: <http://www.oijj.org/en/keeping-youth-away-from-crime-results>.

<sup>55</sup> 1908 Children's Act was created to protect the poorest children in society from abuse: <http://www.intriguing-history.com/childrens-act/> (last visited on 12.04.2014).

<sup>56</sup> Prevention of Crime Act 1908: <http://www.legislation.gov.uk/ukpga/1908/59/contents/enacted> (last visited on 12.04.2014).

<sup>57</sup> Children and Young Persons Act 1933: <http://www.legislation.gov.uk/ukpga/Geo5/23-24/12/contents> (last visited on 12.04.2014).

<sup>58</sup> Misspent Youth: Young People and Crime: <http://ej.uz/v2jq> (last visited on 12.04.2014).

<sup>59</sup> Crime and Disorder Act 1998: <http://www.legislation.gov.uk/ukpga/1998/37/contents> (last visited on 12.04.2014).

In a criminal justice context, the primary aim of the youth justice system in England and Wales is to prevent youth offending or re-offending (Crime and Disorder Act 1998 s. 37(1))<sup>60</sup>. Further, section 142A of the Criminal Justice Act (CJA) 2003<sup>61</sup> (inserted by the Crime and Immigration Act 2008) puts on statutory footing the particular factors a court must take into account when sentencing and offender aged under 18 year olds. This requires courts to have specific regard to (a) the principal aim of the youth justice system (which is to prevent offending (or re-offending) by persons aged under 18), (b) in accordance with section 44 of the Children and Young Persons Act 1933, the welfare of the offender, and (c) the purposes of sentencing (namely: the prevention of reoffending; punishment; reform and rehabilitation; protection of the public, and reparation by offenders to person affected by their offences).

The most significant recent reforms to youth justice were made by the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO)<sup>62</sup>. In particular, this has dramatically increased sentencer discretion in respect of young people in conflict with the law.

Lastly, as a signatory to the UN convention on the Rights of the Child the UK (and therefore England and Wales) are duty bound to treat the use of custody for under 18 year olds as a last resort.

## **1. Promising practices in early juvenile crime prevention**

### **1.1. Child skills training**

Among programmes aimed at the individual, one type of programme stands out as particularly effective - Child skills training which aims to teach children social, emotional, and cognitive competence by addressing appropriate effective problem solving, anger management and emotion language.

Best Practice: Child skills training is especially effective when applied to smaller (more manageable) class sizes, employs cognitive behavioural techniques of instruction and is targeted at older and high risk young people.

---

<sup>60</sup> Crime and Disorder Act 1998 s. 37(1), see more: <http://www.legislation.gov.uk/ukpga/1998/37/contents> (last visited on 12.04.2014).

<sup>61</sup> Section 142A of the Criminal Justice Act (CJA) 2003 (inserted by the Crime and Immigration Act 2008), <http://www.legislation.gov.uk/ukpga/2003/44/contents> (last visited on 12.04.2014).

<sup>62</sup> Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO): <http://www.legislation.gov.uk/ukpga/2012/10/contents> (last visited on 15.04.2014).

Effective school based programmes tend to be those aimed at changing the school environment as opposed to interventions that focus on changing the individual alone. This includes:

The reorganisation of grades or classes to group together high-risk or disruptive pupils for periods of the school day, while teaching them with alternative curriculum material and using cognitive behavioural techniques. Classroom or instruction management interventions emphasising interactive instructional methods using cognitive behavioural techniques. School discipline and management strategies, particularly those which draw on teams of staff and members of the local community to change the decision-making process or authority structures of the school in order to enhance its general capacity.

Within the community, both mentoring and after school recreation programmes were identified as promising. Mentoring typically involves a non-professional drawn from the community spending time with an at risk young person in a non-judgemental, supportive capacity whilst also acting as a role model.

Best practice: Mentoring is more effective when applied as part of a programme of interventions, where meetings are at least once a week and five or more hours in duration with an emphasis on emotional support, and where the mentor is motivated by professional advancement.

After school recreation offers young people the opportunity to engage in and learn skills in a range of activities including non-academic ones.

Best practice: Only effective if the programme is highly structured and includes proper supervision.<sup>63</sup> Ultimately, although there are few explicit school-based programmes primarily aimed at reducing youth crime and antisocial behaviour in the UK, the strategies that are employed represent a whole-school approach to tackling behaviour and discipline, aimed at affecting change to the school environment through authority structures and decision-making processes. Certain specific activities may also lead to positive gains in these areas. SEAL, for example, is a good example of an effective child skills training programme.

Apart from the school based programs, there are additional three examples of promising practices in early juvenile crime prevention. The Triage scheme intends to assess and divert young people held in

---

<sup>63</sup> Andy Ross, Kathryn Duckworth, David J. Smith, Gill Wyness and Ingrid Schoon "Prevention and Reduction: A review of strategies for intervening early to prevent or reduce youth crime and anti-social behaviour", Research Report DFE-RR111. Available at: <http://www.natcen.ac.uk/media/25254/prevention-reduction-review-strategies.pdf> (last visited on 20.04.2014).

police stations following commission of low-level offences. Through involving the YOT at an earlier point than in a standard process, police are advised of factors relevant to the decision to charge (including unmet welfare needs or other underlying problems). Young people, who engage with interventions, typically including a restorative justice element, have their cases closed without a criminal record. An evaluation found promising stakeholder perceptions of the scheme, but reported insufficient data to establish effectiveness as consistent measurement was not included in pilot areas. Triage currently operates in 69 localities.<sup>64</sup>

The Ministry of Justice cited promising early findings from Triage initiatives, which bring YOT workers into police custody suites to assess young people and ensure information is shared between children's or social services and the police, to help inform charging decisions and ensure that appropriate support is provided by agencies outside the criminal justice system.<sup>65</sup>

## **2.2. Youth Justice Liaison and Diversion (YJLD)**

Youth Justice Liaison and Diversion (YJLD)<sup>66</sup> aims to identify under 18-year-olds with mental health issues, learning disabilities, speech and communication problems, or other vulnerabilities as early as possible in the youth justice system and to divert them to supportive services outside the system or ensure that their needs are known and addressed within the system. An evaluation of the pilot schemes reported significant reductions in time to reoffending and improvements in mental health outcomes. YJLD operates in 36 pathfinder sites.

The government has committed to make liaison and diversion services available nationally for all ages from 2014. For both of these schemes, there is no national model – operational details, importantly including the nature of the partnership between police and YOTs, are determined locally.<sup>34</sup> While they appear to be promising, more outcomes evidence will be necessary to encourage and shape their development across the country. Meanwhile they may already be serving to advance a consensus that, where a young person's offending is caused by underlying unmet needs, it can be more effective to address these needs than to take the case forward.

---

<sup>64</sup> See page 46 desk research.

<sup>65</sup> p8 HC report.

<sup>66</sup> Youth Justice Liaison and Diversion (YJLD). For more information see also: <http://www.chimat.org.uk/yj/yjld> (last visited on 25.04.2014).

### **2.3. Youth Justice Pathfinders (YJP)**

Youth Justice Pathfinders (YJP)<sup>67</sup> is exploring means of further reducing the use of custody via the Youth Justice Reinvestment Pathfinders schemes, which commenced at the end of 2011 in Birmingham, North-East London, West London and West Yorkshire, to explore robust and credible alternatives to custody, thereby reducing its use. Under the scheme, the YJB invests a proportion of the central custody budget in local authority schemes, on the basis that those authorities reduce their use of custody by an agreed amount over a two-year period. Submissions to our inquiry were positive about the aims and designs of the schemes. For example, the Howard League praised the fact that they draw together agencies locally from both within and without the criminal justice tramlines. By their nature, they focus on the most difficult children in the system, which mitigates the risk of cherry-picking inherent to some of the payment by results models in the adult system.

In addition to these better-known diversion schemes, individual YOTs have an array of diversion practices and programmes tailored to meet their local circumstances. The Youth Justice Board has a statutory duty to “identify, to make known and to promote good practice”<sup>35</sup> and maintains an “Effective Practice Library”<sup>36</sup> intended to satisfy this requirement.

### **3. Some concluding remarks**

The work of preventing young people unnecessary falling into a cycle of crime cannot be undertaken by the youth justice system alone, but requires the involvement of welfare agencies, such as children’s and family services, and child and adolescent mental health teams.

Measures put in place to tackle the above-mentioned difficulties might include whole-family support programmers, and speech and language therapy. Ultimately, the presence of positive factors in children’s lives, such as good family relationships, can protect children with these problems from committing offences.

\*\*\*

---

<sup>67</sup> *Youth Justice Reinvestment Pathfinders schemes*. For more information, please see: <http://ej.uz/xipm> (last visited on 25.04.2014).

## Italy<sup>68</sup>

### Abstract

Both early and secondary prevention are devolved to all the public and private actors who operate in the juvenile justice, care and protection systems. However, as there is not a centralized intervention, the way in which activities from the perspective of delinquency prevention are implemented changes regionally and locally. Regions and the other local entities in Italy have been given different forms of autonomy: legislative, administrative, and financial<sup>69</sup>. Italy is also characterized by historical differences between three macro-areas: North, Centre and South, with particular distance between North and South on many aspects.

These differences are recurrent also in the actual efficacy of the systems and programs aimed at preventing children from delinquency. The present overview will describe the different components involved in juvenile delinquency prevention: juvenile justice and the systems for child care and protection.

### 1. Juvenile Justice and its principles

The Italian juvenile justice system is the result of a cultural and academic process of recognition of child rights protection at international level that dates back around the beginning of the 20<sup>th</sup> century. This process led to the United Nations<sup>70</sup> Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules, 1985), related to children involved in the justice system, and to the UN Children Rights Convention in 1989. Following this international development, Italy started to domesticate the international conventions and standards on child protection and to add this priority in the political agenda.

The decree D.P.R. 448/1988, Regulations on the criminal proceeding involving children introduced new criminal law procedures specifically addressing children and different from the ones provided for

---

<sup>68</sup> Created on the basis of the research report in the project “Keeping Youth Away from Crime: Searching for Best European Practices” by Silvia Randazzo, available at: <http://www.oijj.org/en/keeping-youth-away-from-crime-results>.

<sup>69</sup> Italian Constitution – Part II, Title 5, Organisation of the Republic:  
[http://www.governo.it/Governo/Costituzione/2\\_titolo5.html](http://www.governo.it/Governo/Costituzione/2_titolo5.html) (last visited on 10.02.2014).

<sup>70</sup> Further: UN.

adults<sup>71</sup>. The other peculiarity of the Italian system is the presence of a dedicate juvenile court ('Tribunale per i Minorenni'), established in 1934 with administrative, civil and criminal jurisdiction. At first, it was composed by two magistrates and one male expert in children's issues, being health, social worker, psychologist, criminologist with proven expertise on children's issues. In 1956, these professionals became two and the law established that they have to be a female and a male. Since then, two magistrates and two professional experts compose the Court<sup>72</sup>.

For the first time, law D.P.R. 448/1988 put the child offender into a key position in all the phases of his/her own proceeding.

The Justice System intends not only to ascertain the individual responsibilities for the occurred offence, but to protect the child and provide him/her with an individualized programme of rehabilitation and reintegration, keeping into account his/her specific needs and resources at the same time<sup>73</sup>. This essential approach was also remarked in the interviews to experts: the guiding principle of the Italian juvenile justice system is that it is 'child-centred'. The child is the focus of any intervention, and the main and constant objective of the proceeding is his/her reintegration in the family/community and his/her development without interruptions. Among others, the juvenile justice system builds mainly upon the principle of the minimum harmfulness of the proceeding and the residual use of detention<sup>74</sup>.

## **2. Juvenile delinquency's early prevention in Italy**

Among the large variety of methodologies for early prevention of juvenile delinquency in Italy, some general patterns of interventions have been identified in a study realized within the European Programme "Prevention of and Fight against Crime", European Commission Directorate General Justice Freedom and Security. Project 'JUST' was realized and published in 2011 by Save the Children Italy in partnership with the Italian Ministry of Justice – Department of Juvenile Justice, the Romanian and the

---

<sup>71</sup>Decree of the President of the Republic on the Approval of the Criminal Procedure Involving Juvenile Defendants, D.P.R. 448/1988 ('Disposizioni sul processo penale a carico di imputati minorenni'), available at: <http://www.legislationline.org/documents/id/5129> (last visited on 10.02.2014).

<sup>72</sup>Law 27.12.1956, n. 1441 (gu n. 002 del 03/01/1957) on 'Participation of women to justice administration in Courts of Assizes and Juvenile Courts' ('Partecipazione delle donne all'amministrazione della giustizia nelle Corti d'Assise e nei Tribunali per i minorenni'), available at <http://ej.uz/nrd2> (last visited on 10.02.2014).

<sup>73</sup>This strong attention to the child personality comes out at art.9 D.P.R. 448/88, art. 13, and again art. 19, 28 and 29.

<sup>74</sup>More details on the guiding principles of the Juvenile Justice System in Italy are available on the Ministry of Justice website, at: [http://www.giustizia.it/giustizia/it/mg\\_1\\_12\\_1.wp?facetNode\\_1=0\\_6&facetNode\\_2=0\\_6\\_2&previousPage=mg\\_1\\_12&contenId=SPS973590](http://www.giustizia.it/giustizia/it/mg_1_12_1.wp?facetNode_1=0_6&facetNode_2=0_6_2&previousPage=mg_1_12&contenId=SPS973590) (last visited on 10.02.2014).

Greek Ministry of Justice, Save the Children Romania and Arsis (Greece)<sup>75</sup>. It presents the best practices in juvenile recidivism prevention and social reintegration of juveniles who entered already the justice system. Even though this is mostly about secondary prevention, this study identifies three broad methodologies of delinquency prevention, which intervene in three crucial areas for children's development, functioning also as primary prevention: outreach, social and family mediation, and interventions to prevent and contrast school dropouts.

The vast majority of programmes and projects implemented in Italy for the aim of early prevention fall into one of these three categories.

**Outreach** and street education: this method consists of reaching children and youths directly in the streets where they spend most of their time, especially the ones at-risk and coming from disadvantaged families and contexts. Once they have built the first contact with the operators, they will have the possibility to benefit from the informative and educational services, and recreational activities implemented directly in the streets.

