

## SUMMARY

### Introduction

On 1 January 2008, a start was made with a pilot that offers voluntary aftercare to juvenile offenders under a PIJ order (Placement in Institution for Juvenile Offenders), who are older than 18 years when they leave the institution. This occurred in anticipation of a proposed amendment of the Juvenile Penitentiary Principles Act (Bjj), which is expected to lead to compulsory aftercare. The objective of this study is to increase the knowledge on the nature, size and acceptance of the aftercare and the motivation factors that play a part in this. It is expressly not an evaluation of the pilot. The study is part of the PIJ research programming of the Research and Documentation Centre (WODC) of the Dutch Ministry of Justice, which is focused on increasing knowledge on and insight into the operational practice of the PIJ order.

### Method

The study has been conducted among a selection of probation institutes and all juvenile detention centres (JJI's) which have been involved in supporting the outflow of juvenile offenders aged 18 and older (18+ PIJ offenders) in 2008 en 2009. A document study has been carried out in these institutes and the employees involved were interviewed. In addition, interviews have been held with 18+ PIJ offenders who have accepted or refused aftercare, with officials of ten municipalities and with the Child Protection Board.

The selected research method imposes limits on the generalisability of the results. This has to do with the fact that the aftercare programme was still developing when data was collected, the fact that probation services and juvenile detention centres have different responsibilities and supervise juvenile offenders at different moments in the PIJ trajectory, the choice to leave part of the data collection to the institutes in question and the fact that the interviews with 18+ PIJ offenders are not based on a random sample. In spite of this, the study provides good insight into the way how and extent to which – in the midst of being further developed and improved – voluntary aftercare is offered and how and why this aftercare is accepted.

### Voluntary aftercare

The objective of aftercare is to ease the transition from a young offender's stay in a juvenile detention centre to free society and to promote collaboration within the network of professionals around the young offender in order to prevent re-offending. The aftercare consists of three phases. During the *preparation for outflow*-period the juvenile offender is prepared for his return to society (probationary release or, in case probationary release does not occur, voluntary aftercare) within the juvenile detention centre. For this reason, about half a year before outflow the (adult) probation service is involved by the juvenile detention centre. During the probationary release (with a maximum of

a year) the juvenile detention centre supports the juvenile offender and the probation service supervises the development of the probationary release. Afterwards, the probation service takes over the supporting task of the juvenile detention centre during the voluntary aftercare. Aftercare lasts for a maximum of one year.

This process has been further developed in the pilot. Initially, the cooperation between the juvenile detention centres and probation services did not proceed smoothly, however, this has improved in the course of the pilot. Nevertheless, it still occurs that probation services are involved too late in preparing a young offender for his return to society. It also occurs that young offenders return to society unprepared, when the judge decides not to go along with the advice of the JJI to lengthen the PIJ order or because they return to society without a probationary release. Moreover, psychological and medical problems are not diagnosed anew preceding the young offender's return to society. All these issues result in problems for the aftercare: the probation services are unable to establish a (sufficient) working relation with the juvenile offender and cannot sufficiently motivate the juvenile offender for voluntary aftercare; the aftercare is dominated by sorting out practical matters for the young person instead of providing actual support; and/or the aftercare programme is not geared towards the programme the young person followed in the juvenile detention centre.

### **The supply of voluntary aftercare**

The aftercare does not consist of a set of fixed interventions. For each young person a separate assessment is made of what this person needs by taking into account his social environment. The content of the aftercare is mainly practical in nature. When returning to society, not every young person has daily activities or income. In approximately ten percent of the cases one of these conditions is lacking. Such matters must then be realised in the aftercare period. In addition, after returning to society (results of) addiction, debts, psychiatric problems and criminal elements in the home environment may demand the attention of the aftercare services. Due to these factors often the aftercare services do not succeed in building on the treatment programme of the juvenile detention centre.

### **Receiving and accepting aftercare**

All young persons qualifying for aftercare, receive an offer to participate in voluntary aftercare. In the second year of the pilot 68 percent of the young persons accepted this aftercare. There seems to be a connection between the supply and acceptance of aftercare and probationary release: young persons who have not received and/or not accepted an invitation to participate in aftercare, more often have not been on probationary release. In general, there is no relation between background characteristics of young persons and the question whether they accept or refuse the offer.

In practice it turns out that not all aftercare programmes that have been accepted, are in fact started or followed through to the end.

### **Motivation for voluntary aftercare**

With regard to participating in voluntary aftercare, young persons are mainly extrinsically motivated. In particular assistance with sorting out all kinds of practical matters may persuade young persons to accept the aftercare. Internal motivation does not play a large part. In the future, after the aftercare will have been made compulsory, motivation will more often come from the external environment (coercion). It will remain important to maintain the extrinsic motivation and to further develop the intrinsic motivation. Therefore, anticipating the wishes of the young persons concerned will remain an important factor of aftercare in a compulsory framework.

### **Conclusion**

The quality of aftercare depends on the quality of the programme followed by the young person in the juvenile detention centre and during probationary release. Ideally, at the moment the aftercare is started, all conditions for a young person's successful return to society are met and the person in question has also been enabled to practice his return to society during probationary release. During aftercare, support is focused on matters with regard to which extra support is necessary, in order that the things the young person has learnt in the juvenile detention centre and during his probationary release, will take root.

The study shows that at this moment, the chain of treatment, preparation for outflow and probationary release do not guarantee that juvenile offenders are ready to return to society, and that this is both due to practical reasons and to issues which are connected to the problems and motivation of the young persons concerned. This renders aftercare more difficult. The methods that are currently used in the aftercare are not fixed and proven to be effective, whereas such methods do in fact exist. Furthermore, the contact is often sporadic during aftercare or the aftercare programme is not finished. These pressure points cannot entirely be solved by simply making aftercare compulsory. The solution lies in the programmes that precede aftercare: the treatment in the juvenile detention centres and the probationary release. Eventually, the aftercare programmes should strive for a situation in which after finishing their sentence, young persons can successfully return to society without re-offending.

