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INTRODUCTORY NOTE

It is with pride that the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) offers to the international community the Resource Material Series No. 68.

This volume contains the work produced in the 129th International Senior Seminar that was conducted from 11 January to 9 February 2005. The main theme of this Seminar was, "Crime Prevention in the 21st Century – Effective Prevention of Crime associated with Urbanization based upon Community Involvement and Prevention of Youth Crime and Juvenile Delinquency".

Rapid migration from rural areas to urban areas, especially in developing countries, has resulted in overpopulation, a strain on social services, an increase in unemployment and other problems. This has in turn led to an increase in crime, including an increase in youth crime and delinquency. Criminal justice agencies have traditionally responded by strengthening law enforcement and punishment. However, such approaches do not address these problems in the long term. In order to tackle these problems effectively it is necessary to establish an environment that is conducive to preventing crime and implement programmes that are geared at the reintegration of offenders into the community. The United Nations and the international community have taken various measures, for example, the U.N. Riyadh Guidelines and the U.N. Guidelines for the Prevention of Urban Crime offer a comprehensive approach to preventing juvenile delinquency and combating urban crime, respectively. And the Safer Cities Programme, established by the UN-HABITAT, provides support to local authorities to nurture their crime prevention capacities.

Despite the various international initiatives that have been taken, crime associated with urbanization and youth crime is a problem that continues unabated. As the trend towards urbanisation continues the need to find effective solutions will become greater. In recognition of this fact the 11th United Nations Congress on Crime Prevention and Treatment of Offenders held a workshop in April 2005 on Strategies and Best Practices for Crime Prevention, in particular in relation to Urban Crime and Youth at Risk, to discuss these issues. In view of this, and the growing importance of this problem, UNAFEI decided to hold this Seminar.

In this issue, papers contributed by visiting experts, selected individual presentation papers from among the Seminar participants, and the Group Workshop Reports are published. I regret that not all the papers submitted by the Seminar participants could be published.

I would like to pay tribute to the contributions of the Government of Japan, particularly the Minister of Justice and the Japan International Cooperation Agency, and the Asia Crime Prevention Foundation for providing indispensable and unwavering support to UNAFEI's international training programmes.

Finally I would like to express my heartfelt gratitude to all who so unselfishly assisted in the publication of this series; in particular, the editor of Resource Material Series No. 68, Mr. Simon Cornell.

March 2006

田内正広

Masahiro Tauchi
Director of UNAFEI

RESOURCE MATERIAL SERIES
No. 68

Work Product of the 129th International Senior Seminar

**“CRIME PREVENTION IN THE 21ST CENTURY – EFFECTIVE
PREVENTION OF CRIME ASSOCIATED WITH URBANIZATION BASED
UPON COMMUNITY INVOLVEMENT AND PREVENTION OF YOUTH CRIME
AND JUVENILE DELINQUENCY”**

UNAFEI

VISITING EXPERTS' PAPERS

CRIME AND CRIME PREVENTION IN THE TWENTY-FIRST CENTURY

*By Prof. Sir Anthony E. Bottoms**



I. INTRODUCTION

In this first paper, my aim is to provide some basic information, and some key concepts, which can guide us as we try to take forward the main theme of the 129th International Senior Seminar, namely 'Crime Prevention in the Twenty-first Century'.

I want to begin by reminding you of the contents of the first two paragraphs drawn up by the Course Organisers when they set out the formal Rationale of the 129th Seminar. These paragraphs are as follows:

Economic growth and development of modern industry have promoted migration of people from other areas. The living conditions in urban areas have worsened as a consequence, slum areas have emerged and street crime has expanded. Economic growth and other factors have also altered the social fabric; for instance, the extended family has shifted into a nuclear family, and the erosion of human ties in the community has promoted a breakdown in the traditional form of the community. This has been accompanied by a weakening of normative consciousness in the community and it is a cause of the deleterious change in the community environment.

This enervation of living conditions and social environment accompanied by urbanization has also affected crime trends. For instance, in urban areas, crime such as larceny, robbery, violent crime and drug related crime have drastically increased. At the same time, the type of offences committed by organized criminals, youth, juveniles and foreigners have become more serious. This phenomenon generates "feelings of insecurity" in the majority of people who are living in urban areas. This increase in crime has adversely affected the "quality of life" in the community and it will be a serious cause of hindrance to the sustainable growth of a country.

In this short passage, very many different ideas are touched upon — for example, relating to the economy, the family, the community and community norms, migration, crime trends, 'feelings of insecurity', and so on. In the first part of my paper, I want to try to consider some of these issues systematically, before I move on to the topic of crime prevention.

II. RECENT SOCIAL CHANGE

History, of course, looks very different in different countries. In the United States and Canada, for example, very few buildings are more than two hundred years old, but that seems very recent by the standards of the great European and Asian civilisations.

In European social thought, a concept that has recently acquired some persuasiveness is that of 'late modernity'. To understand this term properly, we have to understand what 'modern' means in the context of European history. In a nutshell, it has two main reference points:

First, in Europe the 'modern' period replaced the mediaeval period; and in terms of social organisation, the pre-modern feudal system was, by stages, gradually dismantled and eventually replaced by capitalism. The advent of capitalism, in turn, eventually resulted in the Industrial Revolution, leading to a huge migration from the countryside to industrial cities.

Secondly, in European thought the 'modern' period refers to the period of the so-called 'Enlightenment', when a scientific world-view was increasingly adopted by educated people, replacing earlier and more

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traditional thought-forms. The dominant feature of the scientific world-view is, of course, that it is an *open-ended quest*. In principle, any scientific concept can be falsified or modified by the next discovery or the next experiment; thus, scientists learn to set up hypotheses to test the validity of current ideas. When such a method is fully adopted, all knowledge becomes provisional.

Theorists of 'late modernity' argue that we are still experiencing the long-term consequences of the arrival of *modernity*. In the last half-century, however, modernity has in various ways significantly speeded up. During this period, our lives have in many ways changed beyond recognition. These changes have unfolded differently in different countries, but let me just remind you of some of them, which link very much with the themes introduced by those who wrote the Rationale for this International Seminar (see above). I shall divide the changes into three main clusters, relating to the fields of technology; the economy; and the family and community.

A. Technological Changes

Let me briefly take you back 45 years, to the beginning of 1960. During that year, in my country (the UK), something called "Subscriber Trunk Dialling" was introduced. This meant that, when someone wished to make a telephone call to a different town 50 miles away, it was no longer necessary to be connected by a human operator; one could actually dial direct. At that time, also, the police in the UK had no personal radios. Most households had a television, but all television was black-and-white, and there were only two channels available. Computers existed, but they were about the size of a large room, and only specialists could operate them. There were no communications satellites, so it was not possible to have events on the other side of the world beamed instantly into one's sitting room.

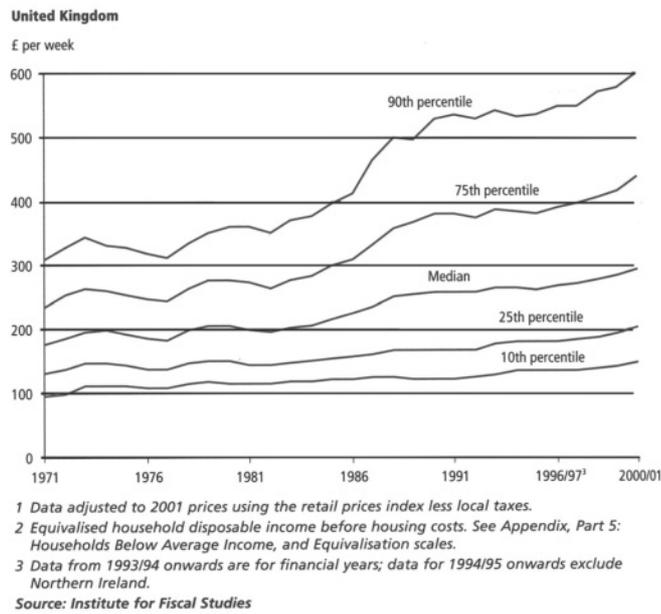
I could go on, but there is little point. Clearly, in less than half a century, our everyday lives have been transformed by technological advances. These radical changes have, of course, in many ways been hugely beneficial. But they have altered our daily routines and our working assumptions, and we need to bear this in mind as we think about crime prevention in the twenty-first century.

B. Economic Changes

One of the most profound economic changes is that created by so-called *globalisation*, which is closely related to the technological change we have just considered. In the 1960s, many countries had fixed foreign exchange rates, and tried to defend them against currency speculation. Most countries have now abandoned such strategies, because of the ease with which computers can now transmit money around the world on a 24-hour basis. Other aspects of globalisation have been the growth of multinational corporations, and an increasing migration of populations across national boundaries, both temporarily (business and tourism) and more permanently (migration for economic reasons, and for political reasons to avoid regimes perceived as threatening).

Another important economic change in many countries is a *growing divide between rich and poor*. In the UK, for example, in the thirty-year period 1971-2000, using stabilised prices the gap between the highest-earning tenth and the lowest-earning tenth of households rose from a difference of £200 to a difference of £450 per week (see *Figure 1*). Among the factors creating this increased division are very high rewards paid to a few who are considered skilled entrepreneurs; and, at the other end of the spectrum, the abolition of many unskilled jobs which have now been replaced by automated processes. And clearly, a growing divide between rich and poor might in some circumstances be of relevance for criminological explanation.

Figure 1: Distribution of Real¹ Household Disposable Income²



Source: Summerfield, C. and P. Babb (2003), Ch. 5, 'Income and wealth', in *Social Trends* (No. 33), p. 102.

A further feature of contemporary economies, at least in the West, is the arrival of a *consumer economy*. Most Western countries have experienced sustained economic growth during the last fifty years (though there have been annual fluctuations in the growth rate, with some downturns, normally temporary). A consequence of this sustained growth is that more households have more to spend, in real terms, than they did thirty years ago. This trend is well illustrated in *Figure 2*, which shows that in the UK real household expenditure rose 2.3 times in real terms in the thirty years from 1971. As a detailed scrutiny of *Figure 2* will show, there is a strong tendency to spend this additional on so-called 'luxuries' (foreign travel, recreation, clothing) rather than on 'necessities' such as housing and food. Such trends in turn create a culture of consumerism, where shopping is a cultural activity valued for its own sake, and adolescents become keenly interested in exactly *which* brand of clothing or footwear, or which kind of mobile phone, they possess, by comparison with their friends. That kind of consumer consciousness is also increasingly relevant to the public services, such as education and the police – the public in the West are far more willing to question the delivery of 'products' by the public services than they used to be.

Figure 2: 2001 UK Household Expenditure on Selected Items, Indexed to 1971 = 100

Communications	786
Household expenditure abroad	669
Recreation and culture	571
Clothing and footwear	350
Education	274
Household goods/services	256
Transport	248
All household expenditure	232
Restaurants and hotels	189
Health	180
Housing water and fuel	152
Food	137
Alcohol and tobacco	92

Source: *Social Trends*.

C. Family and Community

The Rationale for the 129th International Seminar draws attention to the fact that the nature of family life is changing, and that 'the extended family has shifted into a nuclear family'. Moreover, divorce rates have risen, and there are increasing numbers of one-parent families. A simple statistical indicator of this trend is household size, data for which, for the UK, are shown in *Figure 3*. Combining some of the data in this Figure, we may note that in 1971, exactly half of British households contained either one or two persons, but by 2002 the corresponding figure was 64 per cent. By far the largest contribution to this trend came from the proportion of persons under pension age now living alone. We are, indeed, becoming a more *atomized* society. This is a trend that, in the US, has been highlighted by the American commentator Robert Putnam (2000) in his book *Bowling Alone*. According to the Rationale of the International Seminar, this kind of atomization is leading to a *weakening of normative consciousness* in communities. This is possibly the case, and it is a point to which I shall return.