**Social and family mediation:** mediation is a way of solving conflict, with the intervention of a third impartial actor who intervenes between the ones directly involved, in order to find a satisfying solution for both parties. It can be applied in any context, and social and family mediation aims at supporting children and youths who live in particularly disadvantaged families (economic support, psychosocial assistance, ...), and at supporting their social integration. This method is in fact very effective with migrant and unaccompanied children.

**Interventions to prevent school dropouts:** this category comprises all the interventions aimed at improving learning conditions, working on children and teachers' motivation, developing scholastic orientation and professional practical trainings, enhancing and ameliorating the educational proposal

---

<sup>75</sup> Save the Children Italy in collaboration with Save the Children Romania, ARSIS-Greece and the Italian Ministry of Justice – Juvenile Justice Department, *JUST – Juvenile Justice. Development of child rights based methods of intervention to prevent juvenile crime and promote reintegration of young offenders. Italy, Greece, Romania. Manual of presentation of methods of intervention*, 2011, available at [http://images.savethechildren.it/f/download/01/01\\_manual\\_just\\_methods.pdf](http://images.savethechildren.it/f/download/01/01_manual_just_methods.pdf) (last visited on 10.02.2014).

for children and youths, investing more resources in both human resources (teachers and their trainings) and structures.

Project 'The teacher'('U' Mastru', in Sicilian dialect), Sicily <sup>76</sup>	Project 'Writers Street-art. Let's paint the city' ('Writers Street-art. Coloriamo la città'), Veneto <sup>77</sup>
<p><b>When:</b> since 2002-2003</p> <p><b>Who:</b> Institute 'Don Calabria'</p> <p><b>Where:</b> province of Palermo (Termini Imerese)</p> <p><b>For whom:</b> youths at risk reported by the Juvenile Court of Palermo for small crimes or anti-social behaviours</p> <p><b>Why:</b> supporting and promoting professionalization and social integration</p> <p><b>How:</b> vocational training, day-care centres for the youths to meet and develop professional skills</p>	<p><b>When:</b> 2013, 2014</p> <p><b>Who:</b> Municipality of Verona and Institute 'Don Calabria'</p> <p><b>Where:</b> municipality of Verona</p> <p><b>For whom:</b> any youth who wants to participate to the contest, youths from schools together with youths reported by the authorities and young artists</p> <p><b>Why:</b> promoting young writers' creativity in the appropriate locations, training youths to respect others' property and improving the conditions of some degraded areas of the city</p> <p><b>How:</b> contest with prizes for artistic projects and ideas aimed to upgrade some degraded areas and/or structures. Some well-known artists and writers participate also as trainers for peer-education.</p>

Another big interesting project implemented in collaboration with the Sicilian offices of 'Don Calabria' Institute has been collected from the interviews: project 'Prism' ('Progetto Prisma'). It is a very articulated and multi-activities program, implemented in Sicily.

<sup>76</sup> Please find more details on the Study Centre of the 'Don Calabria Institute website at: [http://www.centrostudi-odc.it/index.php?option=com\\_content&view=article&id=74&Itemid=70](http://www.centrostudi-odc.it/index.php?option=com_content&view=article&id=74&Itemid=70) (last visited on 10.02.2014).

<sup>77</sup> The competition announcement is available on the Verona online magazine at <http://www.verona-in.it/2014/01/20/bando-di-concorso-writers-street-art-coloriamo-verona/> (last visited on 10.02.2014).

### **Project 'Prism' ('Progetto Prisma'), Province of Caltanissetta (Sicily)**

**When:** September 2010 – February 2013

**Who:** Three municipalities (Associate Partners): San Cataldo, Marianopoli and Santa Caterina Villamosa (Province of Caltanissetta) and three Associations (Associate Partners): 'TAM TAM La porta del sole', 'CeFoCuS' and 'L'Arca'. They divided the activities to be implemented according to their population (the municipalities) and their previous experience (the associations). Municipality of San Cataldo was the leader authority, which coordinated the implementation of the activities, being the most populated among the three associated municipalities.

**Where:** Province of Caltanissetta

**For whom:** Children and youths reported by the Juvenile Court or by the social services, and any other child and youth who wanted spontaneously to participate to the activities.

**Why:** upgrading the territory, in the province of Caltanissetta, through juvenile participation, in order to facilitate and support social integration and to prevent deviance and delinquency risks

**How:** The project implementation was divided into four main ACTIONS:

1. 'Growing-up together. Youths protagonists of their territory' ('Crescereinsieme. Giovani protagonisti del territorio'). It is divided into 6 macro-activities aimed at promoting youths' creativity to support social participation
2. 'Promoting healthy life-styles and positive behaviours: Educating to legality'
3. 'Healthy life-styles and positive behaviours – Health and wellbeing: life belongs to me'
4. Support to the intergenerational family relationships: family and youths

### **3. Promising practices**

Before going through the presentation and description of the selected promising practices, some criteria that have been used for the selection will be here clarified. As said in the introduction of the present section, at first this selection is the result of the assessment made by the experts interviewed and of an assessment made by the author, keeping in mind some evaluation criteria identified by UNODC: each project's efficacy, efficiency, impact, relevance, sustainability and transferability. In turn, for conducting this assessment some criteria have been used:

- The realisation of proper and grounded analysis of the context and the specific issues to address, prior the design of the project;
- The focus on categories of particularly vulnerable children;

- The attention to fundamental principles of non-discrimination and children participation;
- The implementation of comprehensive programme and differentiation of the activities proposed;
- The sustainability of the project is deemed extremely important over all, with continuation of a single project over the years, with the same methodology to testify its success formula.

### **3.1 Invisible City Foundation – Life School ‘Falcone-Borsellino’ (‘Fondazione La Città Invisibile – Scuola di vita Falcone-Borsellino’)**

One of the identified promising practices comes from Sicily, an island situated at the extreme South of Italy. In particular, the context of implementation of this project is Catania, province of Catania and Syracuse, historically characterized by a strong presence of mafia<sup>78</sup>.

The idea of establishing a music school with children and youths’ orchestras in the most disadvantaged neighbourhoods of Catania and its province came from the well-known and consolidated experience of the so-called “Abreu method”. Josè Antonio Abreu is a Venezuelan orchestra conductor, educator and activist who rescued about 350.000 boys and girls through music and education. The ‘Invisible City Foundation’ (‘Fondazione CittàInvisibile’)<sup>79</sup> established in 2009 and developed various music schools for children in the city of Catania and around the province. They offer free trainings on instruments and free studying material for children to learn how to play and to perform within one of the three orchestra resulted from this project. This method has been transmitted directly from Abreu’s followers who supported the school’s teachers for about two years.

The name of the project, ‘Invisible City’, refers to the often invisible disadvantages of many children and youths in particularly marginalised contexts, and to the quite ‘invisible’ method used to support them and divert them from an even more marginalised and often deviant path: an educational method which aims at the empowerment of every and each individual. The mission of the Foundation has been, to give support and offer a positive and valuable alternative to children and youths at risk,

---

<sup>78</sup> Catania registers one of the most active and vital realities of mafia in Sicily. It is characterized by the presence of many groups and Catania’s mafia families still have a leading role in the mafia’s business in Eastern Sicily. It has been dealing over the years with extortions, drug trafficking and infiltration of public contracts (Annual reports from the National Direction Anti-mafia (‘Direzione Nazionale Antimafia’, DNA) on the activities carried out by the national prosecutor anti-mafia and on the dynamics and strategies of organized crime of mafia-type).

<sup>79</sup> ‘Invisible City’ is a private entity founded in 2009, which works in synergy with other Institutional partners: Moral involvement of the Senate of the Italian Republic, Regional Sicilian Assembly, Regional Province of Catania. Private support from ANLAI Ass. Artistic Italian Lute Making (Liuteria ArtisticaItaliana), with donations of instruments for the children. More information are available on the website at <http://www.fondazione lacittainvisibile.it/> (last visited on 10.02.2014).

through education to culture and legality, and through individual empowerment. In doing so, the project involves professional with various backgrounds: music teachers using the 'Abreu' method, life-coaching experts, poets, theatre actors and journalists.

Children and youths at risk who enter in contact with the school are reported by the authorities, social services or any other public or private individual or entity and are introduced to the music training. The training has a practical approach, where teachers first try to communicate the emotional participation and beauty of music in itself and of playing all together, respecting each other voice/sound and timing, through a sharing experience and a strong effort to boost each child's self-esteem.

Group music classes are always preceded by life-coach sessions on legality and social cohesion, and by interventions aimed at stimulating children's life skills, such as concentration, memory, creativity, book and writing therapy sessions and various classes, in order to promote a sharing and collaboration perspective among the children and youths involved. The objectives to achieve are:

- Self-esteem improvement
- Rules' compliance and culture of legality
- Ability to build positive relationships with the others

The main aspect, which deems this to be a good practice and which can be translated in a recommendation, is the use and transmission of Culture's symbolic and effective value for self-esteem, individual development and social interaction. In particular, using and teaching to the children and youths the principles of the music orchestra, where many and very different instruments play together aiming at the same goal and with a harmonious outcome; and adapting them to daily life and social interaction.

### **3.2. Civico Zero project**

The other promising practice identified in the child protection system in Italy, has been implemented since 2008 in Rome, in particular the centre of the city. The phenomenon analysed and targeted is a significant presence on the territory of migrant children. They are often unaccompanied, come with families who live in very disadvantaged conditions and poverty or are victims of trafficking.

'Civico Zero' is a Save the Children Italy project that started at the end of 2008, after the closure of a previous Save the Children project, 'Colourful horizons' ('Orizzonti a colori'), which specifically

addressed migrant children within the juvenile justice system<sup>80</sup>. The first phase of ‘Civico Zero’ lasted one year, until the end of 2009, which the first Save the Children report and this present study refers to<sup>81</sup>.

It came out from the previous observation that in Rome a diurnal youths’ centre was missing, in order to provide youths – especially the ones living in the streets or particularly vulnerable/at risk – with support, protection and orientation towards the school and/or work environment. Therefore, a daytime centre for children and youths was established, gathering children of every nationality, with a specific focus on unaccompanied minors who live in the streets. In particular, the project addresses migrant boys and girls (and their families when present) in disadvantaged situations, juveniles within the justice system, at risk of trafficking, abuse and commit crime, to improve their life conditions and their rights. Beneficiaries have been children around the age of 12 to 18 years old, with a specific attention to migrant and unaccompanied children, reported by the Court or by social services as being at risk, or gone spontaneously into the day care centre.

The areas of intervention and beneficiaries of this project are various and multi-dimensional:

**The street:** children and youths involved in prostitution, criminal activities and begging. A Mobile Unit – daytime and night-time – provides them with help, street education and orientation, to monitor and reduce the risk;

**Penal/criminal area:** children and youths in the First care centres for pre-trial detention measures, in the juvenile facilities or in social services’ custody. Various activities are put in place: daytime interventions, social mediation with the families and the communities, peer education, entertainment, linguistic and cultural mediation, legal counselling;

---

<sup>80</sup> This project has been implemented with the participation of some Institutional partners: Centre for Juvenile Justice (‘Centro di Giustizia Minorile) in Lazio, both at central level and at local level with the Juvenile Social Services Offices (USSM), the First care centre (CPA) and the Juvenile Facility (IPM); Municipality of Rome – V Department Minors and Families: juveniles’ communities in Rome and in the Province; Centre “Borgo Ragazzi Don Bosco”, which provides youths with orientation courses to the school and to professions, and the offer of 12 traineeships with work-scholarship; International Centre on Education and Development (CIES), for the service of linguistically-cultural mediation; National Institute for the promotion of health of migrant population and contrast of diseases and poverty; Association “Virtus Pontemammolo” for the victims of trafficking and prostitution; Specific collaboration have also been established with other associations: Agency ‘Codes’ (‘Agenzia Codici’), for a project’s methodological supervision and potential research-action activities; The office for the Authority on Childhood and Adolescence Rights in Lazio for support in the activities related to the right to participation.

<sup>81</sup> The report from the first year of activities (2008-2009) is available on the Save the children Italy website, at [http://images.savethechildren.it/IT/f/img\\_publicazioni/img58\\_b.pdf](http://images.savethechildren.it/IT/f/img_publicazioni/img58_b.pdf) (last visited on 10.02.2014).

**Spontaneous Roma Settlements:** children and youths at risk of social exclusion and marginalization. A daytime Mobile Unit intervenes with social mediation activities, entertainment, peer education, workshops, health education and other various support activities;

**Day care centre ‘Civico Zero’:** for children and youths, under aged and young adults. Many activities implemented: day-care and basic services; children vulnerabilities’ analysis and referral; information about their rights and gathering information on rights’ violations; protection interventions; educational and recreational activities; workshops; peer activities; legal counselling; work and education counselling; medical screening and health education/counselling.

The fundamental principles applied in the Centre were participation, non-discrimination, reciprocal respect and nonviolent self-regulation. Children have directly been involved in the activities’ planning and management, through consultations, peer education and programming new activities;

**Local network of services and actors:** for children and youths, under aged and young adults. Operational connections with private and institutional services and actors present on the territory and working on child protection, to realize joint and integrated actions, such as educative, recreational and work/school counselling;

**Professionals with different backgrounds are involved:** the project-team is made by educators, a psychologist/educator, three cultural mediators (Egyptian, Afghani and Roma), social operators, legal counsellors, and by a group of peer educators. In addition, operators from the local services are mobilized and collaborate to the implementation of some project’s activities (doctors, operators for vocational trainings).

#### **4. Some concluding remarks**

Despite the spread awareness on the crucial importance of juvenile delinquency’s early prevention interventions as a child protection commitment the government and all the private and public actors should take charge of, many things have still to be done in Italy to make these interventions effective and sustainable. For example, to:

- Establish a national coordination body/system, where there is no overlapping between projects and where a prompt answer to children and families’ needs is guaranteed, no more within an “emergency approach”.

- Establish a centralised monitoring and evaluation system of the existing programs/projects. The lack of such a system often causes a waste of resources, being funds invested in a large variety of projects without a proper assessment (efficacy, efficiency, relevance, impact, sustainability, transferability).

\*\*\*

## Scotland<sup>82</sup>

### 1. Brief overview of Scotland's legislation and measures

Current policy trends in Scotland include: emphasizing early intervention rather than provision at the point of crisis; investing in early years services; integrated working across services for children; and holding services accountable by outcomes, rather than focusing on processes.

