

# Summary

## **Juvenile crime & delinquency across borders : A review of juvenile crime and delinquency trends, legislation, policy, effective prevention and intervention outside the Netherlands**

This review examines three aspects of juvenile crime and delinquency:

- The development of juvenile delinquency in Western Europe
- Prevention and intervention policy in some European countries
- Strategies and programs that have proven effective elsewhere in the world (not only in Europe)

### **The development of juvenile delinquency in Western Europe**

It is very tricky to make general statements about the development of juvenile delinquency in Europe. Figures are always biased in a variety of ways, in a negative or positive direction. In addition, legislation and criminal policy are different in different countries. The interpretation of available data is difficult because of incomplete reporting, not only in the Netherlands but in other countries as well. If reliable comparisons between countries are to be made, a more uniform system of reporting on an international level will have to be developed. In spite of these handicaps, an attempt has been made to compare the Netherlands with some other countries in Western Europe.

It seems that within Europe, the Netherlands is no exception. Official figures in the Netherlands, Germany and England show a steady rise in juvenile delinquency, especially in violent crime, in all three countries throughout the eighties and the nineties, and a certain degree of stabilisation or a slight decrease from 1998 onwards.

### *Prevention and intervention policy in some European countries*

A description is given of legislation and official government policy on juvenile crime and delinquency prevention and intervention in England and two German Federal States (Nordrhein-Westfalen and Baden-Württemberg).

#### *German and English legislation*

Comparisons of laws in the fields of youth welfare, child protection and juvenile crime reveal some striking similarities and differences between England and Germany. The German *Jugendhilfegesetz* 1991 and the English *Children Act* 1989 both assign primary responsibility for child raising to the parents. Furthermore, both stress the great importance of early intervention in families at risk.

The German and English laws on juvenile crime and delinquency are not so similar. The German *Jugendgerichtsgesetz* dates from 1953 and in spite of some modernisations, it still makes an old-fashioned impression. In Germany, parents play no role in juvenile criminal law. The English *Crime and Disorder Act* 1998 is new legislation and offers several possibilities for (very) early intervention including curfews and *child safety orders* aimed at children under the age of ten. Some new sanctions in which parents are actively involved have also been introduced. For the first time in history, British parents are held responsible by *criminal law* for raising their children. Both countries have chosen to use sanctions and interventions to influence the behaviour of children and juveniles, rather than merely “do justice”.

#### *German and English policy*

Comparisons can be drawn between Germany and England, but also between Nordrhein-Westfalen (NRW), Baden-Württemberg (BW) and England. Germany pays relatively much attention to specific problems of ethnic minorities and the threat of right-wing extremists while England stresses the importance of prevention and early intervention. Another difference between Germany and England is the importance the government attaches to the value of policy-oriented scientific research. England focuses more strongly than Germany on systematic evaluations of programs and policies. Although the differences between NRW and BW are relatively small, the

Minister of Justice in NRW takes a stronger position against prevention as a task of the Department of Justice. The two German governments strongly differ from the English government on this issue.

### *Comparison with the Netherlands*

Governments in both Germany and England are given an important task in the field of early intervention. In the Netherlands, intervention in private family life does not take place until there is clear evidence that a child is in moral or physical danger. Another difference is that in Germany and England, the several forms of social care for children and families are available within the same legal framework, whereas in the Netherlands there are two legal frameworks, one for child welfare and another for child protection.

## **Effective prevention, effective intervention**

This report offers a “survey of surveys” of interventions that have proved to be either effective or ineffective. Interventions whose effectiveness is *unknown* have not been taken into consideration.

### *Effective and ineffective methods of prevention*

Preventive interventions may consist of strategies or programs that are applied in several social domains (family, school, neighbourhood); they can focus on children or juveniles of varying ages, starting with the very young. Apart from social domains, three levels of intervention (universal, selected, indicated) as well as different outcome measures (for instance aggressiveness, drug use, disruptive behaviour) can be discerned. To be included in our analysis, reviews concerning the prevention of juvenile crime and/or violence had to meet strong scientific criteria. This method of selection produced seven (American) reviews. Most of them distinguish between “effective” (or “model”) programs and “promising” programs; two of the studies also describe programs that have been demonstrated to be *ineffective*. In this report, only those programs are presented that have been described as effective in *at least* two of the seven reviews, or as ineffective in any of them. The most effective programs directly address various risk- and protective factors children may be exposed to in each of the social domains they successively enter, especially if more than one domain is tackled at the same time. This is strong support for developmental criminology. The findings also confirm social-cognitive learning theory in that programs which reward desired behaviour and devote attention to both affective and cognitive factors most often produce (lasting) results.