Figure 3: Household Size 1971 and 2002 (Great Britain)

	1971	2002
One person: under state pension age	6	15
One person: over state pension age	12	14
Two people	32	35
Three people	19	16
Four people	17	14
Five + people	14	7
	100	100
Average household size	2.9	2.4

Source: *Social Trends*.

Those who argue against this position tend to say that, while geographical communities are less close-knit than they were, technological developments increasingly allow the development of *networks of interest*, among those who share a similar sporting, cultural or other interest. Even if this is true, however, as we shall see, *geographical place* remains a matter of some importance for community safety.

Other important factors of family and community life include the increasing participation of women in all spheres of life, by contrast with their generally more constrained role in most societies half a century ago. In many societies, too, the result of increasing migration (see above) is to create, in many countries, neighbourhoods that are significantly more multicultural, especially in large conurbations.

D. Overview

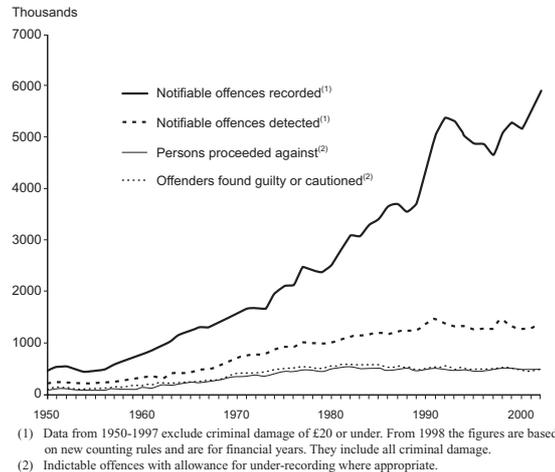
The above sketch has provided a necessarily very selective and abbreviated indication of some of the ways in which many societies have changed in the last half-century. Clearly, taken together, the highlighted trends constitute a massive social transformation. In thinking about crime prevention in the twenty-first century, we therefore need to ensure that we are thinking about crime prevention that is relevant to the kinds of society in which we now live, rather than the kinds of society that existed a couple of decades ago.

At this point, however, an important *caveat* is in order. There are massive cultural and structural differences between Japan and the UK. These kinds of cross-national differences mean that the general trends I have been discussing in the first part of this paper will manifest themselves in different ways in different countries, and any sensible analyst will always take these local contexts into account. This is a point that will become more evident as I move to the second part of the paper, on aspects of contemporary crime.

III. CRIME AND CRIME-RELATED ISSUES

Figure 4 shows trends in police-related crime, and in detected crime, in England and Wales since 1950. As will be seen, from the mid-1950s to the early 1990s – a period of 35 years – there was a massive and sustained increase in police-recorded crime. My country was, however, not by any means alone in this kind of experience: most Western countries suffered a similarly large increase over much of this period.

Figure 4: Recorded Crime, Detected Crime and 'Known' Offenders, England and Wales 1950-2002



Source: Criminal Statistics England and Wales 2002, Cm 6054.

In The Netherlands, an official government committee of 1985 considered the reasons for this kind of increase in crime. They offered two main reasons:

First:

'because of greatly increased prosperity many more goods are in circulation which can be stolen or destroyed than in the past'.

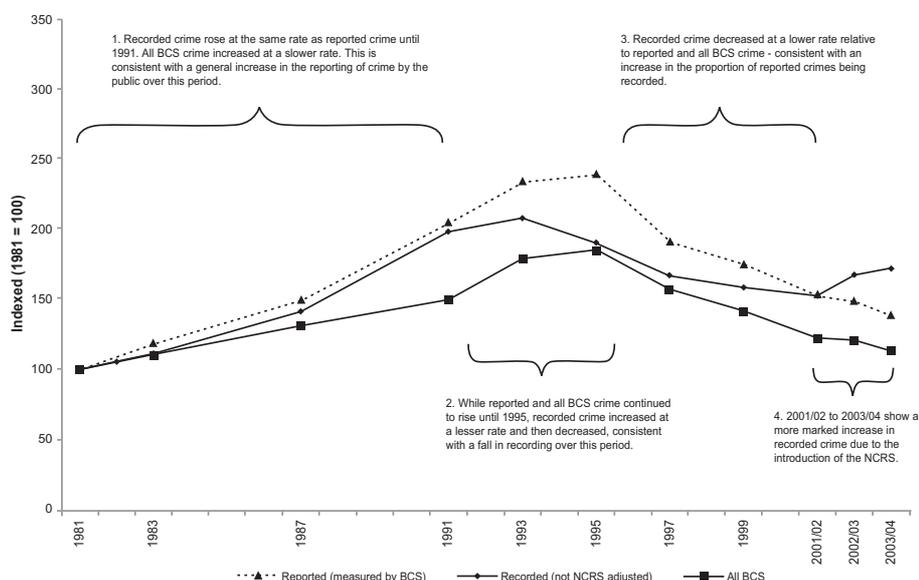
Secondly:

'there has been a decline... in the influence of many traditional social institutions within which the behaviour of individuals is effectively normalised, such as the family, clubs and associations, the church and the schools. Society has become more individualistic. In some cases this individualism leads to a tendency to satisfy personal needs at the expense of others or of the community. The increased use of alcohol and drugs also forms part of this pattern of greater individualism' (Netherlands Ministry of Justice 1985, p. 10).

I will come back to these suggestions in a moment. Before that, I want to draw your attention to two other important features of Figure 4. First, the increase in *detected crime* since 1950 has been much slower than the increase in *recorded crime* – in other words, the detection rate has gone down considerably. This, perhaps, is explained by our increasingly anonymous society: as we all know, most crime is detected not by forensic science (although that is very important in some cases), but by good information from knowledgeable witnesses, and in a more atomized, more anonymous society, such witnesses may be less plentiful. The second significant feature of Figure 4 is the marked dip in the crime rate in the 1990s. To examine this further, let us take a closer look at these data, in conjunction with national crime survey data.

Since 1981, in England and Wales there have been a regular series of national crime surveys, known collectively as the British Crime Survey (or BCS). Figure 5 shows police-recorded crime trends since 1981 alongside BCS crime trends, indexing both trends to a starting point of 1981 = 100.

Figure 5: Indexed Trends in Crime, England & Wales 1981-2003
 (On base of 1981 = 100) in: (a) police-recorded crime, (b) crimes that survey respondents said they had reported to the police (in the British Crime Survey or BCS), and (c) all crimes noted by BCS respondents.



Source: Home Office Statistical Bulletin 2004/10, p.37.

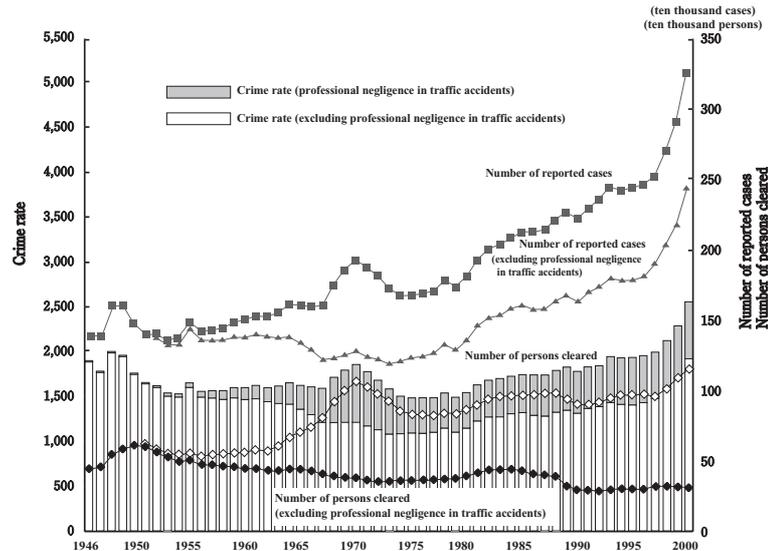
The principal reason for carrying out national crime surveys is, of course, because of the known deficiencies of police-recorded crime data. (A year-on-year increase in police crime data *might* indicate a real increase in crime; or alternatively it might indicate that the public are reporting crimes to the police which they previously would not have reported, or that the police are recording more of the crime that the public have reported to them.) Plotting recorded crime data against crime survey data therefore acts as a vital check on the validity of trends in recorded crime.

There are a number of points of detailed interest in *Figure 5*, and these are set out in the text of the graph. However, the main point of interest for present purposes is that, for most of the twenty-year period shown in the graph, there has been a close correspondence in the trends for both police-recorded and BCS crime. Basically, crime went up, on both indices, from 1981 to 1993, and it went down, on both indices, from 1995 to 2001/2. Moreover, the apparent increase in recorded crime since 2001/2 can be shown, by detailed analysis, to be artefactual (because of a change in recording rules). In a nutshell, therefore, crime has receded in England and Wales since 1995.

Once again, this kind of experience is by no means unique to Britain. Most Western countries have, with local variations, experienced a rather similar reduction in crime in recent years. It has to be said, however, that there are few clearly-understood reasons for this decline.

At the end of the previous section of this paper, I drew attention to the important cultural and structural differences between Japan and the UK. During the period when crime was increasing rapidly in the UK and other Western countries, Japan became famous as a country that was undergoing rapid urbanisation, and economic restructuring, yet where the crime rate had remained stable (it even declined somewhat from 1950 to 1975) (*Figure 6*). Returning to the explanation offered by The Netherlands' White Paper (see above), this strongly suggested that, of the two parts of that suggested explanation, the second (normative bonds) was the more important, since of course in Japan in the 1960s and 1970s consumer goods were much in evidence (indeed, Japan was a world leader in the production of electronic consumer goods).

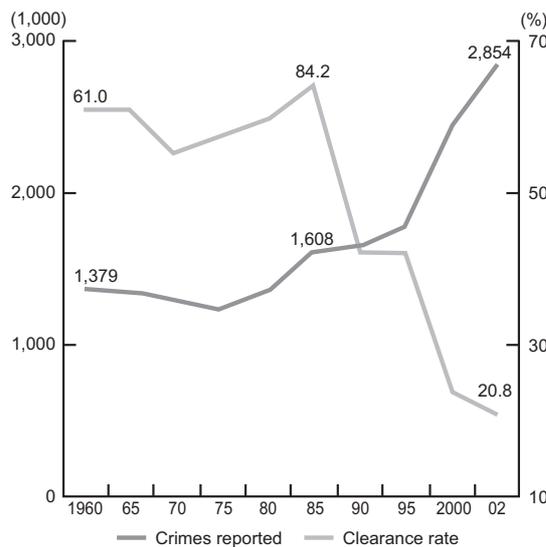
Figure 6: Japan Trends in Number of Reported Cases, Number of Persons Cleared, and Crime Rate for Penal Code Offences (1946-2000)



Source: Criminal Statistics by National Police Agency, and population data by Statistics Bureau, Ministry of Public Management, Home Affairs, Posts and Telecommunications.

More recently, however, the crime rate in Japan has risen sharply, and the detection rate has declined (Figure 7). These are very similar to trends experienced in England and Wales in earlier years (see also Figure 8 for a more detailed set of figures on British detection rates). Is it possible, therefore, that Japan is now going through its 'rapid crime rise' and 'decline in detection' period, and that, like Britain and other Western countries, it will in time achieve its 'crime reduction' period? To answer that question properly, we would of course need a good answer to the question 'Why has crime reduced?', and as I indicated earlier, this is not a topic on which we have validated knowledge at the moment. However, I will return to the issue of crime reduction at the end of this paper.

Figure 7: Trends in Number of Crimes and Clearance Rate, Japan, 1960-2002



Source: Ministry of Justice, Hanzai hakusho (White Paper on Crime), 2003.