The Children and Young People (Scotland) Act 2014 addresses 5 areas: strengthening the role of children's rights in the design and delivery of policy and services; legislating for *Getting it Right for Every Child* (GIRFEC, see below); improving early years provision; improving services for looked after children (i.e. children who are in the care of a local authority, who may be at home or may be living away from home); addressing certain legal gaps in secure accommodation (i.e. children are not able to leave freely from this accommodation) and other areas.

Children's wellbeing is at the heart of the Scottish Government's *Getting it Right for Every Child* (GIRFEC) programme, which is the common thread connecting all children's services. GIRFEC aims to improve the learning outcomes and life chances of all children by ensuring they are safe, healthy, achieving, nurtured, active, respected, responsible and included. Great emphasis is placed on the 'team around the child' working together to 'get it right'.

The Commissioner for Children and Young People in Scotland was established in 2004. The task of the Commissioner is to safeguard and promote children's rights in Scotland and to advocate for legislative and policy changes to underpin these rights.

Education, as the universal service provided to all young people, is seen as central to the creation of a more equal and inclusive society. In 2004, Scotland abandoned the term 'special educational needs', used to describe children and young people with learning difficulties and disabilities, and instead adopted the term 'additional support needs', intended to include all children experiencing difficulty in learning for whatever reason.

Juvenile crime prevention is a priority in Scotland, across services. It fits within the general emphasis on early intervention and prevention, moving from crisis to preventive spending. *Preventing*

---

<sup>82</sup> Created on the basis of the research report in the project "Keeping Youth Away from Crime: Searching for Best European Practices" by Gillean McCluskey, Sheila Riddell, Mary Mitchell and Kay Tisdall available at: <http://www.oijj.org/en/keeping-youth-away-from-crime-results>

*Offending by Young People: A Framework for Action* (2000)<sup>83</sup> is the key policy document, in relation to preventing youth offending in Scotland.

The Framework demonstrates several overarching changes of emphasis, after the election of 2007. One, the Government instigated a shift in national youth justice policy, towards early intervention, prevention and diversion. Two, the Government and COSLA (the Convention of Scottish Local Authorities) published the Concordat, agreeing to work together in policy development. Fifteen national outcomes were set, to lead public delivery. The Scottish Government directs policy by making Single Outcome Agreements with local authorities – the focus is then on these high-level outcomes. Third, ring-fenced funding was thus abolished, including that for tackling offending by young people. Local authorities now determine how to spend their resources, with their accountability to the Scottish Government through the single outcome agreements.

## **2. Promising practice in early juvenile crime prevention**

### **2.1. Edinburgh Pre Referral Screening (PRS)<sup>84</sup>**

Pre Referral Screening (PRS) began in Edinburgh in July 2008. The aim of PRS is to divert children and young people involved in offending behaviour, to appropriate interventions through partner agencies. Thus children and young people will receive the help they need, when they need it.

The Pre Referral Screening (PRS) is a weekly operational group meeting of key partners, including police, social work, community safety, education and the Child and Adolescent Mental Health Service (CAMHS). They meet to discuss children and young people aged eight to 17 years who have been reported for an offence. Where appropriate, the children and young people discussed will be diverted from SCRA or the Procurator Fiscal to services. An information sharing protocol has been agreed between partners. Representatives from partner agencies who attend the PRS meeting have the authority to allocate the resources identified.

Each week the Police Juvenile Liaison Officer screens all juvenile offence notifications forms, commonly referred to as TA83s, that have been submitted by officers across Edinburgh.

---

<sup>83</sup> Scottish Government. (2008). *Preventing Offending by Young People: A Framework for Action*. Edinburgh: Scottish Government.

<sup>84</sup> Youth Offending 2013 Edinburgh's Pre Referral Screening – Annual Summary April 2012 to March 2013. City of Edinburgh Council.

The Juvenile Liaison Officer sends a list of children and young people to be discussed at the PRS to representatives for individual agency database checks. Information available for each case forms the basis for the weekly PRS discussion. The following options are available to the PRS for every case:

- Police: the case is retained by Police Scotland to issue a Police Warning or restorative justice warning.

- Community Safety: The child or young person is diverted to Community Safety who may address the offence by issuing a warning letter, Acceptable Behaviour Contract (ABC) or community based activity.

- Education: The child or young person is diverted to the Education Welfare Service for the issues to be addressed either by the Education Welfare Officer or school staff. Information is passed to the head teacher and kept on the pupil's school record.

- Diversion to either Youth Offending Service or Social Work practice team.

- Referral to the Children's Reporter

The PRS has had a significant impact on the number of children young people referred to the Children's Reporter – there has been a 31% reduction in referrals on offence grounds between 2008 and 2012. This has led to a reduction in the number of report requests from the Children's Reporter and thus helped to ensure that services for children and young people involved in offending and antisocial behaviour are provided in an appropriate, proportionate and timely manner.

## **2.2. Restorative Practices in education (RP)**

Restorative Practices emphasise the human wish to feel safe, to belong, to be respected and to understand and have positive relationships with others. They acknowledge the potential of social and experiential learning approaches that enable pupils (and staff) to understand, and learn to manage, their own behaviour. They recognise the fundamental importance in schools of both effective support and clear control and boundaries. Practices range on a continuum from whole school approaches to those used in more challenging situations or with individual students. They include restorative ethos building; curriculum focus on relationships/conflict resolution; restorative language and the use of scripts; restorative enquiry; restorative conversations or discussions; circles; restorative meetings, informal conferences, classroom conferences, mini-conferences and formal conferences.

### **Restorative ethos building**

Staff and pupils discuss and work on improving school ethos, culture and climate. Features of a restorative ethos would include:

- All participants in the school understand the importance of preventing harm to others and of resolving harm and conflict in helpful, supportive and restorative ways.
- Respect between staff and pupils and among pupils.
- Pupils and staff feel included and treated equitably.
- All feel that school processes are carried out with fairness and justice.
- Pupils and staff feel safe and happy.

### **Curriculum focus on relationship/conflict prevention**

This involves either particular programmes, or a permeative approach to Personal and Social Education with the aim of promoting social skills that avoid conflict and harm and enable pupils (and staff) to learn restorative strategies.

### **Restorative language and scripts**

Early work on restorative justice emphasised the use of restorative scripts. They derived from a particular theoretical perspective on psychotherapy, explaining how we make sense of our histories and organise our emotional lives<sup>85</sup> but have become used a broader way. Such scripts were often used by a conference co-ordinator, using the following or similar questions:

- What happened?
- What were you thinking at the time?
- What have you thought about since?
- Who has been affected by what you did?
- In what way?
- What do you think you need to do to make things right?

---

<sup>85</sup> Tomkins, S. (1991). *Affect Imagery Consciousness*, Vol. III. New York: Springer.

Such scripts help to structure and enable the Restorative approach, to make the process clear and standard, to enable participants to experience a feeling of responsibility. Participants would be familiar with the script before the conference. In some schools such scripts are used quite formally in Conferences. In others they become a pocket-sized guide for staff and sometimes also for children, a resource for easy reference in case of need, used in a range of both formal and informal settings, for example in the playground. The use of a script can reinforce knowledge and awareness as well as practice, according to the principle of using language to shape cognition and values.

### **Restorative enquiry**

Restorative enquiry forms the starting point for all restorative processes involving active non-judgmental, listening. It is intended to illuminate the problem or situation. The process can be used with one person to help them reflect on a situation and find ways for forward for themselves. It is also useful before and during face-to-face meetings.<sup>86</sup> Restorative Enquiry also describes a way of listening and responding to other people's points of view. It also involves the use of open body language, listening with empathy and listening for feelings and needs. The listener takes a neutral perspective and aims to help the other person identify what needs to be done in order to put things right or move on. In a school setting this could include a discussion between a teacher and a student following an incident that has caused concern to either person.

### **Restorative conversations or restorative discussions**

Restorative conversations occur when the skills and language of restorative language and enquiry are used in an informal conversation, for example a teacher with a pupil in a corridor. Skills include expressing and listening for feelings and needs, and understanding why each has acted the way they have.<sup>87</sup>

### **Mediation**

This approach is particularly useful when two or more people believe the other person(s) may be the cause of the problem or has caused harm. The mediator should remain impartial, and helps both

---

<sup>86</sup> Ellis, D. (2006). *Transformation Conflict: Communication and Ethnopolitical Conflict*. Lanham: Rowman & Littlefield.

<sup>87</sup> Ellis, D. (2006). *Transformation Conflict: Communication and Ethnopolitical Conflict*. Lanham: Rowman & Littlefield

sides to consider the problem as a shared one that needs a joint solution. This can be undertaken by adults in school and by trained pupils acting as **Peer mediators**. It may also involve shuttle mediation.

### **Circles – checking in and problem-solving circles**

The term 'circle' is used in a number of different ways, although there may be common ideas and practices. Also confusingly the terms conference and circle are sometimes used interchangeably. The latter sometimes simply refers to the style of organisation of a meeting or conference; for example Thorsborne and Vinegrad say that 'meetings/conferences are conducted in a circle' (p.12).<sup>88</sup> In this context the term circle means that people sit round in a physical circle, there are some ground rules about listening and not interrupting and the coordinator acts in a facilitative rather than directive manner, often using a talking piece and a script.

### **Restorative meetings, informal conferences, classroom conferences and mini-conferences**

Restorative meetings often involve taking a Restorative approach or introducing Restorative practices to meetings that would already happen in schools, e.g. case reviews, meetings with parents, reintegration after exclusion and pupil councils. These meetings will be conducted using Restorative principles and language, although they may have wider purposes than addressing conflict or harm.

- Informal conferences, sometimes called corridor conferences occur when a group of people gather to address an issue, using methods of Restorative Enquiry, perhaps using a script, to discuss and resolve an issue. For example if there has been difficulty among a group of pupils in class a teacher might ask them to come out of the classroom and hold an informal conference.

- Classroom conferences occur in response to issues in a whole class, for example a 'disruptive' class. This is prepared for and in many ways structured like a conference, but includes all the class members, who are willing to participate.

- Mini-Conferences have some of same features of conferences, for example a formal structure and script, however they are not on the same scale as a full Conference and may not include all relevant personnel or supporters.

---

<sup>88</sup> Thorsborne, M., & Vinegrad, D. (2004). *Restorative Practices in Classrooms; Rethinking behaviour management*. Buderim: Queensland.

- Conferences involve those who may have been involved in conflict or caused harm or distress, meeting formally in a pre-arranged conference with those affected and ideally with key others involved, such as peers and or families. The purpose of such conferences is to allow all parties to be heard, to find ways to restore and repair relationships and prevent future harm. In practice it can be quite difficult to make definite distinctions between the different practices – boundaries and definitions are somewhat blurred and terms used interchangeably.

When the assessment of impact was carried out, the findings of national Restorative Practices evaluations have been very positive, with most schools, and in particular primary schools, making significant progress in key areas of school discipline and staff and pupils relationships<sup>89</sup> Together, these comprise the largest evaluation of Restorative Practices undertaken to date in the UK. As a result of these positive findings, the Scottish Government has supported local authorities and schools nationally to introduce Restorative Practices through the work of its Behaviour, Rights and Wellbeing team, led by Maggie Fallon and based within Education Scotland.<sup>90</sup>

### **3. Some concluding remarks**

A major theme in the Children and Young People (Scotland) Act 2014 is the realisation and extension of children’s rights, although the new provisions are in fact legally weak. Scotland already confers considerable rights on children and young people, for example, allowing them to make independent references to the Additional Support Needs Tribunals for Scotland.

The main challenge for the future appears to be translating formal rights into practice. This may be linked with wider questions of economic distribution and social justice, since children and young people living in poverty, and their parents, are unlikely to be able to effectively challenge inadequate service provision through formal routes.

\*\*\*

---

<sup>89</sup>Kane, J., Lloyd, G. McCluskey, G., Riddell, S., Stead, J., & Weedon, E. (2007). *Restorative practices in three Scottish local authorities*. Final report of the evaluation of the first two years of the pilot projects 2004–2006. Edinburgh: Scottish Executive. And Lloyd, G., & McCluskey, G. (2009). *Restorative Practice Pilots and Approaches in Scotland - Follow Up*. Edinburgh: Scottish Government. *Restorative Practices in Three Scottish Councils: Final Report of the Evaluation of the First Two Years of the Pilot Projects 2004 – 2006 and Restorative Practice Pilots and Approaches in Scotland - Follow Up*. Edinburgh: Scottish Government.

<sup>90</sup> This website gives information about the approach, with some video examples: <http://www.educationscotland.gov.uk/supportinglearners/positivelearningenvironments/positivebehaviour/approaches/restorative/index.asp> (last visited on June 16, 2014).

## Sweden<sup>91</sup>

### Abstract

This overview provides a basis for understanding promising strategies and policies for keeping youth away from crime in Sweden. The objective of this overview was to describe the Swedish juvenile crime prevention way of thinking and to illustrate it by practical examples of the latest development in the Swedish society.

On the basis of these objectives, the study can contribute with knowledge on the nature and structure of juvenile crime prevention in Sweden.

### 1. Youth Justice System

In Sweden the responsibility for handling young people is shared by the social authorities and the judicial system. In the Swedish language there is no equivalent concept for "juvenile delinquent". Instead they speak of juvenile criminality. The system does not formally recognise status offences. Such behaviours are dealt with through social welfare measures. All juvenile crime falls under a special law (1964:167)<sup>92</sup>. The idea of the law is to on one hand protect the juveniles from interfering with criminals and to undertake the hard conditions in a prison and on the other hand promote them to a decent future life free from criminality.

By law juveniles receive special consideration when found committing a crime. Social authorities, rather than the police, handle youth under the age of 15. Criminal responsibility begins at age 15. Over 80% of all juvenile crimes are not prosecuted but dealt with informally, such as by cautioning. However, its use varies considerably throughout the country. Nearly 50% are resolved through the use of day fines without a trial procedure being used. Fewer than 10% of young delinquent are placed on probation. The Swedish model is more treatment-oriented than most Western countries.