A number of prevention programs are ineffective or even harmful. For instance, information on drugs given in schools by policemen in uniform does not work. Homework supervision organised by schools does not lead to a decrease in delinquent behaviour or drug use. Efforts to instil group norms in juvenile groups or gangs have failed and have led to an increase in (group) delinquency in some cases.

### *Effective and ineffective (penal) interventions*

Penal interventions after a crime has been committed, like preventive interventions, can consist of programs or strategies aimed at (risk or protective factors in) several social domains. A main goal of penal interventions (besides other goals or functions of punishment like retribution) is to reduce recidivism. In this survey, a penal intervention is only qualified as effective if there is scientific proof of its ability to reduce or stop recidivism. The seven above-mentioned studies were examined again in search of programs designed for individuals with a criminal record (prevention of recidivism). Other systematic reviews and meta-analyses on the subject were also collected worldwide.

Programs most effective in reducing recidivism tend to have certain characteristics in common.<sup>1</sup> They:

- Target medium- to high-risk juvenile populations
- Target criminogenic risk factors (e.g., association with delinquent peers, school truancy, substance abuse) amenable to intervention
- Are individualised, family-based, and delivered in community settings
- Are based on a particular treatment model or approach having sound empirical research demonstrating its effectiveness
- Have well-trained staff, and a program director who is an effective advocate for the program with courts, parents, and community leaders
- Deliver a sufficient treatment dosage (usually of at least 6 months duration)
- Have fidelity to the program design - the program must be delivered *as designed*, which requires well trained staff, good supervision, and program monitoring and evaluation

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<sup>1</sup> Derived from Redding (2000).

- The juvenile's treatment progress is monitored on an ongoing basis, with program modifications made as necessary
- There is ongoing collaboration between the probation officer and treatment providers
- Aftercare services are provided to prevent recidivism

As for program *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:<sup>2</sup>

- Life-structuring skills training and behaviour-therapeutic interventions; individual as well as group and system-interventions
- Family- and system-oriented interventions in which staff members make use of different strategies and techniques in a flexible way
- Multimodal intervention which draws on several complementary strategies of change oriented towards more than one context.

On the basis of the results, it is recommended that priority be given - if possible - to 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 of them intensive forms of intervention work best, especially if *continuity* of personal contact with the juvenile is pursued through his/her developmental stages and expanding social domains.

Within the framework of penal law, behaviour-influencing *treatments* can be applied for more than one purpose. A distinction should be made between treatments of observed behavioural disorders and interventions primarily meant to prevent recidivism. For juveniles with serious behavioural disorders, Kazdin (1997b) advocates a model in which both aspects are dealt with. First, the disorder is tackled. Then treatment is continued in order to prevent backsliding.

Some intervention programs are ineffective or even harmful. For instance, boot camps and other interventions designed particularly to scare do not work, and neither do survival camps. Adjudication of minors according to laws made for adults leads (at least in the U.S.) to more not less criminal behaviour.

### *Screening and risk taxation*

The first time the police are confronted with a delinquent child, it may be useful to have a simple instrument that can discern between relatively innocent or incidental offences and offences that may be precursors of more delinquent behaviour in the future. Several screening and risk taxation instruments have been developed for this purpose in America and Canada. Most of them still have to be validated, however the Netherlands can try some of them by way of experiment.

### *Accreditation*

Some countries use a system of accreditation, specifying criteria that penal programs must meet in order to be officially recognised. One of the requirements for accreditation is the availability of good evaluation research demonstrating that thanks to the program, recidivism decreases. So far, in the Netherlands little evaluation research has been done that fully meets scientific standards. This makes it hard to predict which programs will work best. Introduction of a system of accreditation should be a goal in the long term, but this will require careful preparation.

## **Need for scientific research**

Thanks to scientific research many risk and protective factors for the (non)development of delinquent behaviour have already been identified. However, most of the relationships between exposure to risk factors and later observed delinquent or other problem behaviour have not yet been unravelled. Also, little is known about the relationship between risk factors and the success of (certain) interventions. The best method for finding this out is to design a large-scale, prospective, longitudinal research project.

Instruments for screening and risk taxation should be (further) developed. In the Netherlands, more studies of the effectivity of sanctions, including assessment of the effectivity of *aftercare*, are needed. Until now, little experimental or quasi-experimental research on effectivity has been done. To foster evaluation research and to improve its quality, the Research and Documentation Centre (WODC) of the Dutch Department of Justice is developing a manual with instructions for setting up effect-evaluations of penal interventions in scientifically

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<sup>2</sup> Derived from Bartels et al. (2001).

sound ways. It should be ready in a few years. When more is known about the effectivity of strategies and programs, a start can be made with setting up a system of accreditation.