Figure 8: Detection of Recorded Crime, England and Wales

1973	47%	
1978	42%	
1983	37%	
1988	35%	
1993	25%	(London)
1997	28%	25%
1998/9	29%	22%
1999/00*	25%	16%
2000/01	24%	15%
2001/2	23%	14%
2002/3	24%	n.a.

(*New and more stringent instructions issued to police forces re the recording of detections from April 1999. On a 'like for like' basis, detection rates probably fell by about 2% nationally from 1998/9 to 1999/00 –see Criminal Statistics 1999, p. 26.)

Note difference between 'primary' and 'secondary' detections: for example, in 2001/2, 19% of recorded notable offences were cleared up by *primary means* (charge/summons; caution; offence t.i.c. and previously recorded) and 4% cleared up by *secondary means* (mainly interviews with convicted prisoners)

Before I conclude this brief discussion of crime trends, I want to consider some British data which have a slightly broader character. That is to say, these data are not strictly speaking about *crime rates*, nor about *detections*, but they all in some way help us to understand contemporary British public beliefs about what is often called 'law and order'.

The first piece of evidence (*Figure 9*) concerns the public's satisfaction ratings in relation to police performance. Here we notice a marked difference between the first five and the last two matters listed in the Figure. The first five matters all concern satisfaction with the police when the police are in *response mode* – that is to say, when they are called out to deal with a road accident, a burglary or a violent incident; when they respond to an emergency telephone helpline; or when they respond to public enquiries or reports in the police station (or equivalent). In each of these types of response-mode incident, public satisfaction is very high: four-fifths or more of the public declare themselves satisfied with the police's handling of *each* of these kinds of situations. At the foot of the table, however, we see a very different picture: only two-fifths of the public are satisfied with the frequency with which they see the police patrolling in cars or other vehicles; and only one-fifth are satisfied with the level of foot patrols that they experience.

**Figure 9: Satisfaction with Police:
England and Wales, 1999-2000**

<i>Average consumer satisfaction with:</i>	<i>%</i>
Service at road accidents	91
Response to burglary	90
Enquiry counters	87
Response to 999 calls	82
Response to reported violence crime	79
Level of mobile patrols	43
Level of foot patrols	20

Source: Audit Commission (2001), *Local Authority Performance Indicators 1999–2000*, cited in *Policing a New Century*, p. 22.

What explains this very striking difference in results? It seems that the public still trusts the police a great deal in relation to their handling of incidents in those situations where the public calls directly on them to act. But the public also seems to be saying: '*we do not see nearly enough of you on our streets, and in other public places*'. That in turn suggests a degree of *insecurity* among the public with regard to their sense of 'safe passage' in public places. I shall return to this point shortly.

Figure 10 provides data in answer to annual survey questions in which respondents are first asked whether, in their view, the national crime rate has increased in the previous year; and secondly, whether the crime rate has increased in the area where they live. Looking first at the data about beliefs about the national crime rate, this question has been asked regularly since 1996, i.e. in a period during which crime has been consistently falling (*Figure 5*). Yet, in each year, more than half of the public believe that the national crime rate has risen, and in some years this figure has risen to over 70 per cent. Indeed, since the year 2000, one third of respondents each year actually say that the crime rate has increased 'a lot', although in reality it is falling.

Figure 10: England & Wales: Beliefs about Change in National and Local Crime Rates

[% believing that the crime rate had increased over the previous year (numbers in parentheses are % believing it had increased 'a lot')]

<i>Year</i>	<i>National</i>	<i>Local</i>
1992	—	68 (33)
1994	—	64 (40)
1996	75 (29)	55 (31)
1998	59 (29)	46 (29)
2000	67 (34)	50 (30)
2001	56 (31)	49 (30)
2001/2	64 (34)	50 (29)
2002/3	72 (38)	54 (22)

Source: (*England and Wales*): J. Simmons *et al.*, *Crime in England and Wales 2001/2002*, Home Office Statistical Bulletin, pp. 79–80, and update for 2002/3.

The data for beliefs about crime trends in local areas generally speaking present a similar, although more modified picture; substantial percentages believe that local crime has increased, but these percentages are consistently smaller than when assessing national crime rates. The difference between the assessments for national and local rates almost certainly reflects the fact that, for national rates, the public has nothing but national media reports on which to base its judgement, whereas for local areas they have more immediate sources of information. This difference highlights the potential importance of the media in contemporary societies, and the way in which they can convey messages to the general public, not all of which are accurate.

The most important question to emerge from a consideration of *Figure 10* is, of course, *why* are public beliefs so spectacularly out of line with the official figures about crime rates? In a nutshell, the answer to this question seems to be that '*the public feels insecure*' and does not believe the official figures. To understand why they feel insecure, however, we will have to probe a little more deeply into some other data.

As well as asking respondents about victimizations for various crimes, the British Crime Survey also regularly asks people whether various kinds of so-called 'anti-social behaviour' (sometimes also called 'disorders') are a problem in the area where they live. These disorders include noisy neighbours, teenagers hanging around in the streets, litter, damage, and visible drug use. *Figure 11* gives data on subjects' responses to these questions since the early 1990s. And here a very interesting pattern emerges. Remember that crime has gone down steadily since 1995 (*Figure 5*). Yet if we compare the 1994 figures to

the 2002/3 figures for disorders, the rate for *every single disorder has increased during that period*. (Though there are some welcome reductions in the most recent year, for reasons that are not yet clear.)

Figure 11: England & Wales: Anti-social Behaviour Indicators

Percentage saying very/fairly big problem in their area

	1992	1994	1996	1998	2000	2001/02 interview s	2002/03 interview s	2003/04 interview s
Noisy neighbours or loud parties	8	8	8	8	9	10	10	9
People using or dealing drugs	14	22	21	25	33	31	32	25
Teenagers hanging around on the streets	20	26	24	27	32	32	33	27
Rubbish or litter lying around	30	26	26	28	30	32	33	29
Vandalism, graffiti and other deliberate damage to property	26	29	24	26	32	34	35	28
Unweighted base	10,059	14,520	7,978	14,937	9,663	32,824	36,450	37,891

Why, then, have perceived disorders worsened while crime has reduced since 1995? There are, of course, two possible underlying factual possibilities here. They are:

First, the public has correctly perceived the level of local disorders, which really have increased, although crime has receded;

Secondly, the public is wrong; anti-social behaviours have not increased, and it is merely an anxious public which believes that they have increased.

It is impossible from the BCS data themselves to sort out which of these possibilities is more likely to be correct. However, in general, we know from previous research that usually public perceptions of local disorders bear some relation to the underlying factual situation, but that, in addition, the public tends to interpret that underlying factual situation in the context of wider understandings of a series of other matters, including especially:

- an understanding of the history of that particular area, and whether it is seen as generally speaking improving or deteriorating; and
- an understanding of the degree of social control that the authorities in the area are exercising. Do they, in short, care about residents' anxieties? Is the level of police presence adequate? Is the street lighting adequate? and so on.

In other words, overall it seems likely (though not certain) that the data in *Figure 11* are the end result of a complex mixture of processes – some increases in disorders, but often interpreted through the spectacles of residents anxious about the future of their areas. Either way, *perceived disorder* has increased even though crime has decreased, and that is an important issue in its own right.

I want now to turn to an ongoing research project in England which helps to throw some further light on these matters. The research was born out of discussions between the Chief Constable of Surrey (a county in the south of England, close to London) and researchers at his local university, the University of Surrey. These discussions took as their starting point the facts, highlighted above, about the decline in crime and continuing public beliefs in high crime, plus other evidence about the public's fear of crime. From these initial discussions, the researchers (Fielding and Innes 2002) developed the concept of 'signal crimes'. Essentially, Fielding and Innes argued that different crimes and disorders might have differential effects in what they signify to a wider audience in terms of fear, to the general public.¹ For example, three spouse murders in a smallish town in a year would be unusual, but would not necessarily create widespread fear in

¹ Or, more technically, there are 'social semiotic processes by which particular types of criminal and disorderly conduct [can] have a disproportionate effect upon fear of crime' (Innes and Fielding 2002: Abstract).

the community at large, because they would be seen as 'private matters'; but the abduction and murder of a local schoolgirl on her way to school would almost certainly generate a much more powerful signal of fear throughout the community. Following this general logic, the key question in considering the apparently persisting sense of public anxiety (see above) becomes: 'what is sending signals fuelling the high public anxiety about crime in Britain today?'

These basic ideas have more recently been developed by Martin Innes into some formal definitions, in which the concept of 'risk' has replaced the concept of 'fear of crime'. This change has occurred because Innes's more recent work focuses particularly upon the general public's perception of neighbourhood safety, and 'risk' is therefore now primarily understood as a *perceived potential threat to neighbourhood safety*. The key formal definitions are:

- (i) A *signal crime* is a criminal incident that acts as a warning signal to people about the presence of risk.
- (ii) A *signal disorder* is a form of disorderly conduct that indicates to people the presence of risk. Signal disorders are either 'physical', involving degradation to the environment; or 'social', involving behaviour.
- (iii) A *control signal* is an act of social control that communicates an attempt to regulate disorderly and deviant behaviour. Control signals can be positive or negative.

This set of concepts is now being utilised in a major operational way in a project called the National Reassurance Policing Project (NRPP) in England. As an integral part of the NRPP, detailed qualitative interviews are being conducted by the University of Surrey in sixteen areas across Britain, asking representative respondents in each area questions about what, in their particular neighbourhood, they would identify as the key potential 'risks', as defined above. The early results from such interviews in six wards are shown in *Figure 12*.²

**Figure 12: National Policing Reassurance Project
Top 'Signals' Across Trial Wards**

Ward Signal	A	B	C	D	E	F
1	Drugs	Youths	Youths	Youths	Youths	Drugs
2	Youths	Litter	Graffiti, Litter & Public Urination	Vandalism & Damage	Drugs	Youths
3	Assault	Damage	Damage	Public violence & drinking	Damage & Graffiti	Public drinking
4	Burglary	Public drinking	Public violence & mugging	Racing vehicles and skateboarding	Abandoned / Racing vehicles	Anti-social neighbours
5	Mugging	Public violence and speeding	Drugs	Murder	Burglary	Damage
6	Public drinking	Verbal abuse	Burglary		Verbal abuse	Gangs

Source: University of Surrey

A number of things are striking about the information in this Figure. First, there is some significant variation by area in the details of the responses. Secondly, however, there are some common themes that clearly emerge as the first three perceived 'signals' of lack of neighbourhood safety in the six wards; namely youths, drugs, litter/graffiti, damage and public drinking. Thirdly, it is extremely interesting that burglary does not appear in the 'top three' in any of the six areas, and only features at all in three areas.

² Figure 12 is derived from a presentation made by Martin Innes at the University of Cambridge in April 2004, and is used with permission.

What explains the second and third points above? We will have to await the more detailed results of the University of Surrey's work before a definitive answer can be given, but provisionally it would seem that the answer lies in the fact that the commonly identified signals (youths, damage, drugs, etc.) all focus on what are perceived as *disorderly events occurring in public space*. Thus, perhaps, these events send a powerful message to residents (in a way that residential burglaries do not) that 'my area is out of control'.

Utilising these results, the NRPP (see above) is beginning to alter the focus of police priorities in England. Traditionally, the police have prioritised their resources on *crime fighting* – matters such as burglary, robbery, and so on – and have tended to ignore or down-play small-scale local disorders. The realisation that small-scale local disorder can actually lead to very significant public anxiety about living in the area – often more so than a spate of burglaries do – is leading to a shifting of police priorities towards a focus on disorders. It is described as a kind of 'bottom up' policing – delivering to local publics the policing that they actually want in their local area.