In Sweden issues involving young offenders are heard and determined by administrative courts and often the outcome is to place the juvenile under care. In other words, in Sweden the responsibility for responding to crimes committed by young people is shared by the social services and the judicial

---

<sup>91</sup> Created on the basis of the national research report on Sweden in the project "Keeping Youth Away from Crime: Searching for Best European Practices" by Sophie Andersson " Swedish perspective – April 2014", available at:

<http://www.oiji.org/en/keeping-youth-away-from-crime-results>

<sup>92</sup> See: <http://www.notisum.se/rnp/sls/lag/19640167.htm> (last visited on 08.02.2014.).

system<sup>93</sup>. The extent to which the judicial authorities and the social services share responsibility for the response to crimes committed by young people is mainly dependent on the age of the offender.

- For those below the age of fifteen, the main responsibility for the response to crime lies with the social services.

- For those aged between fifteen and seventeen, (and in certain cases up to the age of twenty), the responsibility is divided between the social services and the judicial authorities.

- From the age of eighteen to twenty, the responsibility lies mainly with the judicial authorities.

According to the legislation, the police have the right in certain cases to direct young offenders to repair the damage caused by their criminal acts. If the offender complies, the offence is not reported. In 1990, however, certain restrictions were introduced in relation to the police's right to exercise discretion in relation to the reporting of offences (RPS FS 1990:3)<sup>94</sup>.

In different parts of Sweden the juvenile crime investigation issue has been resolved organisationally in variety of ways. In some areas, special units have been established which specialise in crimes committed by juveniles, or in some instances even certain types of juvenile crime, such as mugging, for example. In other areas, the less serious offences committed by juveniles are investigated by local community police officers whilst investigations into more serious offences are transferred to the central criminal investigation departments at the police district level. Irrespective of the way in which the police organise investigations of juvenile crime internally, this work always takes place in collaboration with the local social services.

If a suspect is under the age of 15, the police turn over the results of their investigation to the local social services. If the suspect is older than 15 the results of the investigation are turned over to the prosecutor. However, if the suspect is under 18, the social services are usually informed.

According to current legislation, the police are to have a prosecutor assigned to an investigation if the offense is not of a "straightforward nature" and where there is a suspected offender aged fifteen or older involved. In certain cases the prosecutor is the head of the formal investigation.

---

<sup>93</sup> Sarnecki, J. (2001): delinquent networks: Youth CoOffending in Stockholm. Cambridge: Cambridge University Press.

<sup>94</sup> RPS FS 1990:3: *Polislagen med kommentarer* (The Police Act with comments)

[http://www.polisen.se/inter/mediacache/4347/4734/2671/polislagen\\_pdf.pdf](http://www.polisen.se/inter/mediacache/4347/4734/2671/polislagen_pdf.pdf) (last visited on 08.02.2014.).

One of the prosecutor's important tasks is that of deciding which measures should be taken regarding the suspect once the police investigation is finished:

- Should the preliminary investigation be discontinued?
- Should the prosecutor issue a prosecution waiver?
- Should he issue a summary sanction order?
- Should he prosecute the suspect in court?

*The Swedish Young Offenders Act (LUL)* gives prosecutors broad powers regarding the issuance of prosecution waivers when a suspect is below the age of 18, and in certain cases up to the age of 20. The rules are much more generous in relation to young people than older people.

The option available to a prosecutor is to determine the sanction for a crime himself. The conditions for the prosecutor to be able to issue a summary sanction order are similar to those for a prosecution waiver: the crime must be relatively minor and the suspect must have confessed. In addition, the suspect must have accepted the size of the sanction. Summary sanction orders may be issued only in the form of day-fines, where the number of days is determined by the seriousness of the crime while the size of each day-fine is determined by the guilty party's economic circumstances.

When a prosecutor decides to prosecute an individual, the court will determine his guilt and any possible sanction. Of the approximately 4,600 juveniles aged fifteen to seventeen convicted annually by the courts in Sweden, 47 percent is sentenced to day-fines (the same type as can be decided upon by a prosecutor). A similarly common court-imposed sanction regarding juveniles involves being delivered into care in accordance with the Social Services Act. The proportion of sentences of this kind has doubled since the mid 1980s<sup>95</sup>; the number of juveniles given a sentence of this kind has increased almost fourfold. This sentence means that the court transfers the responsibility of finding a suitable measure for the guilty party to the local social services board.

The other sanctions, which a court can use in sentencing minors, are:

- Suspended sentences (approx. 1% of convicted persons aged 15 to 17 and 13 % of those aged 18 to 20, were given this sanction in 2001) and,

---

<sup>95</sup> Granath, S. (2002): *Påföljdssystemet för unga lagöverträdare 1980 – 2000. Förändrade reaktioner, förändrat samhälle eller förändrade brottslingar.* (The Juvenile Justice system 1980-2000. Changed reaction, changed society or different criminals). Stockholm: Stockholm University, Department of Criminology.

- Probation (without prison) (approx. 1 % of convicted persons aged 15 to 17 and 11 % of those aged 18 to 20, were sanctioned in this way in 2001). Certain of the sanctions presented above may be combined with each other or with other forms of sanction.

## **2. Promising practises in early juvenile crime prevention**

Crucial to the success of any national early prevention strategy is the ability of a council to support the implementation and delivery of evidence-based programs at the local level. National crime prevention councils in other countries that have been successful in Sweden have emphasized the three main mechanisms:

- Collaboration with other government departments;
- Development of local problem-solving partnerships;
- Involvement of citizens.

### **2.1. Good examples of juvenile crime prevention work in Sweden**

There are plenty of projects and actions being conducted in Sweden in order to keep youth away from crime. It is extremely difficult to choose a couple of those as they all contribute to the solution; they are all a part of the puzzle. But I have chosen to describe the following as they have been evaluated, are based on studies and for most of them are national projects covering big parts of Sweden. Regarding the SSPF information platform, its uniqueness and success convinced me to include it in the report.

### **2.2. Social Action Groups**

Gang criminality is a raising problem in Sweden and all actors are now involved in helping youth with some kind of exit programs. But the police alone cannot handle crime problem, there are factors underlying crime and disorder in the community that cannot be handled solely through arrest, prosecution and incarceration. Across Europe, North America and Australasia crime prevention has become intimately bound up with the proliferation of a partnership approach where various relevant agencies, organizations and the public are summoned into being active co-producers of crime prevention and public safety, Crawford (1998). Sweden is no exception and has not been left behind in

this regard, a very good example of this partnership approach in Social Action Groups or SIG (Sociala insatsgrupperna).

It is an initiative from the government from 2012 that brings together the police, social services, the schools, the unemployment agency, the local business actors and the civil society. The initiative gives the groups the mission to cooperate in order to propose the criminal youth individual support that fits just his/her situation. The social services have the head responsibility for the work of the group, in the city where the youth lives. The goal of this initiative is to fight recruitment to criminality and gangs and to help youth who already started a career but want to leave it. Those social groups are really about quick and concrete actions and the success is really based on the cooperation between different authorities.

### **2.3. Information platform - SSPF**

A useful complement to the social action groups is the forum for information exchange SSPF between schools (inclusive extra-curricular activities), social services and the police. This forum was launched in Gothenburg. The exchange of information about kids in a risk-zone has always been considered as relevant. But this forum goes deeper and allows the functioning of a settled structure with continuous information on youth that drop from schools, commit offenses, have an addiction or live in dysfunctional relations or homes.

All neighbourhoods in the city of Gothenburg have access to this system. But this system is also based on the authorisation given by the parents to the three instances to brake the usual secrecy and to share information about their kid.

### **2.4. Young KRIS projects**

This organisation started as a project with grants from the Swedish Inheritance Fund. It has developed fast and successfully and is since 2010 is an independent organisation. The uniqueness of Young KRIS is that this organisation was created by youths and for youths, a truly peers-to-peers organisation. The organisation that is present in 14 cities around Sweden offers the youth a meeting place, a new social network free from drugs/alcohol and criminality (zero tolerance) and offers support for youth that want to change their lives or to get a new start. The organisation programs are based on

tools that can be adapted to any individual's situation. They do not give the youth "ready-to-go" solutions but offer them tools to find what they want to achieve and how to be helped on the way.

The organisation offers its members early prevention actions that aim to offer youth very early actions in cooperation with the authorities. Young KRIS offers the youth a contact person and if it is necessary the contact person will be affected to this youth and follow him/her under 3 months. The social services are paying for this service. When a youth commit an offence is of utmost importance to act as quickly as possible to "stop the process" and discourage the youth to continue on that path. This method is very successful but requires high collaboration with the police, the social services, the prosecutor, the probation services, etc. A working group where all the actors are represented is available in all cities where the early intervention project is run.

The early intervention is available to youth between 13 and 25 that:

- Are released after trial or from custody;
- Are suspected of drug offenses and released from custody after drug testing;
- Are suspected of other offenses and released after interrogation.

### **3. Some concluding remarks**

Need of harmonisation of legislations: In Sweden, there is an urgent need to harmonize legislation touching on confidentiality because this law limit information sharing between schools and social services for example and inhibits rehabilitation efforts. This is particularly true of information held of past juvenile offenders by social services departments and which cannot be easily transferred to schools. This law inhibits the cooperation between agencies working with offenders, which the justice system seeks to promote (see the promising project in Gothenburg SSPF).

More cooperation needed where all partners are on the same level: The partnership approach to community safety is a must for the success even if it can seem that the police dominate the partnership and are likely to dictate the direction that such efforts take. There is more that can be done to the partnership especially finding more corporate partners who are willing to sponsor youths at risk in vocational and recreational activities. All actors of the society have some kind of expertise and put it together it could reach wonderful results.

More work necessary in the field of integration: It is evident that being from a foreign ethnic

background is a risk factor to crime in Sweden, not because of biogenetic makeup but due to social strain and disorganization that newly arrived immigrant youths experience. In that case the best prevention programs will be those that work against family disruptions and for integration.

\*\*\*

## The Netherlands<sup>96</sup>

### 1. Brief overview of Dutch legislation and measures

In the Netherlands, prevention of youth delinquency and working with vulnerable young people more broadly includes a broad range of organisations and institutions that may intervene in a young person's life, jointly referred to as 'Youth Care' ('Jeugdzorg'). 'Youth Care' encompasses child protection services, care facilities, mental health care services and youth probation services.

Organisations and institutions that may become involved in any case of a young person deemed to be at risk (of maltreatment, for example, or youth delinquency) can include a youth welfare institution, the police, local street coaches/neighbourhood teams, as well as a school. The following aspects of legal framework should be highlighted:

#### *- Early intervention for under 12*

Children under the age of 12 cannot be prosecuted. The police either speak to their parents or refer them to a youth care office<sup>97</sup>. The courts can take measures when there is a risk that the situation could become unmanageable.

#### *- Parents of minors required to attend hearings*

When a minor is tried for an offence, the parents or guardians are required to attend the proceedings so that the judge can get a sense of the family situation and the minor concerned. If the parents fail to attend a hearing, the court can issue a warrant to secure their attendance in court. In such cases, the police pick up the parents at home and escort them to court.

Parents are also involved before the trial. The police often talk to the parents and the Child Protection Board also establishes contact with them. The Youth Probation Service contacts them after the pre-trial detention order is lifted.

#### *- Education order for convicted minors and young adults*

Since 2014, it is possible to place a young person (aged 12 to 23) who is convicted of an offence under an education order. An order of this nature would be imposed to ensure that the individual concerned resumes his/her education with a view to earning a qualification.

---

<sup>96</sup> Created on the basis of the research report in the project "Keeping Youth Away from Crime: Searching for Best European Practices" by Mathijs Euwema and Esther Miedema, available at: <http://www.oijj.org/en/keeping-youth-away-from-crime-results>.

<sup>97</sup> Please see [Bureau Jeugdzorg](#) for more information (last visited on February 16, 2014).

- *New criminal legislation for minors and young adults aged 15 to 23*

Similarly starting in 2014, young people aged 15 to 23 may be tried either as adults or as minors.

The main points of the new legislation are as follows:

### **Personalised approach**

Court judgments will take more account of the individual's development. Some young people respond well to a tough approach, while others may benefit more from guidance, even if they are older.

### **Order for placement in youth protection and custody after young offenders' institution**

A young person who has committed a serious offence can be placed in a young offenders' institution. If the individual still poses a danger after having served his or her sentence, the court can convert the sentence into an order for placement in a youth protection and custody institution.

- *Combination approach & reducing number of criminal gangs*

The government strives to apply a combination of care, punitive, educational and employment measures. According to the Ministry of Security and Justice, this combination has been found to work well in dealing with criminal youth gangs (there has been a drop in the number of criminal youth gangs, from 89 in 2010 to 17 in 2013, but whether this is attributable to the combination approach is difficult to establish). Dealing with these gangs forms a policy priority in view of the threat they pose to society and the serious crimes generally committed by gang members.

- *Prevention of re-offending*

Preventing re-offending by minors forms another important government priority. The government strives to implement the following measures to prevent young offenders from re-offending:

### **Personalised approach**

The government aims to tailor the support provided to young people depending on their needs and stage of development. For example, an aggressive person can be ordered to attend a course to learn how to cope with and control aggression. The Offending Behaviour Programmes Accreditation Committee<sup>98</sup> reviews the courses to determine whether they have actually had the desired effect.

---

<sup>98</sup> Please see [Erkenningscommissie Gedragsinterventies Justitie](#) for more information (last visited on February 16, 2014).

### **Training and education programmes**

When a young person is released from young offenders' institution, he or she needs to reintegrate into society by attending school or university, or finding a job. Training and education programmes provided at the end of the custodial period are intended to help them prepare for this.

### **Proper support and guidance**

Young offenders' institutions, the Child Protection Board<sup>99</sup>, the Youth Probation Service<sup>100</sup> and municipalities work together in network and process-related consultative bodies. They arrange shelter, income, education and/or work for young offenders upon release.

### **Bureau Halt**

At the police level a unique form of alternative settlement is offered to young first offenders who have committed certain minor offences: the Halt programme. Juveniles who opt for this type of settlement agree to carry out a project that normally includes damage compensation and/or community service/training up to 20 hours. Even though the Halt procedure is included in the Dutch penal code, it can be regarded as an alternative to the formal justice system because charges are officially dropped once a successful Halt programme is completed, the juvenile is not prosecuted and a criminal record is consequently avoided.

