

## **GROUP 2**

### **THE IDEAL JUVENILE JUSTICE MODEL: KEY INNOVATIONS AND PRACTICES**

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#### **I. SPECIAL THANKS**

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#### **II. INTRODUCTION**

Group 2 agreed to base its discussion on the following agenda: (1) Procedure for Appropriate Treatment; (2) Risk/Needs Assessment and Treatment Programmes; (3) Reintegration; and (4) Inter-Agency Cooperation and Governmental Support.

#### **III. SUMMARY OF THE DISCUSSIONS**

##### **A. Procedure for Appropriate Treatment**

The participants noted that there were various challenges faced within their jurisdictions, which included lack of formalized juvenile justice systems, evidence-based assessment and rehabilitation treatment. However, all the countries agreed that appropriate treatment should include specialized juvenile police and prosecutors, family/juvenile courts, juvenile rehabilitation centres and community supervision (i.e., probation officers and volunteer probation officers). All members agreed that the aforementioned components were important components of an ideal model and would be immensely beneficial for the care and treatment of juveniles in the various countries.

Some challenges were asserted by participants as acting as barriers to implementing the ideal model of juvenile justice due to lack of budget, lack of skilled human resources and lack of appropriate legislation.

Victims' rights were underscored by the group members as an important element in juvenile justice and should be considered during the whole process. The incorporation of victims was asserted to start at the police level and ending with the reintegration process.

##### **B. Risk/Needs Assessment and Treatment Programmes**

It was asserted that assessment is the collection and analysis of information which can be used for treatment planning, action/intervention and review. The five "W's" questions were also asserted as being an important component to assessment, as well as the performance of S.W.O.T analysis for the assessment of juveniles in institutions and by probation officers in the community, which enable us to identify the

critical factors and internal environment (strengths and weakness) and compared with the critical factors in the external environment (opportunities and threats). The latter was noted by the group as being beneficial in settings where there are no standardized actuarial tools as it is a simple method which does not require comprehensive technical knowledge (e.g., psychometric skills). There were participants who noted that in their countries there were no standardized tools and this approach would be beneficial.

Risk/needs assessment was noted as guiding the appropriate treatment intervention for juvenile offenders. A participant underscored the fact that risk assessment helps people, their personalities and social structures. Assessment is also aimed at tapping into the reason for offending. Furthermore, it was explained that interviews and tools are administered to ascertain the various focus areas for treatment as well as the level of intervention. For example, low risk juveniles could be treated in the community; on the other hand, high risk juveniles could be treated in an institution to ensure the best outcomes for various categories of juveniles.

The group agreed that risk assessment was an important element of the ideal model and some participants shared that there were various levels of risk assessment implemented in their jurisdictions. For instance, in the Japanese setting, life skills training for drug offenders, violent offenders and sex offenders were asserted as being guided through assessments of individuals who should receive the respective training both within institutional settings and community settings.

Members discussed the various treatment approaches available in their countries. They included: life skills training with a focus on criminogenic risk/needs, emotional development training and vocational training. The argument was made that interventions offered to juveniles were to be based on best practice.

Various novel approaches to treatment were discussed including initiatives to promote juveniles' self-reliance and the ability to make their own decisions. Examples of novel approaches included the Japanese Training Schools practice of *seijinshiki* (i.e., a rite of passage ceremony), which promotes exercise of agency as it fosters self-awareness as an adult, which is in line with the Good Lives Model. Another novel approach was the Fijian approach to including various members from the juveniles' community including village elders, police officers and social welfare officials in the process of diversion and treatment.

### **C. Reintegration**

Reintegration was agreed as the process through which a person is integrated into the social context again after a period of deprivation of liberty, rehabilitation or treatment, in particular, for having committed a crime. The purpose of sanctions and sentencing and treatment programmes is the successful reintegration after release. Ideally reintegration should include the person being reintegrated with the greatest possible naturalness to live in society as someone who has reinvented him- or herself.

The participants discussed various challenges to reintegration faced in their countries, and they include: the absence of material and psychological and social support at the time of their release. Some offenders on the other hand may find it very difficult to break the cycle of release and re-arrest (i.e., may recidivate).

Another noted challenge was the fact that the transition period from detention to the community can be particularly difficult for juvenile offenders, and it may be worsened by the stress of being supervised in the community and the stigma towards ex-offenders within communities. Other challenges include finding suitable accommodation with very limited means, managing of finances with little or no savings until they start to make money, access to a range of services and support for specific needs. Research on the variables that influence successful reintegration reveals the correlation existing between employment, housing, addiction treatment and social network support. The aforementioned barriers to successful reintegration must be taken into account when designing and implementing support programmes.

In some countries, the percentage of convicted criminals who have at least a previous conviction or have multiple prior convictions is high. These high rates of recidivism involve significant costs to society, both in terms of financial and public safety. Community safety necessitates that governments and communities develop effective interventions to assist ex-juvenile offenders as they reintegrate into the community

and desist from crime. Well-managed resettlement programmes are achieving wider acceptance and can offer an effective way in terms of costs to prevent crime.