As I indicated earlier, a traditional phrase used in England to discuss crime issues is the phrase 'law and order'. Analysts have, however, realised for a long time that the two concepts are not synonymous – that, for example, the over-zealous enforcement of the law can result in a sense of resentment in some of those policed, which can ultimately provoke violent disorder. Holding 'the proper enforcement of the law' and 'the maintenance of order' together can therefore entail maintaining a delicate balance. There has sometimes been a temptation, in police circles, to emphasise law enforcement and forget the importance of order maintenance. But recent experience in England suggests that order maintenance can, in our rapidly-changing social world, actually be of special importance to local residents. The evidence certainly also is that while crime is going down, there remain significant problems, in England, with order maintenance. All this strongly reinforces the point that I made at the beginning of this paper, namely that, even in a society where *community*, as traditionally understood, is weakening in importance, the *safety of places* remains a vital consideration.

IV. CONTEMPORARY CRIME AND SOCIAL ORDER – THE POLICY RESPONSE

So far, I have discussed some aspects of the changing nature of societies, and I have also considered evidence about crime and social disorder.

The brief for this paper suggests that I should also discuss 'measures which have been taken' or 'that can be taken' by current criminal justice systems, or by crime prevention strategies, in the face of the rising crime and disorder associated with late modernity.

In the course of a single introductory paper, it is of course possible only briefly to outline some of these policy responses. In this brief outline, I shall consider the responses under three headings – the criminal justice system, policing and crime prevention.

As regards the *criminal justice system*, there are two matters in particular that I need to highlight. The first of these is (in some but not all jurisdictions) the response of a massive increase in the use of imprisonment. This response has, of course, been particularly prominent in the United States, but on a smaller scale it is very evident also in England. Other 'late modern' Western countries such as Germany have, however, followed such policies to a much more limited extent, and the reasons for these interesting cross-jurisdictional differences have been examined only to a limited extent.

In the case of England and Wales, it is clear that the greatly increased use of imprisonment in the last decade, precisely at a time of falling crime rates, means that the average person sent to prison now is sent for a more minor crime than would have been the case ten years ago. Essentially, what is happening here is that the increased anxiety of the public is picked up by the media, which tends then to focus on stories which concern the public a great deal, such as prominent 'signal crimes', or allegedly dangerous offenders living in the community without proper controls. These stories in turn, in a kind of vicious circle, tend further to increase public anxiety. Politicians, who have to present policies with a view (at least partly) to electoral success, then tend to emphasise their more punitive policies, and to place less public emphasis on their less punitive policies. This general mood is then transmitted also to the judges and magistrates, who make increasing use of imprisonment. The increased use of imprisonment has had some incapacitative effect, but

it does not of itself explain most of the reduction in crime that has occurred in recent years, either in the United States or in England. The increased use of imprisonment is of course also expensive, and that is now leading, in England, to governmental attempts to limit any further increases in the use of imprisonment.

The other recent criminal justice system response that I would like to highlight concerns the increasing use of *offender-behaviour programmes*, particularly those based on cognitive-behavioural principles. These are important not only in terms of their use within criminal justice systems, but also because of their potential use for 'at risk' children, a group that I shall consider more fully in my second paper. England and Wales is one of the jurisdictions which has promoted the development of offender-behaviour programmes most fully within the criminal justice system. Its experience contains a salutary lesson. The scientific evidence is that such programmes can reduce recidivism significantly, by perhaps 8 percentage points. However, recent evaluations of such programmes, as applied routinely in England and Wales, suggest much less promising results. This is very probably because of the so-called 'roll-out' problem; that is, that although programmes are successful when they are delivered by well-trained and enthusiastic staff, when the same programmes are 'rolled out' on a larger scale, and necessarily delivered by less expert and probably less committed staff, their impact can diminish.

The second set of policy responses that I want to consider are those of the *police*. Essentially, three main responses have been attempted in this field. The first concerns *technological innovation*, and the appropriate use of technology. There is no doubt that this is often helpful, but it needs to be put in perspective. For example, in the 1970s in England there was a major move to switch from foot patrols to mobile patrols in order to achieve fast response. Fast response was achieved, but at the expense of a diminution in police-community contacts, which in turn led to less public trust in the police than before, a situation that has had to be corrected by a series of subsequent attempts to reverse matters by listening more closely to public concerns (see the discussion of 'Reassurance policing' above). One major gain from technological innovation is, however, the ability to analyse data much more easily than before, and this has led to the concept of *problem-oriented policing* which, the evidence suggests, holds much promise. The second major police response is *community policing*, and it would be fair to say that many police services are still working out how best to balance technological developments and community policing. The third response relating to policing, much evident in England recently but very difficult to deal with effectively, is to focus attention on the declining detection rate (*Figures 7 and 8*) and to attempt to improve it. Theoretically, this is a sound strategy, because the evidence from deterrence research is that a higher probability of apprehension and/or conviction does have deterrent effects – substantially more so than increasing penalties. The ability to process DNA samples is of course very helpful in the quest for improved detection, but reversing the trends of previous years remains a major challenge.

All three of these police-related developments (technology, community policing and 'narrowing the justice gap') can be seen to be intimately linked to the development of, and the characteristics of, late modernity.

I turn finally to *organised crime prevention* as a response to late modern conditions. This is in itself a remarkable phenomenon; there is no doubt that formally organised crime prevention activities are now much more prominent in most countries than they were thirty years ago, and this is a matter that my colleague Professor Paul Wiles and I first linked to the concept of late modernity in a paper nearly ten years ago. In that paper, we emphasised that organised crime prevention is partly a product of the public sector, but also partly a result of private sector initiatives. In the second category, for example, one could point to the increased sale of alarms and personal protection; the increased use of CCTV in private places such as large shops; and the development of what has been called 'mass private property', that is, large spaces to which the public is welcomed, but where the whole area is privately owned (for example, large shopping complexes and theme parks). The fact that the property is private means that, in such spaces, the owners can legally exclude persons whom they consider to be undesirable, and they can also introduce their own rules about how people should behave in the complex, at risk of exclusion. (There is a famous article about this by Clifford Shearing and Philip Stenning, on social control in a Disney complex.) The evidence is that the public prefer 'mass private property' shopping areas to traditional high-street shopping – the main perceived advantages are convenience (for example, in car parking) but also, and crucially for our purposes, advantages of personal security.

So, both the public and the private sector have seen an increase in consciously-organised crime prevention in recent years. What forms have these taken? In our 1996 article, Paul Wiles and I characterised them into four main types (see *Figure 13*). First, there are various forms of defensive strategy such as target hardening – these initiatives are very predominantly ‘situational crime prevention’ measures. Secondly, there are new forms of *guardianship and monitoring*. We selected here three particular developments – the growth of mass private property, the development of CCTV in public places (which has proliferated very extensively in Britain since we wrote our paper), and the growth of alternatives to the public police. This last development has been very evident in Britain in recent years, as local authorities have increasingly appointed persons such as ‘antisocial behaviour officers’ and ‘community wardens’ to help with social control in difficult residential areas, and to help to meet the apparently insatiable public demand for a greater sense of security in their local areas. The police, too, now have a group specifically linked to them, known as ‘police community support officers’, who are part of the police organisation but have fewer legal powers than police officers.

Figure 13: Some Features of Organised Crime Prevention Activities in Contemporary Societies

DEFENSIVE STRATEGIES

Opportunity reduction, e.g. car steering locks, ‘target hardening’
Alarms, Personal Protection
Internal CCTV (in stores, etc.)
Defensive community strategies, e.g. neighbourhood watch

GUARDIANSHIP AND MONITORING

Growth of alternatives to public police
CCTV in public places
Development of ‘mass private property’

CREATION OF NEW FORMS OF SOCIAL ORDER

Formal multi-agency partnerships
Segregation and exclusion strategies
Changed perception of social harms, leading to new kinds of crime prevention initiative, e.g. re drink driving, family violence and abuse

CRIMINALITY PREVENTION

Pre-school programmes
Youth Action programmes and equivalent

Source: adapted from A Bottoms and P Wiles, “Understanding crime prevention in late modern societies” in T Bennett (ed.), *Preventing Crime and Disorder: Targeting Strategies and Responsibilities* (Cambridge Cropwood Series 1996), pp. 1-41.

Thirdly, Paul Wiles and I drew attention to the creation of *new forms of social order*, of which the most prominent, in Britain, is the so-called local ‘crime and disorder partnership’. These existed at the time of our paper, but in a voluntary form. Since 1998, however, every local authority area in England and Wales has been obliged by statute to create one of these partnerships. The partnerships involve a range of agencies – the police, the local government authority, education, housing, social services, and so on – and they are required to develop analyses of crime in their areas, and to coordinate plans for crime reduction.

The final category which Paul Wiles and I discussed was *criminality prevention programmes*, focused on those deemed to be at risk of becoming offenders. We highlighted pre-school programmes and youth action programmes, but since that date many other initiatives focused on ‘at risk’ children have been developed.

Taken together, these four main developments in organised crime prevention constitute a fairly major social transformation. They are both a response to, and themselves part of, the developing social world of late modernity.

V. SOME THEORETICAL ISSUES

In this final part of my paper, I would like to introduce you to some theoretical concepts related to late modernity. These concepts, in my view, may be of assistance in helping you to think about what is possible, and what is not possible, in terms of contemporary crime prevention. Necessarily, I shall have to be highly selective, so I will focus on only three issues.

First, I would like to consider what I regard as the extremely helpful characterisation, by the British sociologist Anthony Giddens, of what he describes as ‘environments of trust in pre-modern and modern societies’. Human beings are profoundly social creatures; anthropologists tell us that they are virtually never found living alone. The social life of humans is, therefore, intensely important to them; but it is also very complex. How do I know what Mr X really thinks of me? Can I trust Mrs Y to do what she has said she will do on my behalf?

The concept of *trust* is, as these examples, indicate, of profound importance to ongoing human social life. Giddens suggests that the nature of trust profoundly shifted as European societies moved from the pre-modern to the modern era – and, by definition, in ‘late modern’ societies the characteristics of modernity have become more overt and apparent. *Figure 14* summarises Giddens’s position. At the top of the Figure, we note his suggestion that in pre-modern societies – continuing, of course, into many contexts of modernity such as rural villages – the ‘general social context’ is of the ‘overriding importance of localized trust’. This is then manifested in particular in three ways, all of which reproduce and consolidate localized trust; they are kinship relations (including extended as well as nuclear families), the local community itself, and religious cosmologies.

Figure 14: Characterization of Environments of Trust in Pre-modern and Modern Societies

Pre-Modern	Modern
<i>General context: overriding importance of localized trust</i>	<i>General context: trust relations vested in disembedded abstract systems</i>
1. <i>Kinship relations</i> as an organizing device for stabilizing social ties across time-space	1. <i>Personal relationships</i> of friendship or sexual intimacy as means of stabilizing social ties
2. <i>The local community as a place</i> , providing a familiar milieu	2. <i>Abstract systems</i> as a means of stabilizing relations across indefinite spans of time–space
3. <i>Religious cosmologies</i> as modes of belief and ritual practice providing a providential interpretation of human life and of nature	3. <i>Future-oriented</i> , counter-factual thought as a mode of connecting past and present
4. <i>Tradition</i> as a means of connecting present and future, past-oriented in reversible time	

Source: A. Giddens (1990), *The Consequences of Modernity*, p. 102.

Giddens’s suggestion is that in modernity, and even more in late modernity, the general context of trust shifts so that, increasingly, trust relations move away from localized trust and into ‘trust relations vested in disembedded abstract systems’. Many examples could be given of this: Giddens’s own example is of getting on an aeroplane, where it is necessary to trust many things (the engineers, the flight computer, the pilot’s training, the air traffic controllers, and so on), but none of these are localized or interpersonal. Rather, we trust the *abstract systems* of the computer programmes, the pilot’s training course, and so on.