### **Task-related punishment' (taakstraf) for young people**

In some cases a court may decide to sentence a young person to a form of punishment which, loosely translated, could be referred to as 'task-related punishment'. This form of punishment of juvenile delinquents may be in terms of unpaid work, a 'learning project' or a combination of these. Any young person who is sentence to this form of punishment is supervised by the Council for the Protection of Children.

---

<sup>99</sup> Please see [Raad voor de Kinderbescherming](#) for more information (last visited on February 16, 2014).

<sup>100</sup> Please see [Jeugdreclassering](#) for more information (last visited on February 16, 2014).

## **Youth detention**

Juvenile delinquents that are sentenced to youth detention measure are placed in a youth correctional centre. The maximum period of time a young person may be placed in a youth detention centre is two years for young people between the ages of 16 to 17 years. For young people between 12 and 15 years, the maximum period is one year. Whilst in detention, young people have to go to school and are given lessons in social skills and learning to deal with anger.

## **PIJ-measure (Placement in Youth detention centre/'Plaatsing In Jeugdinstelling')**

Some juvenile delinquents, for instance those with developmental impairment or psychological difficulties, require intensive treatment and supervision to prevent recidivism. The PIJ-measure is for those that have committed a sex offense or violent crime. Upon receiving the verdict of the PIJ-measure, a young person can be placed in a youth detention centre. The minimum sentence is four years, the maximum seven years. During the final year, a young person may be released on probation during which they are supervised by a probation officer.

If a young person is older than 23 years of age, a judge can change the PIJ-measure into a TBS-measure. The acronym TBS stands for 'placement under a hospital order'. TBS is a treatment measure the court imposes on people who have committed serious offences and suffer from a psychiatric illness or disorder, which influences their behaviour to a greater or lesser extent. As a result the court does not hold these people fully accountable for their actions. However, for the part of the offence for which the person in question can be held responsible, the court can impose a prison sentence; the so-called combined sentence (e.g. eight years imprisonment in combination with TBS). In order to treat the disorder and prevent repeat offences (recidivism) TBS is imposed in addition to the sentence. The objective of TBS and combined sentences is to protect society (<http://english.justitie.nl/themes/tbs/>).

In deciding whether to sentence a young person to a PIJ-measure, a judge will consider the judgments of two behavioural experts and, in some cases, that of a psychiatrist.

## **Night detention**

Night detention is a temporary form of detention for young people between 12 and 18 years. A young person goes to school or work during the day. S/he spends time after school (including nights) in

a youth detention centre. In this way, the day-to-day life of a young person is disrupted less than if s/he spends entire days in detention. This measure is only applied in cases where a young person spends her/his day in a 'meaningful' manner, i.e. by attending school, in employment or taking part in a treatment programme. The location of the day programme has to be in the vicinity of the night detention centre and a young person is required to commit to the conditions of the sentence by signing a contract.

### **Behaviour modification measure**

In cases where placing a young person in detention is considered too severe but a conditional sentence insufficient, a young person may be required to 'undergo' a behaviour modification measure. This kind of measure entails a young person participates in one or more training sessions or treatments, e.g. geared to dealing with anger or drug rehabilitation. A youth probation officer supervises the behaviour modification process.

## **2. Promising interventions in the Netherlands**

Promising interventions in the Netherlands aimed at the prevention and reduction of delinquent behaviour can be divided in:

- interventions for a full population of children or juveniles (i.e., schools or neighbourhoods) (primary prevention);
- interventions for juveniles showing minor antisocial and delinquent behaviour, who are not yet classified as serious delinquents (secondary prevention) and
- interventions for juveniles who can be classified as chronic or persistent delinquents (tertiary prevention).

With regard to programme *content*, behavioural and cognitive-behavioural methods appear to work best for both juveniles and adults. The following three types of intervention offer the best starting points for effective intervention:

- Life-structuring skills training and behaviour-therapeutic interventions, individual as well as group and system-interventions<sup>101</sup>;

- Family- and system-oriented interventions in which staff members make use of different strategies and techniques in a flexible way<sup>102</sup>;

- Multimodal intervention which draws on several complementary strategies of change oriented towards more than one context<sup>103</sup>.

In addition, it has been found that, if possible, priority should be given to the following:

- Ambulatory forms of intervention, so that members of the offender's family can be closely involved in the intervention.

- Interventions are most likely to succeed if children and juveniles are still young and have not gone too far astray.

- For most young people at risk, intensive forms of intervention seem to work best, especially if *continuity* of personal contact with the juvenile is pursued through his/her developmental stages and expanding social domains.

- A distinction is made between treatments of observed behavioural disorders and interventions primarily meant to prevent recidivism. For juveniles with serious behavioural disorders, Kazdin (1997) advocates a model in which both aspects are dealt with. First, the disorder is tackled. Then treatment is continued in order to prevent backsliding.

A meta-analysis (Put et al., 2013)<sup>104</sup> showed that secondary prevention programmes are more effective if the following components are part of the intervention:

- Positive role models;
- Behavioural contracting;
- Parenting skills training and;

---

<sup>101</sup> See also: Jesse H. Wright , Learning Cognitive-behavior Therapy: An Illustrated Guide, 2006. Available at: <http://ej.uz/yzcf> (last visited on 17.03.2014).

<sup>102</sup> See also: Treatment Orientation in Child and Family Therapy. Available at: <http://www.childandfamilymentalhealth.com/treatment-therapy/> (last visited on 17.03.2014).

<sup>103</sup> See also: Melissa O'Donnell, Dr. Eric Kothari, Offender Placement into Cognitive Behavioral Therapy: Proposed Assessment Mechanism for use by the United States Probation Office for DC. American University May 3, 2011. Available at: <http://ej.uz/z1wq> (last visited on 17.03.2014).

<sup>104</sup> Put, C. van der, Assink, M., Bindels, A., Stams, G.J. & Vries, S. de (2013). Effectief vroegtijdig ingrijpen. Een verkennend onderzoek naar effectief vroegtijdig ingrijpen ter voorkoming van ernstig delinquent gedrag ('Effective early intervention. An exploratory study into the efficacy of early interventions to prevent serious criminal behaviour'). Amsterdam: University of Amsterdam.

- Stimulating positive use of leisure time in a group setting.
- In addition, more effective interventions target the family system, including siblings.

Considering all of the above mentioned, two practices that can be viewed as promising are The HALT Peer Mediation programme, which is delivered by HALT, a Youth Care institution that has a nation-wide network of offices (linked to police regions), and the New Perspectives initiative, which is delivered in major cities in the Netherlands by Youth Care institutions.

### **2.1. Peer Mediation**

Peer mediation is a form of conflict mediation in which pupils learn to find a solution under the supervision of one or two other students.

Where people work together and live together differences of opinion, conflicts and arguments will arise. While conflicts are part of daily life, they can sometimes get out of hand and affect the atmosphere in a group, class or even the entire school.

Schools cannot avoid conflicts but they can strive to manage them and work towards resolving them. Peer mediation can make a positive difference in this respect. Practice has shown that pupils are more inclined to listen to their peers. Children of the same age group find it easier to communicate with one another as they do not have to adapt their language and can just be who they are.

### **2.2. New Perspectives (Nieuwe Perspectieven)<sup>105</sup>**

New Perspectives is aimed at different groups of young women and men between 12 (sometimes 10) to 23 years of age who show what is considered to be socially unacceptable or delinquent behaviour and have problems in different areas of life (e.g. within the family, school or free time). Youth who are considered 'hard core' criminals are not a target group of the New Perspectives initiative. New Perspectives aims to provide young people new opportunities via a short-track mobile trajectory during which the young person learns to draw on 'positive contacts' within her/his social network.

---

<sup>105</sup> The reported results are based on a review of three evaluation studies that were reviewed by the NJI accreditation commission in 2009 (see: <http://www.nji.nl/nl/Kennis/Databanken/Databank-Effectieve-Jeugdinterventies/Nieuwe-Perspectieven>). It should be noted that according to the NJI the methodological approach of the three studies may not be sufficiently robust to give definitive answers (e.g. as to programme impact).

New Perspectives is an accredited programme that has been positively evaluated and is included in the Netherlands Youth Institute data bank on effective interventions.

On the assumption that the future perspectives of young delinquents or young people that are seen to display socially unacceptable behaviour are sub-optimal, the initiative strives to change the behaviour and circumstances of these young people by supporting them to develop new perspectives.

The goal of the initiative is to work towards a situation whereby young people at risk are or continue to be actively involved in society, get their life 'back on track', and offer them new social perspectives. More concretely, the primary goal of the initiative can be described as the prevention of criminal and risky behaviour, as well as the prevention of repeat criminal behaviour.

The programme strives to achieve this goal by giving young people "new perspectives" in different areas of life in which they have problems, such as housing, health, family life and friends, or budget control. Solving problems in these different areas can be understood as the sub-goals of the programme.

Where possible, parents and caregivers are included as much as possible. New Perspectives is not designed to resolve all of a young person's problems in the space of three months but rather strives to serve as a bridge to regular care and support institutions and services.

The initiative consists of 3 phases:

1. Meeting, enlisting and intake, resulting in a 'social environment' analysis and a plan of action for different areas of life identified as problematic. The young person and intervention worker commit to the action plan.

2. Working on solutions. The young person is provided intensive, individual support to realize the various sub-goals identified. In addition, the young person is given support to build her/his social network that s/he can draw on after the intervention has been rounded off. New Perspectives also serves as a bridge between the young person and follow-up trajectories and (regular) support services, for example with regard to employment, education, training and care.

3. After care. During a period of three months contact is maintained between the young person, the intervention worker and other members of the social network. If necessary support is given to the young person to resolve (new) issues.

Spirit reports that only 6% of young people that have taken parting the New Perspectives trajectory moves into hard-core crime in a two-year period (Municipality of Amsterdam, 2007).

### **3. Some concluding remarks**

It must be noted, however, that the most effective ways of preventing juvenile crime may not be through juvenile crime prevention programmes, but early childhood interventions. One might think of ensuring access to good quality Early Childhood and Care Provisions for children from disadvantaged backgrounds and disadvantaged neighbourhoods. In addition, in the long-run the most effective interventions might be those that, at the earliest stage possible, provide support to parents in taking care of their children, particularly parents that are at risk of not being able to do so without help. This requires early monitoring and the availability of support services that are able to reach these various target groups and that have effective means and methods to their disposal. It goes without saying that tackling social and economic inequalities are crucial, such as preventing social exclusion and segregation, addressing income disparity, reducing poverty, improving access to and quality of education, and improving job opportunities and chances on the labour market for young people.

\*\*\*

### **Abstract**

In this report was given an overview of policies and practices in the field of early prevention in Estonia. During the reserach was found, that there is lack of coherence in the field of early prevention. In terms of best practices in early prevention was provided an example of government's support to families in the first years after the child is born: there are both legal safeguards for the parents and long period of benefits. In the field on juvenile delinquency, adoption on evidence based prevention programs that are both family and school based is promising.

### **1. Policy related to juvenile delinquency**

The prevention of juvenile crime is one of the central issues of criminal policy in Estonia: in the Guidelines for Development of Criminal Policy until 2018<sup>107</sup>, prevention of juvenile crime is defined as one of the priorities, in addition to the reduction of recurrent crime.

Meanwhile, the specific measures outlined in these Guidelines are mostly related to the course of action in case of offences committed by children, and not so much to the prevention of such offences in general. The only exceptions are the clauses concerning the school environment and alcohol. The Development Plan for Reducing Violence, approved by the Government, also concerns juvenile crime. According to the goals defined in this plan, alcohol consumption should be reduced, on the one hand, and parental skills should be improved, on the other hand. The document also covers school bullying, violence in children's institutions, and noticing and helping a child who has fallen victim to violence.

Policy documents have paid a lot of attention to the prevention of domestic violence and sexual abuse, and real measures have been implemented in this area. The main focus of the Guidelines for Development of Criminal Policy until 2018 is on reducing the victimisation of minors in the cyber environment and on the provision of treatment for sex offenders. As for domestic violence, the main focus is on the development of an early detection system and on improved cooperation between different institutions. In order to reduce domestic violence, the Development Plan for Reducing Violence

---

<sup>106</sup> Created on the basis of the research report in the project "Keeping Youth Away from Crime: Searching for Best European Practices" by Jako Salla and Judit Strömpl, available at: <http://www.oijj.org/en/keeping-youth-away-from-crime-results>.

<sup>107</sup> Adopted by the Parliament.

proposes the following measures: prevention and awareness campaigns targeting the public and main risk groups; provision of support and protection to victims of domestic violence; and dealing with abusive people.

It must be admitted that early prevention has not been well established in crime policy documents in Estonia. At the same time the initiatives to do more and with better quality have become more apparent. For example in 2013 the evidence based school bullying program KIVA was initiated in Estonia. Presumably the state will take more responsibility in developing primary prevention programs systematically all over Estonia.

## **2. Juvenile delinquency**

In Estonia, the age of criminal responsibility is 14 years. It means that children cannot be prosecuted for misdemeanours or criminal offences if they were less than 14 years old at the time of committing the offence. If the offence was committed at age 14 or over, the child can be prosecuted and serve a sentence, although there are still various mitigating provisions in the law.

In Estonia, the age of full criminal responsibility (meaning that the special provisions no longer apply) is 18 years of age, which coincides with the definition of “child” in the Convention on the Rights of the Child. Punishable offences are defined by the Estonian penal law, which has not been subject to any major reforms within the last decade. Therefore, the data on juvenile crime are generally comparable by year. However, the statistics only reflect the criminal offences which have been reported to the police and for which the offender is known. If the offender is unknown, it is impossible to say whether it was juvenile crime or not. The interpretability of criminal statistics is seriously limited by the fact that people do not report all crimes and the majority of offences against property remain undetected<sup>108</sup>.

Each year, the police identify approximately 1,500 children who have committed a criminal offence. Statistics say that the number of criminal offences committed by children has decreased by more than a third compared to 2008. However, this change has largely been influenced by demographic

---

<sup>108</sup> Salla, J., Surva, L., Reinomägi, A., Ilves, K., Soo, K. (2013). Safety of children. In *Laste heaolu*, Tallinn: Eesti Statistika: 77-83.

factors, i.e. the decline in the number of children. The rate per 10,000 children has remained more or less the same over the years<sup>109</sup>.