Juveniles face challenges gaining stable employment. These may include personal factors (e.g., low self-esteem, low motivation, lack of skill, lack of training, mental disease and substance abuse), lack of stable housing and social factors. The influence of negative peers, lack of family support and a history of poor work are other factors. Most offenders return to disadvantaged communities with limited opportunities to work. Peer groups in these communities tend to offer few contacts with the world of legitimate work, and weak contacts make it difficult to identify and exploit the few employment opportunities available in the community. The state of the economy also affects the reintegration of prisoners. Poor economic conditions make it particularly difficult for them to find the right job.

The pre-release programme was asserted as an initiative that has been developed within the Namibian context and prepares offenders who are about to be released by developing and reinforcing skills they have acquired. The programme also addresses concerns such as the strengthening of family support and referral to outside agencies for services. The Fijian model of re-entry programmes was also deemed as an important innovative approach to preparing offenders to successfully reintegrate into the community. The model encourages families and communities to support the released person and ensure that they maintain their reformation.

There are family support houses, family days and family meeting houses (family houses allow offenders to have visits from family members who stay at the house for a period of two or three days). This was asserted as a privilege based on good behaviour, implemented in the Republic of Korea. This was noted by the group as aiding in the rehabilitation and maintenance of close family bonds. The group agreed that this model was particularly beneficial for juveniles.

#### **D. Inter-Agency Cooperation and Governmental Support**

All participants agreed that the factors mentioned below are current good practices from the various countries, but each practice needs improvement in order to maintain successful living as law abiding citizens.

The group agreed that though some organizations in their countries are doing a great deal of good work within various areas of juvenile justice, there is a lack of information sharing between agencies. A shared database was proposed as being an important area which requires strengthening. Collaboration between correctional facilities/institutions and child welfare organizations was noted as being important. There was an identified gap between the aforementioned agencies and the argument was made for strengthened collaboration between these agencies. The human resources exchanges practiced between agencies was asserted as being an integral component of internal collaboration. Risk management was reported as a challenge, particularly for those who have completed their sentences. The MAPPA model was noted as an initiative which may be beneficial within various countries for risk management.

Some best practices discussed included the Fijian Prisoners Alleviation Project Fund initiative which is aimed at developing ex-offenders who have been released from prison. There are criteria that offenders have to meet, and they have to apply in writing (project plan proposal) in order to be recipients of this fund. Monitoring of the project is carried out by police, social welfare and corrections to evaluate what is being done with funds. Non-profit assistance is received. Businesses also assist, based on recommended areas of support identified by corrections. Faith-based organizations such as Prison Fellowship aid in supporting offenders. There is an inter-agency database which is shared between the police, social welfare and corrections.

Another best-practice was the Republic of Korea's sharing-of-information component to rehabilitation and reintegration of offenders. Agencies such as the police, corrections, prosecution and other agencies share information through a Criminal Justice Information System (i.e., Information Center), which is an integrated system for the sharing of information. Some participants noted challenges in the implementation of similar information systems such as the external criminal justice partners being hesitant to share information within the system. It was stated that accessing correct information would be aided by a more integrated system.

A final best practice discussed by participants was the initiative of non-governmental agencies offering reintegration support in the areas of accommodation and teaching of various life-skills.

#### **IV. CONCLUSIONS AND RECOMMENDATIONS**

All participants agreed on the following conclusions and recommendations:

1. Establish specialized juvenile police with appropriate skills and promoting better rapport/trust through various methods such as the wearing of civilian clothing at work;
2. Formalized diversion for police in order to decrease detention for juveniles;
3. Amendment of legislation was proposed to improve the implementation of an ideal model for juvenile justice (e.g., the establishment of family/specialized juvenile courts);
4. Juvenile prosecutors and juvenile judges were deemed important elements for juvenile justice in various countries where these entities do not currently exist or function;
5. Public Awareness initiatives should be established to sensitize communities to juvenile justice and support crime prevention efforts;
6. Probation officers and volunteer probation officers might be advocated for in countries where these systems do not exist. Additionally, mentorship initiatives such as the Big Brothers and Big Sisters movement are also deemed as invaluable initiatives for juveniles;
7. Raise the level of cooperation with international agencies such as various United Nations offices as well as non-governmental agencies;
8. Pre-release and after-care programmes might be taken under consideration for the benefit of juveniles in participating countries where they do not have them;
9. Specialized skills and training for stakeholders within the juvenile justice system;
10. Twinning programmes (exchange programmes or cooperation on special juvenile justice projects) by JICA was suggested. This would include training, technical and other forms of support;
11. Information sharing for effective intervention and research, including the establishment of a uniform database;
12. Promotion of family ties through various initiatives such as family days and family consultation sessions;
13. Risk/needs assessment for juveniles within various cultural contexts specifically designed to guide treatment for addressing individual risk/needs as well as the evaluation of the effectiveness of this treatment;
14. The perspective of juveniles should be considered (through interviews) when making decisions on the appropriate measures to be taken following the commission of an offence;
15. The establishment of low security facilities for juveniles close to schools to enable them to attend school within settings where there is a lack of resources to provide educational services.