Of course, personal relationships in such societies continue to exist alongside trust in abstract systems. But increasingly, our identity is not so much made for us by the context into which we were born (we are not, for ever, one of the Smith family from Wyboston village); rather, we move around more frequently, creating *and choosing* friendship relations, and relationships of sexual intimacy, to a greater extent than in

the more static pre-modern world. Hence the increasing social atomization referred to in the Rationale for this International Seminar. But although this kind of very fluid and flexible society gives us, as individuals, much more freedom than we had before, it can also create considerable anxieties as we seek to navigate our way through a complex world where social interaction is necessary for everyday life, but the patterning of that life is not nearly as fixed as it was in an earlier era. These anxieties Giddens describes as *ontological insecurity*, that is, insecurities that can cut right to the heart of ourselves as social beings. This analysis has obvious links with the research findings from the University of Surrey previously described – it is the *safe and predictable negotiation of public space* which is so important to residents in the achievement of neighbourhood safety, and where this is not available, there can be genuine insecurity. So, Giddens's analysis helps us to understand, I believe, why it is not just crime that matters in our contemporary late modern societies, but disorder.

I have so far not commented on the final entry in each of the two columns in *Figure 14*. I have to confess that they are written in an extremely obscure way. Nevertheless, what Giddens is saying here is profoundly important. In pre-modern societies, *tradition* connects past, present and future. Traditional ways of farming, courtship, burial and so on are handed down from generation to generation. Fathers teach sons, and mothers teach daughters, that 'this is the way we do things', and so tradition (the past) becomes part of the present, as it is faithfully reproduced. Moreover, tradition is regarded also as a good guide to actions to be taken in the future. Customs are sometimes changed; but the importance of tradition creates considerable feelings of stability.

By contrast with a village chief in pre-modern times, late modern managing directors of businesses very rarely say that the past is a good guide to the future. Rather, they create 'corporate plans' and 'business plans', based on what they regard as the *strengths* and *weaknesses* of their organisation, and a careful analysis of the *opportunities* and *threats* it may face in the future. (These are known as 'SWOT analyses'.) Thus, there is a deliberate element of future projection in the creation of corporate and business plans; future risks are assessed, and, so far as possible, measures are taken to reduce those risks, and to seize opportunities for advancement of the goals of the organisation. But next month, there may be some external event that will throw all these calculations into doubt; then one has to reassess the potential opportunities and threats. It is, accordingly, a continuous process of looking into the future, and adjusting plans as one goes along. All this has, you will notice, a great deal in common with the experimental method in science, which is why Giddens is right to say that the switch from the trust in tradition to the trust in 'future-oriented counter-factual thought' is an integral feature of the move from pre-modern to modern to late modern societies.

At the beginning of this section, I indicated that I would consider three theoretical contributions. The second of these is to be found in the work of the Dutch criminologist Hans Boutellier (2000), who has focused attention in particular on the question why, in contemporary Western societies, victim-oriented approaches are of growing importance in criminal justice. The Restorative Justice movement is, in many countries, a particularly prominent example of this trend, but in most Western countries there have been many other victim-oriented developments. In England, for example, since 1970 we have seen a greater encouragement to courts to use compensation and reparation orders; the introduction of consultations with victims and their families before offenders who have committed serious crimes are released from prison; the development of a national network of Victim Support Services; strong encouragement to police and prosecutors to keep victims informed about the progress of a prosecution; and so on. Boutellier's argument is that all this is connected to a shift in the understanding of morality in the contemporary world. Fixed 'codes' of morals, such as the Judaic Ten Commandments, no longer attract majority support, and moral judgements on many issues are more contested than they used to be. In this situation, members (especially younger members) of contemporary societies can relate much more easily, morally speaking, to the real sufferings of a flesh-and-blood victim than they can to an abstract moral code. On this reading, restorative justice – especially where the victim is actively involved in the proceedings – is attractive in social policy terms because the tangible loss and injury suffered by the victim helps to provide an element of *moral clarification* in an uncertain situation. More generally, supporting and protecting the victim is seen to be a way of buttressing the norms of our late modern world. None of us wants to be a victim, so this focus on and support for the victim is a way of emphasising what has been called the 'negative golden rule' in ethics: i.e. don't do to others what you don't want done to yourself.

My third and final theoretical dimension concerns *managerialism*, which is a very pervasive feature of criminal justice services in many late modern societies. The reasons for the growth of managerialism are not hard to discern: as societies become less able to achieve order through informal and self-regulatory community social controls, there is a natural tendency to try to 'manage' desirable outcomes, using of course the data increasingly available to senior managers through modern information technology.

Figure 15: Aspects of Managerialism in Contemporary Public Services

- 1. Efficiency and effectiveness**
- 2. Systemic approach, including:**
 - (i) inter-agency co-operation**
 - (ii) identification of targets and Key Performance Indicators**
 - (iii) aggregate thinking, hence individual as a 'unit within a framework of policy'**
- 3. Actuarial approach to risk management**
- 4. Consumerist dimension**

In *Figure 15* I have listed four key aspects of contemporary managerialism. The first is a stress on *efficiency* (delivery of services for the lowest unit cost) and *effectiveness* (delivery of services to meet certain specified organisational objectives). Clearly, both of these objectives require good information technology. Then, secondly, and arising from the first point, there is an increasing tendency to think of the criminal justice system *as a system*, a mode of thought that has profound consequences. As a Dutch scholar put it as long ago as 1986, perhaps in a slightly exaggerated way, but making an important point nonetheless:

Criminal policy is no longer occupied primarily with concrete offenders, nor with problems of doing justice, but with the management of the aggregate phenomena of social activity, with criteria for selective law enforcement, with quantitative regulation in the organisational processing of offenders (Peters 1986, p. 32).

Within such systems, so-called 'organisational targets' or 'key performance indicators', imposed by governments, become of overriding importance, and the individual offender is increasingly viewed as a unit within the conceptual framework of the organisational policy. Also, various criminal justice agencies are urged to work more closely together than they have done before, in order to deliver overall system goals set by the government.

The target-oriented character of modern organisations obliges them always to be thinking about future performance, a point that links strongly with Giddens's discussion of the importance of abstract systems and future-oriented goals in late modern societies (see above). As we saw earlier, such modes of thought produce a strong tendency for *future risk* to become a dominant concept in thinking of contemporary managers, and in the criminal justice system this takes the form of an increasing preoccupation with the *future risks* posed by offenders. Complex actuarial systems assessing offenders' future risks are now routinely built into some criminal justice systems, including that in England and Wales; though how these link with more community-oriented initiatives such as restorative Justice is still being worked out.

Finally, in modern organisations there is a strong tendency to want to carry out surveys of 'customer satisfaction'. In the criminal justice system, the offender is rarely seen as a legitimate customer, but victims and the general public certainly are, and their views are regularly sought in both national and local surveys. This is, of course, an offshoot of the 'consumer culture' previously described.

VI. CONCLUSION

At an early point in this paper, I briefly discussed the suggestion (in the Rationale of this International Seminar) that increasing social atomization is leading to the weakening of normative consciousness in societies. In a context such as that of Japan, which in recent years has seen significant crime rate rises, this is a very natural hypothesis to raise; and, as I have indicated, a very similar suggestion was made by The Netherlands Government in 1986, and widely accepted by other commentators.

However, the decreases in crime since 1986, in a number of Western countries including Britain, raise important questions about this hypothesis, at least as regards the longer term. Here there is an intriguing, but I have to admit wholly speculative, possibility. Following the social upheavals of the Industrial Revolution, crime in England eventually declined in the early twentieth century, after a new urban form of social organisation had developed. Perhaps something similar is occurring now in the West – that following the upheavals of the arrival of ‘late modernity’, and the weakening of traditional norms that it created, we are now working out a new way of living in late modernity, with a new kind of normativity. I repeat that this is speculative, but it perhaps gives us something to build upon as we think about crime prevention in the twenty-first century. In doing so, however, it is important to remember the lesson of an earlier part of this paper, which is that even if *crime* is decreasing, we need to pay close attention to *local social disorders*, which may be just as much (or even more) a matter of concern for local residents.

CRIME PREVENTION FOR YOUTH AT RISK: SOME THEORETICAL CONSIDERATIONS

*By Prof. Sir Anthony E. Bottoms**

In this second paper, I will consider the topic of crime prevention for youth at risk. However, as I have not myself carried out empirical research on this topic, I will address the topic primarily from a theoretical point of view.

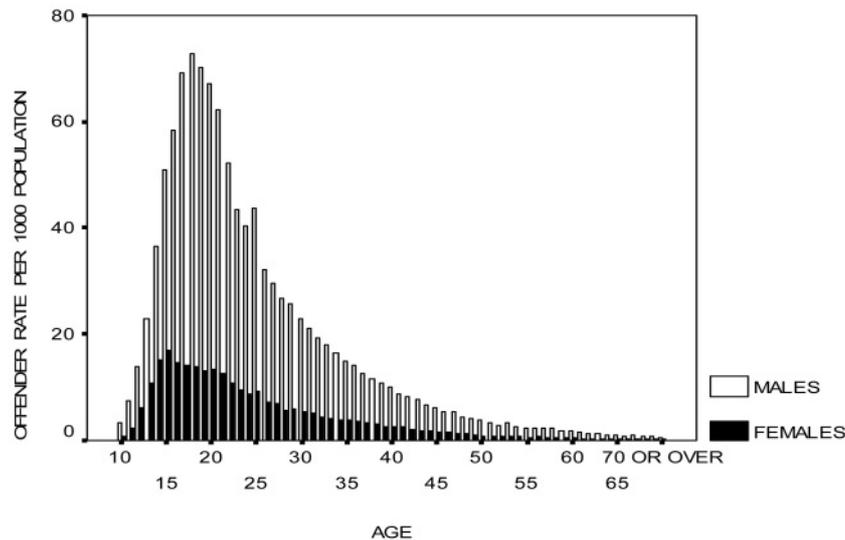
My paper will be in two parts. The first part will consider the question ‘who are “youth at risk”?’ The second part will introduce a general theory of legally compliant behaviour. This theory is, in my view, relevant to all attempts to achieve crime prevention, including crime prevention for youth at risk.

I. WHO ARE ‘YOUTH AT RISK’?

I want to begin by raising some questions about what exactly we are trying to prevent. To introduce this topic, I want to draw your attention to something you all know about, but which is often (in my view) given insufficient attention by criminologists and those involved in criminal policy. I am talking about what criminologists describe as the ‘age-crime curve’.

Figure 1 is based on national data for England and Wales. As the title of the Figure indicates, this is an *offender-based* age-crime curve (each offender is counted only once, whether he/she has committed one or a hundred crimes). The curve is very steep, especially for males, and the early twenties are the years when there is the fastest deceleration.

Figure 1: An Offender-based Age-Crime Curve
(Recorded Offender Rates per 1,000 Relevant Population by Age-year and Sex, England and Wales, 2000)

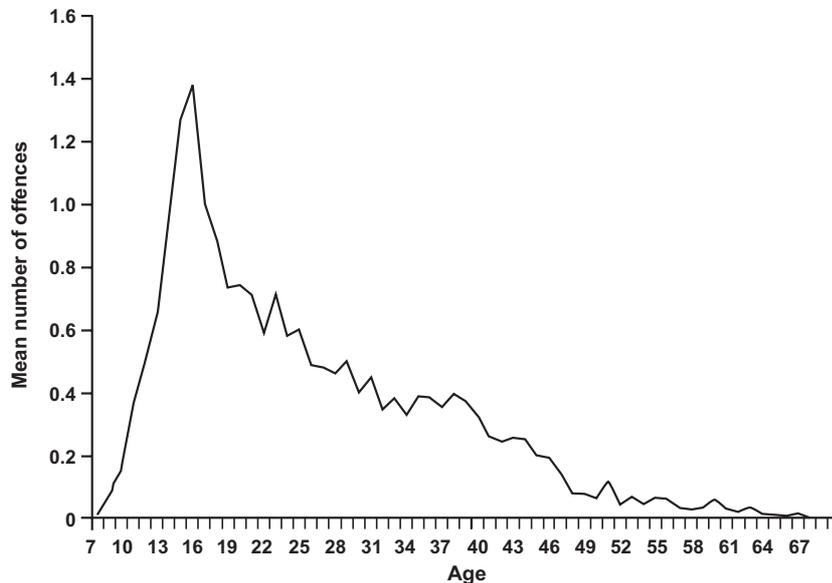


In a recently-published book, two leading American criminologists, John Laub and Robert Sampson (2003), have examined the criminal careers of a sample of US male persistent delinquents originally studied by Sheldon and Eleanor Glueck in the 1940s. Laub and Sampson were able to study the offending careers of this group from age 7 to age 65, using official records, and making appropriate corrections for deaths. The basic result is shown in Figure 2, this time using an *offence* rather than an *offender* base; that is, the graph shows the age-distribution of the nearly 10,000 criminal events known to have been committed by these 480 men during their lifetimes. What, of course, is very striking is the obvious similarity of the shape of the

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curves in *Figure 1* and *Figure 2*, leading Laub and Sampson to comment that ‘remarkably, the age-crime curve for the general population appears to be replicated, almost in identical ... fashion, for active, serious delinquents’ (p. 91). Their comment is important, but we do nevertheless need to recall that the two graphs have a different basic measurement, the one of offenders and the other of offences.