### **2.1. Self reported delinquency**

In 2013/2014 the International Self-reported Delinquency Study (ISRD) was conducted in Estonia<sup>110</sup> for the second time. The study's target group was students of the 7th – 9th grade across Estonia. A total of 3,658 children were questioned. 2,863 children from Estonian-speaking schools and 795 children from Russian-speaking schools responded to the questionnaire.

The prevalence rate of offences among children has declined when compared to 2006, but has increased concerning some individual offence types. Compared to 2006 when less than 2% of children stole something from a store or a shopping centre, this rate has increased to 3.4% in 2014. Less girls than boys commit violent offences and serious property offences. The prevalence rate of committing less serious property offences at the same time is not different for boys and girls<sup>111</sup>.

The prevalence rate of violence-related offences has markedly decreased. In eight years, the proportion of children having participated in group fights has dropped from 7% to 4% and that of children carrying a cut-and-thrust weapon has also decreased. While 10% of children in 2006 responded that they carry a weapon-like item (a knife, a chain, a baseball bat, etc.), that proportion has dropped to 6% in 2014<sup>112</sup>.

Most often, children are victimised by crime at school or in vicinity thereof. Children have reported that 48% of hate crimes, 44% of attacks and 22% of robberies that they have experienced took place in the school building or the school yard. 22% of children have been victimised by school bullying, 17% have bullied others. The proportion of bullies is three times higher among those children who have been victimised by school bullying, compared to those who have never experienced school bullying. More girls than boys are victims of school bullying and rather more boys than girls are bullies.

Markina and Žarkovski<sup>113</sup> reported also that parents' awareness of the child's activities is a significant protective factor for victimization. Children coming from families with good relations

---

<sup>109</sup> Ibid.

<sup>110</sup> Markina, A., Žarkovski, B. (2014) *Laste hälbiv käitumine Eestis*. Tallinn: Justiitsministeerium and Tartu Ülikool.

<sup>111</sup> Ibid.

<sup>112</sup> Ibid.

<sup>113</sup> Ibid.

between children and parents, where parents support their children emotionally and monitor their activities and where children inform their parents about their life, are less often subject to offences. With all other circumstances characterising the relations within the family being equal, the most important protective factor is the parents' awareness of the child's activities. A risk factor of children committing offences is tensions and conflicts in the family. A total of 17% of minors reported that one or both of their parents work abroad. Where the parents have started working abroad, the children are more at risk of committing offences and risk behaviour if they live alone or if remote relatives or acquaintances take care of them, compared to the situation where grandparents or older siblings take care of the child<sup>114</sup>.

## **2.2 Juveniles in contact with law enforcement institutions**

According to Salla and colleagues<sup>115</sup> and pursuant to the Guidelines for Development of Criminal Policy, a fast judicial process in criminal matters involving juvenile offenders helps to reduce the probability of future offences and also limits the potential negative consequences of the whole process for minors. The pre-trial proceedings of juvenile criminal matters should generally last no more than one month. According to statistics, the average duration of pre-trial proceedings in case of children suspected of a criminal offence has decreased two times over six years – from more than five months to 2.5 months. The average duration of proceedings has also become shorter; the duration of proceedings is now also more even across the country. The shorter duration of proceedings is due to the fact that certain investigators and prosecutors have specialised in juvenile cases, which contributes to greater competence<sup>116</sup>.

In addition to the procedural speed, which helps to protect the rights of children who have committed offences, another important principle of the Convention is the use of extra-judicial measures in case of children who have committed criminal offences. These measures primarily refer to social and educational programmes that ensure better treatment and well-being of children. In the Estonian legal system, juvenile committees serve as an alternative to court<sup>117</sup>. According to the Estonian Education

---

<sup>114</sup> Markina, A., Žarkovski, B. (2014) *Laste hälbiv käitumine Eestis*. Tallinn: Justiitsministeerium and Tartu Ülikool.

<sup>115</sup> Salla, J., Surva, L., Reinomägi, A., Ilves, K., Soo, K. (2013). Safety of children. In *Laste heaolu*, Tallinn: Eesti Statistika: 77-83.

<sup>116</sup> Salla, J., Surva, L., Reinomägi, A., Ilves, K., Soo, K. (2013). Safety of children. In *Laste heaolu*, Tallinn: Eesti Statistika: 77-83.

<sup>117</sup> Ibid.

Information System, 2,029 children were referred to juvenile committees in 2012 – this is 1.5% of all children in Estonia. Most of the children referred to juvenile committee are not criminally liable, but most of them have committed unlawful acts, primarily misdemeanours. The task of the juvenile committee is to find the sanction that best suits the needs of a particular child<sup>118</sup>.

At the end of 2012, there were 36 children imprisoned in Estonia. 16 of them had been convicted and 20 were in custody. In eight years, the number of incarcerated children has fallen more than two times. Most of the children in prison are aged 16 or 17, and there are clearly more boys among the detainees<sup>119</sup>.

### **3. Promising practices in early juvenile crime prevention**

There are two organizations in Estonia that provide successfully services for children and young people at risk.

#### **3.1. Tartu Children Support Centre<sup>120</sup>.**

Centre<sup>121</sup> works in Tartu (South part of Estonia) and provides services for this region. This Centre is an NGO which was established in 1995. The aim of organization was to help maltreated children. The Centre provide psychological, social, medical counselling, psychotherapy for children and their families at risk, help in critical situations. During this period the Centre has become a well known competence center which activities include training for specialists working with children, development of professional networks for professionals working with children at risk in Tartu and Estonia as well, forming the public opinion about domestic violence and child maltreatment.

The workers of Centre provide help in urgent crisis situations, different kind of psychotherapy, groups for children and families at risks, support person service, rehabilitation services for juveniles who were directed by the Juvenile Committees to the rehabilitation service. The Centre has been developed many different programmes and projects such as “Older Sister and Older Brother”, programmes for babies with first of all medical support, a programme “Smiling is contractible”, helping programme to children who transfere from kindergarten to school, projects “Positive modelling” together with other

---

<sup>118</sup> Ibid.

<sup>119</sup> Salla, J., Surva, L., Reinomägi, A., Ilves, K., Soo, K. (2013). Safety of children. In *Laste heaolu*, Tallinn: Eesti Statistika: 77-83.

<sup>120</sup> Further: Centre.

<sup>121</sup> Tartu Child Support Center: <http://www.tugikeskus.org.ee/english.html> (last visited on 10.02.2014).

cities and organizations in Estonia; “I am changing and the world is changing around me”, an international project “Two sides of the coin” for sexually abused children; a project to parents who lost their job. This last project was connected with parent’s education programme which is developed last years in Estonia. The Centre provides also the following training courses: The child during divorce process, family counselling in social work; maltreated children and their support; troubled and self-harming school-child, ways of intervention; child’s sexual development and support of healthy development; coping with hyperactive child at home and at school; developing of social skills of preschool children – counselling of parents and kindergarten staff; teaching safe behaviour for children.

Since 2005 Tartu Children Support Centre provides rehabilitation service to those young offenders who were directed by the Juvenile Committee. The rehabilitation team consists from psychologists, special pedagogue, family doctor and social worker. The task of team is to compose a rehabilitation plan to the child together with the child and his or her family and to realize this plan.

### **3.2. Papaver<sup>122</sup>**

Centre Papaver is also nongovernmental organization, working in the capital of Estonia – Tallinn. Papaver was established in 2007 and its main task is counselling families and children at risk, providing psychotherapy and social counselling, and also rehabilitation services for young offenders. The duration of rehabilitation service is 6 month up to 3 years, based on the child’s needs and the achieving of goals that have been set together with the child and his or her family members. The service consists from formulating the rehabilitation plan; individual, family and group counselling; cooperation with support network and evaluation of the achievements.

Papaver also provides training services for parents whose children are clients of child protection or Juvenile Committee. The training consists of 10 group meetings once in a week; duration of the training is 1.5 hour weekly. Beside that the organization provides social-, psychological, special pedagogical, speech and language therapist counselling and family therapy. The organization has been highly evaluated by clients.

---

<sup>122</sup> Papaver home page: <http://papaver.ee/rehabilitation-service-juvenile-delinquents/> (last visited on 10.02.2014).

#### **4. Some concluding remarks**

In the area of juvenile delinquency Estonia stands out with high rates of children in closed establishments. Although this is a measure of latter prevention strategies, it shows that primary prevention is lacking.

Early prevention of crime is not an independent policy area in Estonia. Several institutions deal with the topic but the policy lacks a responsible owner.

\*\*\*

## Latvia<sup>123</sup>

### Abstract

This overview contains an analysis of children and youth delinquency prevention system in Latvia, including legal provisions and practice. In accordance with Latvian legislation, child is a person who has not attained 18 years of age.

The fact that there is no separate justice system for children and young people in place as well as the fact that preventive work with minors is not regulated by a single legal act, complicates targeted implementation of existing legal provisions and monitoring of the preventive work. Existing legal framework does not limit the municipalities and they are entitled to carry out preventive work with children of all ages if they are involved in conducts that can lead to illegal activities or causing harm to others. Practices established by different municipalities vary across Latvia and they need to be further developed.

### 1. Legal status of a minor in the legislation of the Republic of Latvia

In Latvia Juvenile Justice System is not separated from the system meant for adults (in the understanding of juvenile justice) and the preventive work with juveniles is not regulated in a common legal framework.

In Latvia, the legal status of a minor, a child and an adolescent, is stipulated by three legal acts. The Civil Law of Latvia<sup>124</sup> regulates that the minority of persons of both genders continues until they attain the age of eighteen. The Civil Law of Latvia<sup>125</sup> stipulates that until reaching 18 years of age a child is under the custody of his/her parents. It means that the parents have the rights and duties to care for the child and his/her property and to represent the child in his/her personal and property relations.

---

<sup>123</sup> Created on the basis of the national research report on Latvia in the project “Keeping Youth Away from Crime: Searching for Best European Practices” by Ilona Kronberga, available at: <http://www.oijj.org/en/keeping-youth-away-from-crime-results>.

<sup>124</sup> The Civil Law, Article 219, <http://likumi.lv/doc.php?id=225418> (last visited on 12.05.2014).

<sup>125</sup> Ibid, Article 177.

The Protection of the Rights of the Child Law<sup>126</sup> regulates the framework of the child's rights and freedoms, as well as their protection. The law stipulates methods and principles according to which the child's behaviour is controlled<sup>127</sup> and his/her liability is provided for.

Within the framework of the Youth Law<sup>128</sup> it has been stipulated that a young person is a person from 13 to 25 years of age. The aim of the Youth Law is to improve the life quality of young people by promoting their initiatives, the virtue of work and patriotism, participation in decision-making and social life, as well as by supporting work with youth in general. The Youth Law stipulates the concept of youth policy, its principles and objectives, as well as the competence of state administrative institutions in the field of youth policy.

## **2. Types and forms of the prevention of juvenile delinquency and violation of the children's rights**

Particular activities that could be associated with *early prevention* are regulated in the Protection of the Rights of the Child Law<sup>129</sup>. The Law stipulates<sup>130</sup> that the preventive work with children has to be carried out by local municipalities in collaboration with the parents of children, education institutions, the State police and the State Probation Service if the child is a probation client, public organisations and other institutions.

Local municipality has the duty to perform preventive work with children until they attain 18 years of age in particular cases: if the child has committed an illegal act (offence)<sup>131</sup> and is not in detention during the pre-trial investigation period (a); is found guilty of the commission of the criminal offence but the sentence is not connected with deprivation of liberty (b); is released from criminal liability with the prosecutor's injunction on the punishment (c); is released from serving the sentence of deprivation of

---

<sup>126</sup> Protection of the Rights of the Child Law, [http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Protection\\_of\\_the\\_Rights\\_of\\_the\\_Child.doc](http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Protection_of_the_Rights_of_the_Child.doc) (last visited on 12.05.2014).

<sup>127</sup> Ibid, Chapter IX.

<sup>128</sup> Youth Law, [http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Youth\\_Law.doc](http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Youth_Law.doc) (last visited on 12.05.2014).

<sup>129</sup> Protection of the Rights of the Child Law, Chapter IX, [http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Protection\\_of\\_the\\_Rights\\_of\\_the\\_Child.doc](http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Protection_of_the_Rights_of_the_Child.doc) (last visited on 12.05.2014).

<sup>130</sup> Ibid, Article 58.

<sup>131</sup> Author's note: in this case, such acts are considered illegal which are to be punished according to the legal provisions of the Criminal Law. The text of the Criminal Law (in Latvian) is available at: <http://likumi.lv/doc.php?id=88966> (last visited on 12.05.2014).

liberty (d); has committed illegal actions as set out in the Criminal Law but has not attained the age in which he/she can be held criminally liable (e); has committed illegal acts as set out in the legal provisions of the Administrative Violations Code <sup>132</sup> more than two times (f); if the child begs, is vagrant or performs other acts which may lead to illegal actions (g).

In fact, the legal provisions allow local municipalities to apply prevention measures for every child who performs acts which may lead to illegal actions (the aforementioned point “g”).

### **3. Practices to be developed and positive examples in the field of children and youth crime prevention**

Latvia does not currently have a comprehensive child delinquency prevention system. Early prevention work is entrusted to Latvian municipal authorities, which it is carried out with very different methods. In a number of municipalities prevention work is not developed at all, or poorly developed. For these reasons, in recent years, projects were implemented, whose task was to develop a variety of prevention methods and introduce multi-disciplinary and interinstitutional cooperation forms. Both projects implemented approach proved to be successful and can be adapted to other European countries.

These approaches do not require large financial investments and are focused on development of child-friendly methods, environment and multi-Institutional cooperation among different actors in child protection.

#### **3.1. The project<sup>133</sup> “Building a Support System to Prevent Juvenile Delinquency”**

Acknowledging that practical experience is one of the best means to convince specialists and develop a new policy, the project<sup>134</sup> “Building a Support System to Prevent Juvenile Delinquency” was initiated in 2011. The objectives of the project were to reduce risks of exclusion for children with deviations in social behaviour and to create a safe environment for a successful development of these

---

<sup>132</sup> Administrative Violations Code, [http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Latvian\\_Administrative\\_Violations\\_Code.doc](http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Latvian_Administrative_Violations_Code.doc) (last visited on 20.05.2014).

