

Summaries

Justitiële verkenningen (Judicial explorations) is published four times a year by the Research and Documentation Centre of the Dutch Ministry of Justice and Security in cooperation with Boom juridisch. Each issue focuses on a central theme related to judicial policy. The section Summaries contains abstracts of the internationally most relevant articles of each issue. The central theme of this issue (no. 1, 2022) is *The development of conscience*.

The relationship between a runny conscience and a stable identity

Frans Schalkwijk

Every human being strives for the experience of a stable identity over time. In order to achieve this, the conscience constantly evaluates whether our self-esteem at a given moment fits that identity. When our self-esteem rises we experience pride, but when it falls we experience guilt or shame. Many of these evaluations are based on the ability to be empathetic, because empathy allows you to estimate how you relate to the other person. Another source of evaluation is being aware of values, norms and rules. In pro Justitia reports on delinquent young people, diagnosis of conscience is an important point of attention. How does the offense fit with his identity and what does it do with his self-esteem? To gain insight into this, the diagnostician focuses his attention on several areas of the young person's life. Assuming the alleged ethnic-cultural specificity of criminal behavior is a pitfall that should be avoided.

On empathy and disruptive behavioral disorders

Minet de Wied

Children and adolescents with disruptive behavior disorders, including oppositional defiant disorder (ODD) or conduct disorder (CD), are known to show little compassion and empathy for others' suffering, particularly those with callous-unemotional (psychopathic) traits. This contribution addresses the question of what we know about the nature and causes of empathy problems in youth with disruptive behavior disorders, and whether the problems are different among subtypes. The heterogeneity of disruptive behavior disorders is discussed, the complexity of the empathy process, and research on

empathy deficits in children and adolescents with ODD/CD. To sum up, (1) it is proposed that different mechanisms may underlie empathy problems seen in children and adolescents with ODD/CD, with or without psychopathic traits, (2) the strength of the empathy response depends in part on stimulus characteristics, also for those with psychopathic traits, and (3) it is advised to use a multimethod approach to depict the empathy process at different levels of human functioning.

The effectiveness of moral behavior interventions with young offenders. A survey study

Evelyn Heynen, Eveline van Vugt, Mark Assink and Geert-Jan Stams

Juvenile delinquents appear to be delayed in their moral development, more specific the development of their moral judgment, empathy, guilt and shame. Moral development also appears to predict recidivism. It is therefore plausible that interventions that focus on the moral development of juvenile delinquents could have a beneficial effect on reducing recidivism. However, our systematic review (i.e., meta-analysis) shows that with these so-called moral behavioral interventions the level of moral judgment of juvenile offenders can be significantly increased, by 22%, but that such interventions have no effect on recidivism. It may be possible to increase the effectiveness of moral interventions for juvenile delinquents by simultaneously influencing several aspects of moral development instead of, for example, only moral judgment or empathy. In addition, problems of poor aggression regulation, often caused by a history of traumatic events, may need to be addressed first before moral-behavioral interventions can be effective.

The perspective of the expert and the assessment of conscience

Julia Tiemersma

The GGD report states that 99% of the Top 600 juvenile offenders have a lacunar conscience. But what is conscience from a clinical perspective, what type of information does the clinician or rapporteur gather and how is it described? The department of forensic ortho-pedagogy of the University of Amsterdam is developing an instrument with which behavioral scientists can make a descriptive diagnosis of the conscience in a structured manner. For the construction of the instrument the experiential knowledge of Dutch clinical experts in the field

of conscience is collected. By means of qualitative research methods, a number of domains and methods were identified that are considered important for the diagnostics of conscience. Based on the current study and state-of-the-art scientific literature, a clinical structured judgment instrument is realized in which the clinician is describing the domains of empathy, self-aware emotions such as shame and guilt, and moral development a form a strength-weakness analysis of the conscience.

Ethnic and cultural traits in psychiatric evaluations of defendants

Laura van Oploo

This article explains the role and significance of ethnic and cultural traits in forensic psychiatric and psychological evaluations of defendants. These evaluations focus on the defendant's criminal responsibility (legal insanity), the risk of recidivism, and advice about the sanction to be imposed. There is an overrepresentation of defendants with an immigrant background in the criminal justice system, while research indicates that cultural and ethnic traits play a significant role in behavioral evaluations of defendants. In this article is discussed to what extent cultural considerations are part of those evaluations, and how they play a role in the expert's reasoning and the advisement of the criminal court.