Figure 2: An Offence-based Age-Crime Curve for Recidivist Offenders



The Gluecks' delinquent sample: actual mean number of offences for total crime (total events = 9,548): ages 7 to 70

Source: Laub and Sampson (2003), *Shared Beginnings, Divergent Lives*, Fig 5.21, p. 86.

In recent years, a number of criminologists have attempted to address the nature of and reasons for the shape of the age-crime curve. One influential book in this respect is Gottfredson and Hirschi's *General Theory of Crime*, but I shall not discuss their work here, because it is now clear that their so-called 'age-invariance' thesis (namely, that all offenders and offences have a similar age-crime curve) cannot be sustained in the light of the empirical evidence.

Of substantially more interest, in my opinion, is Professor Terrie Moffitt's so-called 'dual taxonomy': according to Moffitt, we can distinguish two very different groups among adolescent offenders. The first group she calls 'adolescent-limited offenders'; these are offenders who do not begin their offending until the onset of adolescence, and they then commit only one or a small number of offences before they stop. For Moffitt, these are basically law-abiding children who for one reason or another get into some situations in adolescence which draw them temporarily into delinquency. There is not much doubt that Moffitt is right to postulate the existence of such a group. For example, English data suggest that as many as a third of all males are cautioned for or convicted of a non-motoring offence by the age of 40 (many, of course, in adolescence); but about half of these, having been caught once, never again appear in the criminal justice system. Such offenders undoubtedly contribute significantly to the sharp 'peak', in the adolescent ages, of the offender-based age-crime curve (*Figure 1*).

As a developmental psychologist, however, Terrie Moffitt is more interested in the second of her postulated two groups, namely what she calls 'life-course-persistent' offenders. This group, it is argued, begin their offending careers early (typically *before* the adolescent-limited group), and then (as the name of the group suggests) persist in criminality throughout their lifetimes. Moffitt suggests that this group have a number of early neuropsychological deficits which result in traits such as poor cognitive functioning, emotional reactivity, and hyperactivity/impulsivity. It is a plausible hypothesis, not least in the light of the now large number of studies which show that persistent offenders tend to begin their criminal careers early, and that they tend to display, at an early age, a number of 'risk factors' such as impulsivity, low intelligence, poor school performance and poor parenting.

Since persistent offenders are also responsible for a large proportion of the total number of offences in any given jurisdiction, it is not surprising that many policy analysts now see important benefits to be gained in the early treatment of those showing evidence of being 'at risk', in the sense of displaying some of the factors that tend to predict later persistence.

Recent research, however, raises important questions about the validity of Moffitt's 'life-course-persistent' theorisation. First, this theory does not really allow for the fact that, as Laub and Sampson's recent work shows, nearly all offenders eventually stop offending, even if not until quite a late age (Moffitt's sample had not reached such a late age, so she was unable to test this). Secondly, recent research does not support the suggestion of a persistent offender group that offends across the age-span at a relatively consistent and persistent rate (disregarding, of course, periods in prison); the patterns are more complex, and sometimes intermittent, than that. Thirdly, and most importantly, identifying prospectively a group of the kind that Moffitt postulates seems to be exceptionally difficult. In Laub and Sampson's analysis, for example, it is reported that 'we have failed to find convincing evidence that a life-course-persistent group can be prospectively or even retrospectively identified on the basis of theoretical risk factors at the individual level in childhood and adolescence' (p. 113). This is because *some* of the juvenile persistent offenders in the Laub/Sampson study persisted, but some, with a very similar set of early risk factors, desisted in their twenties. The 'risk-factor' approach, it seems, predicts well over a short period (that is, for early adolescents it can predict fairly well the likelihood of criminality in later adolescence); but these predictions tend to break down when one extends them to the question of persistence or desistance in young adulthood.

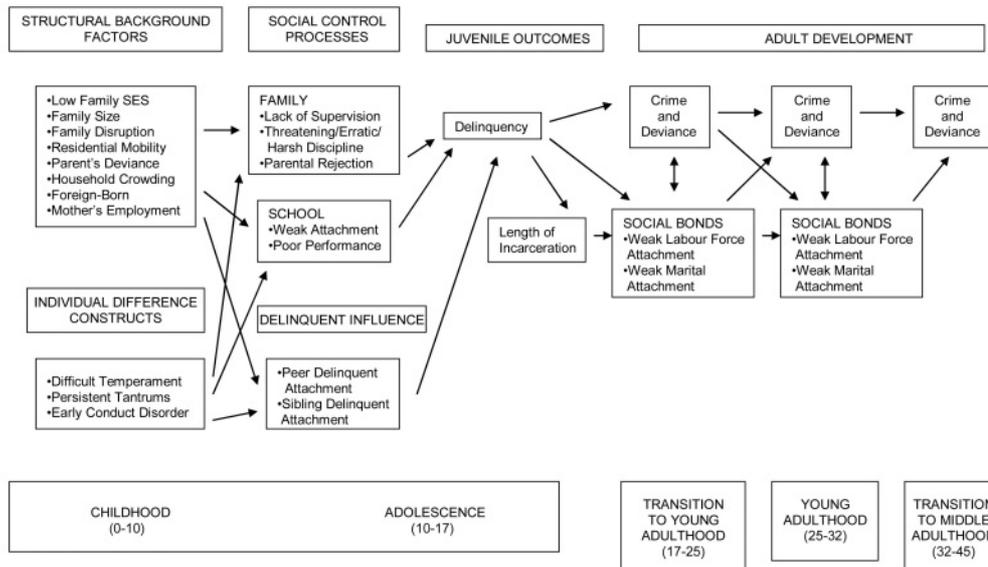
We can, I think, also throw a little more light on this issue as a result of a recent paper by Stouthamer-Loeber and others (2004). In this analysis of data from the Pittsburgh Youth Study, the authors reported that – similarly to Laub and Sampson's results - they 'did not find much evidence that the same factors that predict onset also [inversely] predict desistance'. However, the authors *did* find that some factors measured at ages 13-16 were significantly related to later desistance as young adults, though these factors were not always predictive of the presence or otherwise of adolescent delinquency. Stouthamer-Loeber *et al.* called these 'promotive factors'; that is, they are factors present at an early age which seemed to help offenders to desist from crime in their twenties. The full list of such factors (as measured at age 13-16) was as follows:

- being accountable (parents expect to be told of adolescent's whereabouts and actions);
- believing one is likely to be caught if one offends;
- low physical punishment from parents (or parent substitutes);
- having a good relationship with peers;
- low peer substance use.

These factors, then, divide neatly into two groups – 'punishment/accountability factors' (factors 1-3) and 'peer factors' (factors 4-5). I shall return to a discussion of these results when I have considered the final theoretical perspective I want to discuss, namely that of John Laub and Robert Sampson. These authors describe their approach as 'a dynamic theoretical model of criminality over the life course', and their perspective is important, because in research terms it is the most strongly empirically-supported theory currently available.

Figure 3 encapsulates Sampson and Laub's perspective at the time of their 1993 book. It suggests a complex mixture of factors leading to crime in adolescence (individual differences, structural variables, family, school and peers). Thereafter, however, the message is that matters are not set in stone. Those with equally poor childhood and adolescent backgrounds may either persist or desist in late adolescence/early adulthood, according to how events turn out at that later age. It is suggested that two factors are of special importance in helping offenders to desist at this later age: namely, if they are able to form a strong marital attachment; or if they are able to form a strong attachment to an employment situation. This is, therefore, a theory of desistance which emphasises the importance of strong informal bonds to conventional society. In their 2003 book, Laub and Sampson somewhat modify their earlier theorisation, particularly to emphasise the complex choices that offenders make in their early twenties (that is, their new theory is rather less deterministic than was their earlier one, and more concerned to investigate the 'inner logic of [the] lives' (p. 8)) of persisters and desisters in their sample). The overall result, from the two books taken together, is a theory that emphasises a significantly greater element of uncertainty of outcome than Moffitt's analysis, and a strong interest both in *informal social bonds* and in *offenders' individual choices* at key moments in their lives.

Figure 3: A Dynamic Theoretical Model of Criminality Over the Life-Course



Source: Sampson and Lamb (1993), pp. 244-5.

It is interesting to think about how Stouthamer-Loeber *et al.*'s results might relate to the Laub-Sampson theorisation. Recall that Stouthamer-Loeber found two clusters of factors present at ages 13-16 that predicted desistance in early adulthood. One cluster concerned accountability to parents; parents using non-physical (i.e. reasoning) punishments; and stronger beliefs that delinquency might result in getting caught. It is, at this stage, speculative, but it is surely not unreasonable to suggest that these factors, when present in adolescence, could lead to offenders at a later age, when faced with key decisions at 'turning points' in their lives, being more likely to reach mature decisions, favourable to desistance.

The second cluster of factors found by Stouthamer-Loeber *et al.* to predict later desistance concerns peers. This is again extremely interesting, because studies of desistance in early adulthood suggest that one of the first decisions made by those who successfully desist is to separate themselves from delinquent peers, since they fear that continued association with such peers will inevitably lead them into criminality. Perhaps, then, good relations with peers in early adolescence helps offenders to discern at a later age how to discriminate between potentially valuable and potentially damaging peer relationships.

So far, the discussion in this first section of my paper has focused particularly (though not exclusively) on individuals. Before concluding the section, I want to complicate matters by introducing more of a social dimension. I shall do so by reference to two pieces of work in which my Cambridge colleague Professor Per-Olof Wikström has conducted.

Research by Wikström and Loeber (2000), using data from the Pittsburgh Youth Study, strikingly illustrates the potential importance of area of residence. As I have already indicated, criminologists studying criminal careers have shown that those who subsequently become persistent adolescent offenders tend to be characterised by a number of individual 'risk factors' that can be identified at an early age (about 8-10 years): these factors include impulsivity, low intelligence, poor school performance, poor parenting and so on. In general, a higher number of 'risk factors' increases the probability of becoming a delinquent, although risk factors can also be offset by 'protective factors' – for example, a good, supportive home may reduce the risks of criminality for an impulsive child with low intelligence. Wikström and Loeber's research, however, suggests that in certain social contexts the whole concept of 'individual risk factors' might be of limited applicability (see *Figure 4*). For most of the boys they studied in Pittsburgh, the probability of becoming a delinquent did indeed increase sequentially with an increasing number of individual risk factors. But for those from the most deprived and most stigmatic social areas (lower-class boys from public housing areas), delinquency rates were high, even among those with very few individual risk factors. For boys from these

disadvantaged areas, there was also very little increase (and no statistically significant increase) in the delinquency rate as the number of individual risk factors increased. The obvious inference is that some social contexts are so all-encompassing, and so destructive in their normative consequences, that they can wipe out the effects of factors that would, elsewhere, be of considerable significance.