<sup>133</sup> Building a Support System to Prevent Juvenile Delinquency, <http://www.providus.lv/public/27598.html> (last visited on 25.05.2014).

<sup>134</sup> Building a Support System to Prevent Juvenile Delinquency, <http://www.providus.lv/public/27598.html> (last visited on 25.05.2014).

children in rural regions of Latvia. Within the project, it was planned to work with children from risk groups thus being under increased threat of committing crime and causing harm to the community. It was planned to involve children from populated areas away from the big cities because there are less resources for those children and their families to spend for various social problems.

The needs of the children target groups involved in the project were identified by recognising their social behaviour risks – using risk and needs assessment tools specially designed for this intention and making a progress report for each child at the end of the project. The specific nature of the project objectives envisaged that all the potential participant groups of children have social behaviour risks but their reasons are different, for instance, lack of financial resources; objective or subjective obstacles in acquiring education; unemployment; fact of the commitment of a crime and inability to manage one's personality; experience of dependence and violence; inability to solve problems in an appropriate manner.

At the beginning of the project it was planned that by involving children in socially useful activities, introducing them with the possibilities to organise their free time in an interesting manner, demonstrating real interest in their lives, delinquency risks would decrease significantly. During the project, monitoring was carried out and a research was performed<sup>135</sup>. In 18 months of the project more than 250 children were involved and Support systems for juvenile prevention were established in three local municipalities in Latvia.

The study<sup>136</sup> revealed project results admitting that the *Inter-institutional cooperation model* is a method of children's right protection and delinquency prevention which is suitable to use at the child's place of residence and is focused on the cooperation of specialists from various institutions for the improvement of the particular child's living environment. At the same time, inter-institutional cooperation allows involving the child's parents and family, as well as listening to the child's opinion. If the inter-institutional cooperation among the specialists from law enforcement agencies, local municipalities, specialists of children's affairs and other practitioners is organised setting topical priorities for a particular child and taking into account his/her needs, all specialists involved in the Inter-institutional work group can be theoretically divided into three categories: early prevention providers – preferably the closest people to the child – social service, parents and family, school, family doctor (GP),

---

<sup>135</sup> Child-friendly Justice in Latvia: Focusing on Crime Prevention (2012), <http://ej.uz/r65i> (last visited on 15.04.2014).

<sup>136</sup> Ibid, p.53.

Children and youth centre, specialist of children's rights (a), general prevention providers – preferably the more distant – custody court, police (b), and institutions involved in special prevention – court, prosecutor's office, State Probation Service and prison (c).

**The evaluation of the project results**<sup>137</sup> included the following main conclusions: Prevention is a set of purposefully performed activities in the child's daily life – including the planning of the free time, elimination of the obstacles to access sport and healthy lifestyle activities, as well as individual and group interventions. The establishment of prevention system is a long-term activity which has to be carried out by the government and specialists in the field who work with children and families on daily basis, together. Educational institutions play a very significant role, as well.

**3.2 The project “Reducing youth at risk numbers: modelling early childhood intervention approaches**<sup>138</sup>”. The project has the objective to develop innovative methods for preventive work to create inclusive environment for children at pre-school and primary school age and their families.

It is planned<sup>139</sup> that the implementation of the project activities would: reduce social exclusion risks for children at pre-school and primary school age with early social behaviour disorders and create a safe environment for a successful development of those children in rural regions of Latvia (a); create and verify in practice a system for the recognition and elimination of children's early behaviour risks, involving pre-school and primary school teachers, parents, local municipality specialists, members of local community, as well as children themselves (b); promote philosophy of changes in work with children at pre-school and primary school age with antisocial behaviour risks (c); create supportive and restorative instead of punitive approach in work with children performed by the specialists of children's affairs and specialists from other institutions (d); strengthen the cooperation among the parents of the child and pre-school and primary school teachers in order to identify and prevent early behaviour risks for children at pre-school and primary school age; establish inter-institutional cooperation platform for preventive work and early interventions (e).

---

<sup>137</sup> Juvenile Delinquency Prevention: Conclusions, Paola Riva Gapany, <http://ej.uz/frga> (last visited on 25.05.2014).

<sup>138</sup> Reducing youth at risk numbers: modelling early childhood intervention approaches, <http://www.providus.lv/public/27876.html> (last visited on 25.05.2014).

<sup>139</sup> Author's remark: The project has started just in 2014.

In order to provide assistance and support to parents in children upbringing, the project envisages the following results in three local municipalities of Latvia involved in the project – Saldus, Kuldīga and Cēsis: *a multi-disciplinary cooperation model will be developed (1)* among the specialists of pre-school, primary school, local municipality and NGOs, with the aim to elaborate and implement in practice *methodology suitable for local needs for early recognition and prevention of children’s social behaviour risks (2)*, thus enhancing the cooperation with children’s parents or persons substituting for them. It is planned that the developed cooperation model and methodology will be created to be sustainable and usable in other regions of Latvia.

The methodology for the early identification of children’s social behaviour risks and cooperation with parents will be elaborated during the performance of practical work and analysis – in 2 year time 15 lessons will be held for children and their parents involved in the project from pre-schools and primary schools. In order to enhance cooperation among institutions and qualitative decision-making process to support families with children *inter-institutional work groups (IWG) are planned (SDG) (3)* with the core consisting of each region’s NGOs members working in the field of children’s rights protection, pre-school and primary school specialists, and state and local municipality specialists. Two of the regions involved in the project (Saldus and Cēsis) have already a working IWG (or RWG – regional work group) for the work with at-risk youth and children from previous projects – therefore pre-school and primary school specialists will establish a subgroup of the existing inter-institutional group, but in Kuldīga it will be a totally new experience.

**It is planned to** identify best practices in the field of early prevention with the help of specialists from Norway, Bulgaria, Lithuania, Estonia and Belgium. Right now<sup>140</sup>, the project has been started and more than 50 children from three preschools and three primary schools are involved in it, as well as their pedagogues and parents. During the whole project, children and their parents have a possibility to participate in activities that are appropriate for their needs, both individually and in groups. Project results will be summarised<sup>141</sup> at its final stage and included in the monitoring report which will be available in English and Latvian in end of 2015.

---

<sup>140</sup> Author’s note: the project implementation time is from January 7, 2013, to January 6, 2015, more information is available in Latvian: <http://www.providus.lv/public/27875.html> and in English: <http://www.providus.lv/public/27876.html> (last visited on 25.05.2014).

<sup>141</sup> Author’s note: Monitoring report on the practice to be developed in this project will be publicly available in September 2015.

### **3.3. “Keeping Youth Away From Crime: Searching for Best European Practices”: analysis of the experience from pilot projects**

Taking into consideration the findings and conclusions from the previous projects and the problems identified in the studies within the youth justice framework in Latvia, in 2012 Centre for Public Policy PROVIDUS<sup>142</sup> in collaboration with professionals from Estonia, Lithuania, Scotland, the Netherlands and Belgium developed a project focused at a wider target group: not only children but also their parents (a), not prevention in its general understanding but the application of preventive measures for children at early risk stages including also children at risk in this group.

The project<sup>143</sup> “Keeping Youth Away From Crime: Searching for Best European Practices” started on January 7, 2013, and it is planned to finish on January 6, 2015. The overall objective of the project – to find, identify and apply the best European practices in work with children from risk groups thus improving the welfare and social inclusion, reducing risks from crime and rejection, and creating safer environment for a successful child development within Europe.

The pilot projects started and worked in rural municipalities of Latvia where 120 individual programmes have been developed for at-risk children and their families. Each pilot project has an inter-institutional team consisting not only from specialists of children’s affairs, social workers but also educators and pedagogues, as well as specialists from law enforcement agencies. Within the inter-institutional team, an intense exchange of information was provided, risk and needs assessments for children and families were performed.

The pilot projects under the project<sup>144</sup> “Keeping Youth Away from Crime: Searching for Best European Practices” had two types of tasks: using the resources available in the project, to acquire effective practices for the work with juvenile delinquency prevention implementation tools (a); to use the acquired knowledge and skills in the work with children from risk groups and in risk situations, developing 120 prevention programmes in total for children and their families in three local

---

<sup>142</sup> Centre for Public Policy PROVIDUS: <http://www.providus.lv/public/index.html> in Latvian, Centre for Public Policy PROVIDUS, [http://www.providus.lv/public/index\\_en.html](http://www.providus.lv/public/index_en.html) in English (last visited on 25.05.2014).

<sup>143</sup> Author’s note: more information on the project is available in Latvian: <http://www.providus.lv/public/27802.html> and in English: <http://www.providus.lv/public/27804.html> (last visited on 25.05.2014).

<sup>144</sup> Keeping Youth Away from Crime: Searching for Best European Practices (2013 – 2015), in Latvian: <http://www.providus.lv/public/27802.html> and in English, <http://www.providus.lv/public/27804.html> (last visited on 27.05.2014).

municipalities (b). The tasks had to be performed in the form of inter-institutional cooperation<sup>145</sup> with the professional assistance provided by the specialists from the State Inspectorate for Protection of Children's Rights<sup>146</sup>.

The monitoring<sup>147</sup> of the pilot projects was carried out using the following methods: regular meetings of the monitoring team with regional Inter-institutional work groups at the pilot project sites in regions (a); regular summaries of the monitoring team work results between the visits to pilot project sites in regions (b); the organisation of in-depth (qualitative) interviews with the coordinators of the pilot projects (c); the evaluation of the impact of the pilot projects on children and families in regions (d); the evaluation of friendliness of services provided at the pilot project sites to children and families (d).

In total 173 children participated in all three pilot projects. Taking into account that there is a lack of a unified and systemic framework for preventive measures, no age frame for children to be involved in the pilot projects was set. It means that already at the moment of pilot project planning every local municipality acknowledged the age groups of children who could be involved in the project and planned the potential Catalogue of activities corresponding to that consideration. The identified risks in children can be relatively divided into: emotional education and communication disorders (a) and reasons of a socio-economic nature (b). The project could influence the most children and youth's emotional management skills and improve their social communication skills; in fact, there were very few possibilities to manage risks of a socio-economic nature<sup>148</sup>, the reasons of which have been long-term and arisen in the remote past of the family, for instance, low level of education for parents leading to their inability to find a well-paid job.

**The results of the pilot projects** are related to this condition: children, youth and parents have managed to stabilise their mutual relations, acquire new communication skills, make and broaden the circle of trust, acquire new useful skills for daily lives. At the same time it was not possible for the pilot

---

<sup>145</sup> Author's note: each local municipality involved in the project established an Inter-institutional cooperation work group.

<sup>146</sup> The State Inspectorate For Protection Of Children's Rights: <http://www.bti.gov.lv/lat> , in English, [http://www.bti.gov.lv/eng/vbta\\_inspekcija/](http://www.bti.gov.lv/eng/vbta_inspekcija/) (last visited on 28.05.2014).

<sup>147</sup> Author's note: detailed results of the pilot project monitoring will be included in the pilot project research (monitoring report). This report will include the evaluation of preventive work in regions involved in the project with the aim to distribute the good practice also in other local municipalities in Latvia and among other specialists.

<sup>148</sup> Materials from in-depth (qualitative) interviews with the leading specialists at the pilot project sites in the project "Keeping Youth Away from Crime: Searching for Best European Practices" (JUST/2011/FRAC/AG2671). Interviews were taken from May 19 – 26, 2014. Unpublished material.

project to solve such factors as inappropriate environment or domicile for the family or parental unemployment. However, despite this factor, there is a ground to consider that the recognition of the problems and the identification of risk factors together with the family have to be considered already as a step closer to the necessary solutions in future.

Implementation of the pilot projects is approbated practice to work with children who have antisocial behaviour risks. This experience is transferable to other European countries. Experience of pilot projects shows the way, how without big financial resources and investments is possible to develop an interinstitutional preventive systems in municipalities for child protection and prevention of children`s antisocial behaviour.

#### **4. Some concluding remarks**

In Latvia, there is no system of justice for children and youth separately from the system for adults and the preventive work with minors is not regulated in one unified legal enactment.

The planning and implementation of preventive work in Latvia is under the responsibility of local municipalities, the current legal framework does not limit local municipalities and they can perform preventive work with children of any age who act in a way that could lead to illegal actions. At the same time, there is a lack of methodological instructions regarding the forms of preventive work with children from particular age groups and due to that and other reasons preventive work with children is insufficient at least in a half of local municipalities in Latvia.

\*\*\*

## Lithuania<sup>149</sup>

### 1. Brief overview of Lithuanian legislation and measures

In 1996, the juvenile justice reform was implemented in Lithuania. Its main goals were to create and implant other than punishable, as well as preventive-social intervention measures for juvenile delinquents.

The year of 1999 marks the beginning of the Juvenile Justice Program for 1999–2002 in Lithuania which main goal was to reduce the number of repeated juvenile crimes. In 2004, the Government of the Republic of Lithuania ratified the second Juvenile Justice Program for 2004–2008 aimed at the re-socialization of juveniles who violated the law and thus, reducing the rate of juvenile crime, also at creating an optimal network of the institutions that work in juvenile justice system and at constantly improving the training system for the officers and other staff that work in this area.

Both programs led to a significant progress in juvenile justice system – it became more humane and oriented towards the juvenile age characteristics and the needs of juvenile education. Based on these programs, the system of minimal and *medium* care for the child was created and ratified in 2008. The system is aimed at creating an integral system to work with minors that have behavioral problems by providing them with social, pedagogical, psychological, and other help.

Child rights in Lithuania are ensured by:

- the state and institutions (The Institution of the Ombudsman for Children Rights, Ministry of Social Security and Labor, and State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labor).
- Institutions of local municipalities (Municipal Child Rights Protection Agencies).
- Public organizations which activities are related to the child rights protection.

In general, preventive work is organized through the programs ratified by the Government of Lithuania: Juvenile Occupation and Improving Delinquency Prevention Program, National Children and Youth Crime Prevention Program, National Drug Control and Drug Addiction Prevention Program, The National Program Against the Commercial Sexual Exploitation and Sexual Abuse of Children, The Children and Youth Socialization Program, and Juvenile Justice Programs.