Figure 4: Pittsburgh Youth Study: Percent Having Committed Serious Offence by Risk/Protective Score and Neighbourhood Context

	Neighbourhood context				Gamma	N
	Advantaged	Middle-range	Disadvantaged			
			Nonpublic	Public		
High Protective Score	11.1	5.1	16.7	37.5	0.23	155
Balanced Risk and Protective Score	27.3	40.1	38.5	60.7	0.23	651
High Risk Score	77.8	71.3	78.3	70.0	n.s.	222
Gamma	0.70	0.74	0.69	n.s.		
N	142	556	188	142		

The second piece of research I want to consider is more recent. In a self-reported study of a general sample of adolescents in Peterborough (a medium-sized town in the east of England), Wikström once again found the importance of 'risk' and 'protective' factors, based on parenting, etc. He divided his sample into three groups: those (relatively few) with a 'high-risk propensity', those with a 'low-risk propensity', and those with 'balanced risk-protective scores'. What was of special interest was that among those with 'balanced' scores, *lifestyle and routines were of crucial importance in determining whether or not offending took place*. For this intermediate group more than any other, alcohol or drug use, knowing delinquent peers, and frequenting 'high-risk public environments' (the city centre; shops, pubs; and clubs and discos) were important in predicting higher delinquency.

So, what have we discovered from this brief review of relevant research? I would suggest that there are a number of key lessons. I will summarise these briefly below, and also make some comment on the crime-preventive implication that each finding seems to suggest:

- There is an identifiable group of 'adolescent-limited' offenders, who commit one or two delinquencies in adolescence, are perhaps caught, and then stop.
[*Crime prevention implication (CPI)*: it is probably not sensible to commit many criminal justice system resources to this group. The appropriate policy response, except in the case of serious offenders, might be a relatively non-interventionist penalty -such as a fine or a warning - on the first offence, so that one does not expend valuable probation service or equivalent staff time on offenders whose career may be short anyway. Of course, it follows that on a second offence a more interventionist approach should be considered.]
- There is an 'intermediate' group, based on risk factors, who are at particular risk of delinquency if they make risky lifestyle and routine choices.
[*CPI*: There could be merit in trying to identify this group and give appropriate advice and help to parents and adolescents. It is, however, on present research evidence, not entirely clear how far this group overlaps with the first group.]
- A (smallish) group can be identified at an early age who are likely to become persistent adolescent offenders if no action is taken.
[*CPI*: Family and school therapeutic programmes make sense for this group.]
- But not all of the previous group will become persisters in adulthood. Also, choices made about peers in adolescence, and the development of reasoning skills in adolescence, seem likely (on Southamer-Loeber et al's evidence) to have longer-term benefits for this group when it comes to their making crucial 'desistance' choices in later adolescence or early adulthood.
[*CPI*: encourage discrimination in choice of peers and encourage reasoning skills, both in

adolescence and in early adulthood.]

- Some social contexts are so severely disadvantaged that even individually-measured low-risk children quite frequently become delinquents.
[CPI: tackle severe disadvantage.]

The discussion so far has been strictly about the prevention of *crime*. However, as I made clear in my first paper, the prevention of disorderly behaviour by youths in public places is also a matter of considerable importance in many local areas in contemporary societies. For this type of behaviour, it is obvious that we will need a crime prevention strategy that is less specifically focused on individuals than most of the strategies mentioned above. To prevent this kind of disorder, we may well need skilled mediators (maybe trained in youth work) who are respected both by the youths whose behaviour causes anxiety to residents, and by the residents themselves. Such mediators could then attempt to listen carefully to the concerns of both sides, and to suggest constructive solutions.

II. LEGAL COMPLIANCE: AN OVERALL FRAMEWORK

In the second part of this paper, as previously discussed, I want to broaden the focus of analysis and to suggest a wide-ranging theoretical analysis of compliance, based on the key concept of a ‘mechanism’.

Jon Elster, in his important study of social order, concludes that ‘we will never have any general theory of collective action’ because the variety of potentially interacting motivations is ‘simply too large’ to be encompassed in such a theory (Elster 1989a: 205). In other words, the very wide range of ways in which people can interact with one another presents a problem for social scientists, because trying to squeeze this huge variety of actions into a single general theory is effectively impossible. Elster goes on to suggest, however, that, in this situation social scientists should instead focus upon ‘small and medium-sized mechanisms that apply across a wide spectrum of social situations’ (p. 205); or, alternatively stated, ‘plausible, frequently observed ways in which things happen’ (p. viii; see also Elster 1989b). In other words, if we can reliably identify a basic set of social mechanisms that operate in a given context, this should give us some potentially important keys to improve our understanding of the world.

In my view, there is much good sense in these observations. In what follows, I want to try to follow Elster’s advice and to try to understand and explain more fully the *basic social mechanisms* that might be involved when an individual complies with the law in a given society. With the important major exceptions of Travis Hirschi’s (1969) control theory and John Braithwaite’s (1989) theory of reintegrative shaming, most theoretical work in criminology has not been much concerned with legal compliance, but has – for understandable reasons – focused instead on lawbreaking. Yet compliance is clearly a topic of considerable importance, not least because so much applied criminology is concerned to try to identify programmes that will lead to successful crime reduction. In other words, understanding how legal compliance works is or should be the theoretical bedrock of crime prevention studies.

A. Legal compliance: An Overall Framework

Figure 5 presents a suggested outline characterisation of the principal mechanisms underpinning legally compliant behaviour. The framework is explicitly focused on what has been called compliance ‘as viewed from below’ (Parkin 1982: 79) – that is to say, compliant behaviour from the point of view of the ordinary person, outlining the principal reasons why he or she might comply with the law.

**Figure 5: An Outline of the Principal Basic Mechanisms
Understanding Legally Compliant Behaviour**

- A. Instrumental/Prudential Compliance
 - 1. Incentives
 - 2. Disincentives

- B. Constraint-Based Compliance
 - 1. Physical Constraints
 - (a) Physical restrictions on individuals leading to compliance:
 - (i) natural; (ii) imposed
 - (b) Physical restrictions on accessibility of target, availability of means to commit crime, etc
 - 2. Social-Structural Constraints

- C. Normative Compliance
 - 1. Acceptance of or belief in social norm
 - 2. Attachment leading to compliance
 - 3. Legitimacy

- D. Compliance Based on Habit or Routine

Source: Author.

It will be seen from *Figure 5* that four principal mechanisms of compliant behaviour are suggested. The first type is *instrumental/prudential compliance*, based on rational calculations of self-interest (that is, what Elster called (1989a) 'rational, selfish, outcome-oriented behaviour'). Questions of incentives and disincentives are, of course, central in considering this kind of compliance, and criminologically speaking this takes us straight to the large literature on criminal deterrence (see further discussion later).

A second kind of compliance is based on *constraint*. Some constraints that might induce compliance are physical. Some of these are based on the corporeality and biological characteristics of human beings, either natural (if I am asleep, I cannot burgle) or imposed (if I am locked in a prison cell, I cannot attack persons outside the cell). Physical constraints may also, however, be based on the physical characteristics of the intended target of the crime, and/or the physical availability of appropriate means to commit the offence. For example, if I try to break into well-defended bank vaults using only crude equipment, my non-commission of the full crime of burglary owes nothing to my lack of motivation and everything to the physical constraints in the situation. Hence the development of 'target-hardening', weapon-removing strategies and other kinds of so-called 'situational crime prevention' that seek to reduce the effective opportunities to commit particular crimes.

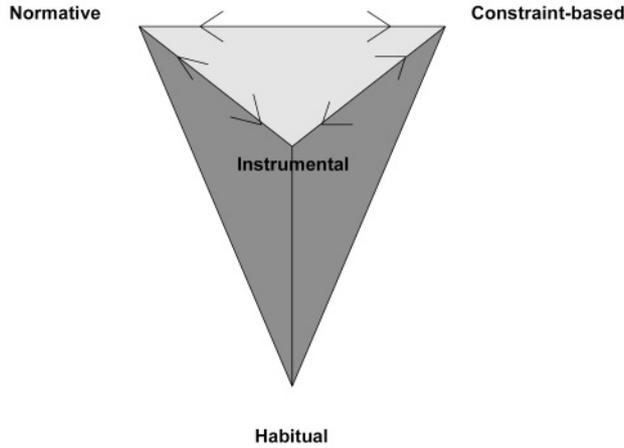
But some constraints that may induce compliance are not physical, but rather are based on social relationships and social structures. Such constraints are particularly evident where power is very unequally distributed within a given social group. Some tricky issues arise in distinguishing compliance based on social-structural constraint from compliance based on disincentives, but these issues are not central for present purposes.

In addition, it is important to distinguish carefully between compliance based upon social-structural constraint and the third kind of compliance, namely *normative compliance*. Social-structural constraint is focused upon inhibitions arising from the particular social circumstances, whereas normative compliance – although it is also socially based – is a more voluntary form of compliance. Normative compliance is also, by definition, necessarily related to one or more social norms, which means that it relates to individuals' responses to 'a principle or standard... that reflects people's expectations of behaviour and serves to regulate action and judgment'. We are therefore here centrally in the realm of morals and social expectations, but I shall postpone a full discussion of the varieties of normative compliance until later.

Finally, and to complete the main headings of *Figure 5*, there is *compliance based upon habit or routine*, which is the most 'automatic' of the four mechanisms of compliance. This kind of compliance, of course, may depend heavily on prior life experiences such as socialisation.

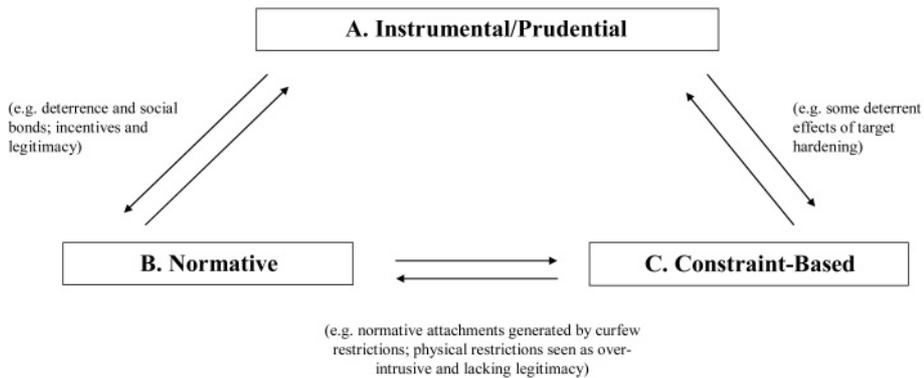
Figure 6 shows the suggested principal mechanisms of compliance in diagrammatic form, as an inverted tetrahedron. My purpose in illustrating the mechanisms in this way is twofold. First, it emphasises that habitual compliance is more subconscious than the other kinds of compliance, and acts as a kind of base on which the others rest. Secondly, the arrows at the top of the tetrahedron emphasise the complex interconnectedness, on an interactive basis, of the three more conscious modes of compliance.

Figure 6: A Representation of the Four Principal Mechanisms of Compliance



This interconnectedness is illustrated more fully in Figure 7. One example is from the field of situational crime prevention, where the existence of an obviously well-defended target (designed to produce constraint-based compliance) can also subsequently act as a rational disincentive to potential offenders. Another very important example of interactional interconnectedness comes from the field of deterrence, where it is now well established that *deterrence works best for those persons who have strong ties of attachment to individuals, or to social groups or institutions, in a context where those individuals, groups or institutions clearly disapprove normatively of the behaviour at which the deterrent sanction is aimed.* (In the language of Figure 1, note that this proposition links together, in part, aspects of mechanisms A2 (disincentives), C2 (attachment) and C1 (acceptance of / belief in norm - in this case by the group that is important to the subject).