---

<sup>149</sup> Created on the basis of the national research report on Lithuania in the project “Keeping Youth Away from Crime: Searching for Best European Practices” by Asta Piksriene and Egle Kuraite, available at: <http://www.oijj.org/en/keeping-youth-away-from-crime-results>.

## 2. Promising practices in early juvenile crime prevention

### 2.1. Big Brothers Big Sisters

Big Brothers Big Sisters, the program based on the principles of mentorship, serves as a tool for prevention and early intervention. Its main idea is personal and voluntary help for children where carefully selected and trained volunteer interacts one on one with the child aged 7–17 and helps him to deal with uncomplicated psychological problems. The relationship between the volunteer and the child is supervised and facilitated by specialists (psychologists, social workers, and etc.).

The volunteer (Big Friend) and the child (Little Friend) meet **once a week** and spend together no less than two hours. At the beginning of the friendship, they sign a Contract of Friendship that lasts **a year**. After one year, the contract is terminated or renewed for another year by mutual agreement of the child, volunteer, child's parents or foster-parents and program coordinators.

The friendship between the child and the volunteer follows certain rules. It is supervised and facilitated by the professional BBBS coordinators and/or case managers.

The program helps children who lack direct attention and long-term support, do not socialize, and have no positive adult role model to follow. The program is useful to children who have been emotionally, physically, or sexually abused, were neglected, experienced alienation and sneering by the peers; whose parents are divorced or they lost close member(s) of the family, whose family members abuse alcohol or drugs, or they live in the family where a physical punishment is a norm.

BBBS came to Lithuania in **1995**. In Lithuania, the program was first implemented by Open Society Fund of Lithuania. Later, the Children Support Center took over and started to administer it in Vilnius. Today the program is successfully implemented in many Lithuanian cities and schools

Children are directed to the program by their teachers, psychologists, or social workers. Also, parents find out about the program on internet, hear about it from friends and acquaintances. There are cases when children ask to be accepted into the program because their brothers, sisters, or friends had Big Friends.

#### Help Providers – Volunteers

To become a BBBS volunteer can any motivated and responsible person of 18 years or older who wants and can understand children and their needs, and would like to be friends with the child. This

work is free and voluntary intended to help the child to become psychologically stronger and teach him to live differently. The volunteers can be people of any profession. But first they have to undergo screening and take a special training.

People who want to participate in the program and become volunteers have to be screened. At the first screening, a volunteer-to-be fills out an application, submits two recommendations and a copy of his ID. The purpose of the conversation with the volunteer is to evaluate his psychological state. It is important to see what is volunteer's motivation to participate in the program, what is his personality and life story, what traumatic experiences one has had and how they were dealt with. The conversation allows examining volunteer's ability to be stable and consistent, whether he can keep one's promises and pursue goals. Volunteer's values and the ability to be a role model for the child are taken into account as well. The volunteers who make through the first screening are invited to participate in ten week (total of 20 hours) training, the second part of the screening routine.

### **Program Effectiveness**

Friendship with the trained volunteer helps the child to start trusting himself and others, deal with difficulties and overcome the isolation, open up, interact with others in a friendlier manner, and learn how to take care of himself and others. The Big Friend becomes a role model to the child. Volunteers encourage children in difficult moments of their lives, and teach them to tell good from bad. The volunteers, students or people of different professions, show children the importance of learning and education, and introduce them to their profession and work. The Big Friends have a positive impact on children's independence, they teach them various practical things (for example, how to take public transportation or plan one's day).

Friendship with the Big Friend teaches the Little Friend how to make friends with others. The child becomes more courageous, and starts feeling more confident about himself and others.

In 2000, a study, conducted in the US, found that after 18 months of friendship with the Big Friends the Little Friends, compared to children who did not take part in the program, were 46% less likely to begin using illegal drugs; 27% less likely to begin using alcohol; 52% less likely to skip school; 33% less likely to hit someone. The study also found that children in the program were more confident of their performance at schoolwork and getting better along with their families.

In 2005, a study was conducted in which 200 respondents (children, volunteers, and parents or foster-parents) were asked questions about the effectiveness of the BBBS program in Vilnius. The study found that 89% of children, 95% of parents, and 96% of volunteers noticed positive impact on children. Both the volunteers and parents agreed that children started more to trust themselves and others, became more confident and independent. They made more friendships with their peers, became more attentive and responsible, learned better to express their feelings, and improved their relationship with parents and friends of their own age.

The study shows that children's participation in the program is important for several reasons. Children can find a true friend, expand their horizons; they spend their leisure time in a more creative way; find new hobbies, gain more confidence, become more independent; also, start to understand themselves and others better, become friendlier.

### **Financial Support of the Program**

The BBBS program administered by the NGO Children Support Center is supported by various entities. The program is supported by businesses, foreign foundations, and Lithuanian people who donate 2% of their income taxes.

Projects meant for BBBS participants (summer camps and other events), scouting for volunteers, training of children and volunteers, and program's advertising are supported by various ministries of the Republic of Lithuania and Vilnius city municipality. In these cases, the program is supported as part of the services to children who were abused or went through various crises.

#### **2.1.1. BBBS at School**

**The BBBS program applied in schools** prevents and intervenes. It helps to minimize isolation and aggressiveness among children in Lithuanian schools. **The main goal of the program** is to form a friendship at school between younger and older school kids where the older children become the Big Friends for younger kids. The friendships are professionally supervised by trained school teachers.

### **Volunteers in school**

The older children can play a very important role at abuse prevention and intervention in their schools. 9–12<sup>th</sup> grade adolescents are active in school's life, they take part in useful school's projects, gain experience and practical communication skills while working voluntary with younger peers; they creatively influence their opinions, learn how to pass this social experience to others, feel their usefulness and purpose, and perform social activities.

The older children can be a positive role model to younger kids – they act as their support, and the source of information. They help them to get a sense of and understand school subjects, to keep relationships, choose right friends, and raise younger kids' self-confidence and self-esteem.

### **The coordinator of the BBBS in school**

In schools, the coordinator of BBBS can be a schoolteacher, social educator, psychologist, or any other school staff member who has a university diploma, completed BBBS in School training course and has a certificate to prove it. These courses are organized by the NGO Children Support Center.

#### **2.1.2. BBBS in Lithuania**

The Big Brothers Big Sisters Association of Lithuania, established in 1999, unites BBBS programs in all Lithuania. The mission of the NGO Children Support Center is to spread the BBBS program in Vilnius city and the whole country. **Today the program is successfully implemented in nine Lithuanian cities and towns.**

#### **2.2. Second Step – violence prevention curriculum**

Program “Second Step” is a program that develops and reinforces children social and emotional skills. The main goal of the program is to reduce a number of problems that children face interacting with each other, lower the level of their anger, teach them to cope with the feelings, deal with the impulsive behavior and understand the consequences of such behavior, and learn to solve behavioral problems.

In Lithuania, the program “Second step” has been administered by Children Support Center since 2004. To make sure it works for Lithuanian schools, in 2004, the Center ran the program in 16 Vilnius

city classrooms. Since the results were very positive, in 2007, the Center signed a contract with the Committee for Children and was granted the right to carry out the program in Lithuania. All Lithuania's schools can participate in the program which works as a violence reduction and prevention tool. In 2008, The Ministry of Education and Science of the Republic of Lithuania supported the implementation of the program in Lithuanian schools. Today the "Second Step" program is used by more than 1,300 Lithuanian teachers.

### **Theoretical Reasoning**

The main focus of the program is social skills that play crucial role in helping children to succeed while interacting with peers without using aggression. The program is devised in such a way that it addresses one of the three child's social responses: emotional, cognitive, and behavioral.

Children try to use their behavioral skills in complicated social situations<sup>150</sup>. Lack of social skills can lead to inaccurate interpretation of social signs and one's intentions and cause inadequate social response. Studies show that lack of social skills is related to child's adjustment in the classroom, social status, and effective relationship with his peers.

The child who has been rejected is less likely to show socially positive and cooperative behavior and has more difficulties to become part of the group. Children with high social status show higher degree of social and cooperative behavior than the rejected ones<sup>151</sup>. The problems that arise while interacting with the peers can become the reason of aggressive behavior and encourage such behaviour<sup>152</sup>. Boys who were rejected or isolated most often would demonstrate inadequate behavior and physical aggression. To the contrary, the boys who are popular in the class are less likely to behave aggressively and antisocially<sup>153</sup>.

Poor social skills and communication difficulties are related to behavioral disorders<sup>154</sup>. If the child cannot recognize difficult social situation and think of possible ways to deal with it, as well as foresee and evaluate possible implications, he would less often show socially adequate response<sup>155</sup>.

---

<sup>150</sup> Hirschstein, 2002.

<sup>151</sup> Walker, 2004.

<sup>152</sup> Coie & Kupersmidt, 1983, cited in: Walker, 2004.

<sup>153</sup> Dodge, 1983.

<sup>154</sup> Gaffney, McFall, 1981, Spence, 1981, cited in: Spence, 2003.

<sup>155</sup> Lochman, Dodge, 1994, Spence, Sheffield, Donovan, 2002, cited in: Spence, 2003.

Social skills act as a very important preventive factor. Children with poor communication skills have higher risk to adjust themselves in the future than children who are socially competent<sup>156</sup>. Bernard distinguishes 4 important factors of strength. Two of them are social and emotional factors: 1) social competence (communication skills, empathy, responsibility, and caring); and 2) problem-solving (planning, flexibility, and decision making)<sup>157</sup>. Social and emotional education has significant impact on the factors that lead to harmful behavior or is related to person's health – drug and violence abuse<sup>158</sup>.

By developing children social skills in school we secure safer environment with less possibility of violence and crime<sup>159</sup>.

### **Program's Content**

The program is created to develop child's social competence by teaching him social and emotional skills that will be useful in the future. The program is an universal abuse prevention program that includes all children in class. It is devised for 4 age groups: preschool/kindergarten; 1–3<sup>th</sup> grade; 4–5<sup>th</sup> grade, and high school students. In Lithuania, this program is translated and adapted for 1–4<sup>th</sup> grade school children.

The teaching material is used in the classroom, therefore it requires minimum preparation time from the teacher. The “Second Step” classes are easily integrated into the core curriculum and take place once a week.

All children participate in the program led by the teacher. Children are encouraged to use their newly acquired skills not only in class but during the day as well. Parents are also welcomed to participate and positively reinforce their children new social skills at home.

The “Second Step” program is based on cognitive behavioral methods that are found in Bandura's social learning theory (1986)<sup>160</sup> and social information processing models<sup>161</sup>. The program is based on Kendall's (2000) viewpoint on psychological problems that are related to cognitive and behavioral reasons.

---

<sup>156</sup> Cowen, and etc., 1973, cited in: Goldstein.

<sup>157</sup> Bernard, 2004.

<sup>158</sup> Fredericks, 2003.

<sup>159</sup> Skiba, Boone, and etc., 2000.

<sup>160</sup> Cited in: Hirschstein, 2002.

<sup>161</sup> Crick and Dodge, 1994.

The teaching program consists of three parts: empathy, impulse control, and anger management that follow each other in a consecutive order.

Part I – Empathy development. Children are taught to recognize their own and others' feelings, use different point of views, and react emphatically. In the classroom, they learn to identify and name various feelings, are taught to recognize them, and react to other people.

Part II – Impulse control and problem-solving. Here, the main focus is on calming oneself down, recognizing sudden and ill-considered behavior in complicated situations, and reflecting over the problem. Children learn and are taught how to use three strategies: calming yourself down; social problem-solving, and taking behavioral skill steps that can be used trying to come up with the decision. In this part, the skills that children learn are used in the third part of the program.

Part III – Anger management. Children are taught to recognize anger, to use various anger management techniques, and use problem-solving strategy in angry situations. The goal of this part is to reduce angry behavior among children. Anger management techniques are specifically adapted for early age children. It integrates both calming yourself down and problem-solving strategies taught in the second part of the program and adds a reflective component which children use to assess their own behavior while dealing with angry situations<sup>162</sup>.

### **Trainings**

The teacher plays a very important role in helping children to develop their social and emotional skills. That is why Children Support Center specialists who supervise the quality of the program in schools teach educators how to work with the “Second Step” program. They provide them with all the necessary information about the program, introduce to the goals, and guide them throughout the process. The length of the training is 24 credit hours.

---

<sup>162</sup> Hirschstein, 2002.

### **Assessing the Program**

Effectiveness of the program has been assessed on regular basis and by various specialists<sup>163</sup>; the results show good results from several aspects. As for the Lithuania – the study on the effectiveness of the program has been conducted and more than 100 first grade school children took part in it. The goal of the study was to assess children knowledge of social skills and behavior before and after the program. The study showed that after the program the social skills, especially in anger management, of the focus group increased significantly. To the contrary to children who did not take part in the program, even after a year children who participated in the “Second Step” showed better social skills. It was also noted that the program had stronger impact on children with bigger emotional and behavioral problems<sup>164</sup>.

### **3. Some concluding remarks**

To conclude, it must be noted that the education system carries the most responsibility for organizing the juvenile delinquent prevention in Lithuania. Within its framework the *Law* on Minimal and *Medium* Care for the Minors is applied, the activities of social educators and psychologists, as well as preventive group work is organized.

Trying to create effective, modern, and humane juvenile justice system, it is important to reinforce the competences of the staff working in juvenile legal system, encourage the cooperation among the institutions, and deepen the specialization of the professionals working with the youth inclined to commit crimes.

\*\*\*

---

<sup>163</sup> See, for instance, Grossman (1997) (cited in: Frey, Hirschstein, Guzzo, 2000), studies conducted by Beland (1988, 1989, 1991, 1992, cited in: Frey, Hirschstein, Guzzo, 2000), study conducted by Beland and Frey (2002) and Schick, Cierpka, 2005.

<sup>164</sup> Kuraite, 2008.

Centre for Public Policy PROVIDUS would like to sincerely thank the authors for their contribution to implementation of project and for preparing the national reports!

Dr. J. Ruderstaller, Austria  
J. Moriau, Belgium  
D. Breger, England and Wales  
S. Randazzo, Italy  
G. McCluskey, S. Riddell, M. Mitchell and K. Tisdall, Scotland  
S. Andersson, Sweden  
M. Euwema and E. Miedema, the Netherlands  
J. Salla and J. Strömpl, Estonia  
A. Piksriene and E. Kuraite, Lithuania

THANK YOU!