Figure 7: Interactive Aspects of Compliance Mechanisms A, B and C



Many discussions in the field of crime policy have not taken seriously enough this kind of interactional interconnectedness between the principal mechanisms of legal compliance; there is instead a tendency, among both policymakers and scholars, to think in separate 'boxes' about different kinds of compliance.

Why do I believe that a theory of this kind is important for those who are engaged in planning and developing crime prevention initiatives? The main reason for believing this goes back to the importance of *mechanisms* (see above). In planning any crime prevention initiative, it is always important to ask oneself the question: 'Exactly how do I believe this initiative is going to reduce crime?'. If I am right in hypothesizing that there are only four basic mechanisms of compliance, then all successful crime reduction measures must be based either on one of these mechanisms acting alone, or on a combined or interactive effect between the mechanisms. Once this first step has been taken, you are then in a better position to be able to assess whether you think, based on your own professional experience, that the crime prevention programme in question is actually likely to reduce crime. [The reasoning goes like this: what are the intended crime-preventive mechanisms? How might they actually work in this programme? What things (obstacles or mistakes) might prevent the mechanisms from working as intended? Is there anything we can do to forestall these obstacles or mistakes?]

Having now briefly explained the basics of a general theory of compliance, I want to consider how this might be applied to the topic of 'youth at risk'. I will do this by considering each of the three more conscious modes of compliance, devoting more time to normative compliance than to the others.

B. The Rational-Prudential Approach to Compliance

The rational-prudential approach is based on incentives and disincentives. Of course, in the field of crime policy we much more often provide disincentives to crime (punishments, etc.) than incentives to obey; so it is disincentives, or deterrence, on which I will concentrate.

Criminal deterrence can be defined as 'not committing a criminal act for fear of the consequences'. Deterrent policies can be either based on what is called *special deterrence* (that is, giving the offender or potential offender an unpleasant experience, so that, it is hoped, he or she will not commit crimes in the future), or on *general deterrence* (giving an offender or offenders an unpleasant experience so that, it is hoped, other potential offenders will learn from the experience, and will avoid crime in the future).

From time to time, special deterrent policies have been tried with youth at risk, for example in so-called 'scared straight' programmes or in 'short sharp shock' regimes in juvenile institutions. They have proved to be among the least successful of special programmes for adolescent offenders and youth at risk. I will return to possible reasons for this shortly.

General deterrent policies are quite often attempted for offenders of all ages. They are of two main kinds: policies designed to heighten the probability of getting caught (for example, police crackdowns on particular 'hotspots' or particular offences such as drug dealing) and policies designed to increase criminal punishments. *Figure 8* summarizes very briefly some of the main results of the quite complex research literature in this field. As you can see, the evidence is very strong that improving the probability of getting caught is much more effective as a deterrent than is increasing punishments. A main reason for this is that, when one is committing an offence, getting caught is a possibility never far from one's mind, whereas a possibly increased penalty is a much more remote matter – and, of course, if one is anyway not caught, the fact that the possible penalty has increased is irrelevant. It is therefore substantially easier for offenders, when in the act of committing an offence, to *discount future* penalties than it is to discount the immediate possibilities of apprehension.

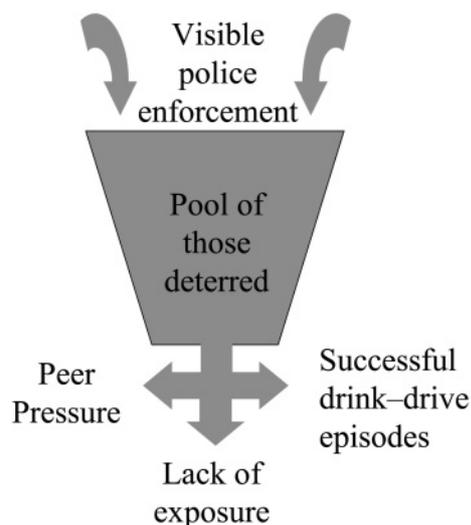
Figure 8: Four Key Results from Deterrence Research

1. **There is fairly consistent evidence of a moderate inverse relationship between the certainty of punishment and crime rates, which can reasonably be attributed to deterrence.**
2. **There is some evidence of an inverse relationship between the severity of punishment and crime rates, but this evidence is consistently substantially weaker than the evidence for (1); and Doob and Webster (2003), have recently suggested that we should ‘accept the null hypothesis’ on this issue.**
3. **It is quite frequently the case that a new initiative (e.g. intensive policing of a hot-spot) produces an initial deterrent effect which then recedes (‘deterrence decay’).**
4. **There is evidence of an interactive relationship between deterrence (instrumental compliance) and normative factors in legal compliance, but the elements of this interactive relationship have not yet been fully specified.**

Source: Institute of Criminology University of Tuebingen, Germany.

Figure 8 also shows another important result in the field of general deterrence research, namely that police crackdowns, and similar initiatives, are often effective only for a limited period of time, after which the effect begins to wear off. An important piece of research which helps to explain this phenomenon was carried out by the Australian criminologist Ross Homel in relation to the introduction of random breath testing (RBT) for drink driving in New South Wales. He illustrated his results with an interesting diagram which he called the ‘hole in the bucket’ theory of deterrence (*Figure 9*). Basically, he showed that visible and continuous police enforcement of RBT was essential to maintain a deterrent effect. If potential offenders did not regularly see police officers at the roadside doing breath tests (i.e. ‘lack of exposure’ to RBT enforcement) they would begin to believe that enforcement was no longer so rigorous. Deterrent impact could also be weakened by successful drink-driving episodes and/or peer pressure. Given this set of factors, it is easy to see how police crackdowns often have a deterrent effect only for a limited period.

Figure 9: Homel’s ‘Hole In the Bucket’ Model of Deterrence



Adapted from R Homel (1988), Policing and Punishing the Drinking Driver: a Study of General and Specific Deterrence (Springer-Verlag).

We can now briefly return to special deterrence, and the failure of ‘scared straight’ programmes and the like. These programmes almost always rely, for their intended effects, on a significantly *delayed* deterrent

impact, and, by the time of the delayed incident, many other factors might have intervened, which could easily diminish the deterrent impact. All this was well expressed to me early in my research career by a young man with a string of convictions for violent crime who I interviewed just before he left a juvenile institution. I asked him one of our standard questions, about whether he was likely to re-offend. He had hated his time at the institution, and said that next time he was about to hit someone, he hoped that a picture of the institution would float in front of his eyes, and he would drop his fists. Then he added sadly 'but it probably won't happen, because I'll be drunk'.

In conclusion, rational-prudential policies have some part to play with regard to youth at risk. But the probability of apprehension is more important than the level or the type of penalty, and even in the field of getting caught, there are significant problems of deterrence decay.

C. The Constraint-based Approach to Compliance

The most obvious approaches to constraint-based compliance are first, incapacitation, and second, situational crime prevention. There is a large literature on incapacitation, but, as this policy is usually applied in relation to adults rather than juveniles, I will not consider it further here. As regards situational crime prevention, there are now many successful case studies using this type of approach, so it is obvious that it can work. Usually, it requires some careful analysis of a crime situation, and then the application of a strategy. To take a youth-related example, a problem of knife-based crime in schools could be assisted by searching policies, and the removal of weapons.

One can however sometimes obtain some unexpected results from situational crime prevention initiatives. A good recent example of this is to be found in the Campbell Collaboration review of the crime preventive effect of improved street lighting (Farrington and Welsh 2002), although this is a mixed constraint-based and deterrent mechanism. The review showed generally successful programme outcomes, indicating that improved lighting enhanced public confidence in using the better-lit areas, which led to enhanced natural surveillance through the eyes and ears of the public, reducing criminality through a constraint-based and deterrent approach. Surprisingly, however, areas which showed night-time crime reductions through enhanced street lighting also showed daytime crime reductions. This indicates - as does other literature in this field - that if what Innes and Fielding describe as successful 'control signals' can be achieved in a geographical area, they can have quite pervasive beneficial consequences.

D. The Normative Contribution to Compliance

It is time, finally, to examine the concept of normative compliance. *Figure 5* suggests that there are three subtypes of normative compliance: first, that based on acceptance of or belief in the norm in question; second, normative compliance resulting from attachment to an individual, or to a social group or institution; and third, normative compliance resulting from legitimacy. Each of these must be considered in turn.

Acceptance of, or belief in, a social norm (for example, a norm against assaulting others, or taking their property without their consent) is the most obvious way in which normative factors may be linked to legal compliance. If we truly believe that a given kind of conduct is wrong, there are obvious moral reasons why we should not engage in it. Of course, those who believe particular actions to be wrong do not always refrain from committing them, as history amply illustrates. Nevertheless, for policy purposes it seems reasonable to assume that, statistically, a group of persons who sincerely believe in the morality of a given action will (other things being equal) be less likely to engage in that action than will a group of people who do not hold that belief; and there is good empirical support for such a proposition. In principle, therefore, persuading young people about the correctness of certain moral principles makes good sense as a contribution to crime prevention. For similar reasons, psychological programmes applied to potential offenders and their parents usually contain a strong normative element.

Of course, as parents, schoolteachers and churches have long recognized, we initially derive most of our normative beliefs from early socialization experiences. Such socialization may produce a habitual, unthinking avoidance of given types of conduct, which would come into the fourth category of compliance in *Figure 5*. But such habitual compliance may also contain a valuable latent normative content. Suppose, for example, that a white male child (C) has been socialized into beliefs about respecting other human beings, even when they seem different from ourselves, and about the consequent wrongness of unprovoked assaults and bullying. C might not think about such things very much, but just accept them. Then suddenly, in his early

teens, some of C's friends become disaffected with another youth, who happens to be black, and they decide to subject him to racist taunts and a beating-up, for no reason other than their dislike of him. C is encouraged to join in, but, having thought about it, declines on the grounds that the action is morally wrong. His habitual compliance, resulting from his early socialization, then becomes normative compliance based on moral belief. Hence, good socialization may have valuable long-term effects in producing normative compliance, even though the norms may not, for much of the time, be consciously articulated by those who have been subject to such socialization.

This first subtype of normative compliance (compliance based on acceptance of or belief in a social norm) might reasonably be described as 'normative self-policing'. Although, of course, it takes place within a social context, in the end it is the individual's own explicitly formulated acceptance or belief that ensures the compliance. In this regard, the first subtype of normative compliance differs from the second and third subtypes, which are based more directly on social interactions.

The second subtype is described in *Figure 5* as attachment leading to compliance. 'Attachment' is, of course, a concept with an established pedigree in criminological theory through Hirschi's (1969) control theory. It can perhaps most easily be explained by a simple example, that of D, a persistent alcohol-related offender aged 19 who falls in love with a non-criminal woman, E. E, committed to non-criminal values but also to D, urges him to abandon his criminality and curb his drinking. D says that, for her sake and with her support, he will try to do so. In this example (which is, of course, closely linked to Sampson and Laub's approach to desistance) it is the attachment (or social bond) that is central to D's intended desistance from crime; and the desistance is clearly largely of a normative character, stemming from E's social values and her expectations of behaviour among those close to her. (One should note, however, that for D there is probably here also an additional prudential element in his intended compliance, namely the fear that E may withdraw her affection if he does not change. This is a further illustration of the proposition, previously discussed, that deterrence works best when applied to individuals who are attached to significant 'stakes in conventionality'.)

As the above example clearly illustrates, if the mechanism of attachment is to promote normatively based compliance, it is vital that the attachment is to a person or persons holding non-criminal values. For this reason, attachments to, say, criminal peers or criminal gangs can and do have precisely the reverse effect.

In the example just given, the attachment leading to compliance is to an individual. But attachments (social bonds) to social groups or institutions can also lead to normative compliance. For example, we know that different secondary schools have significantly different rates of offending among their pupils. This is partly because of differences in the kind of pupils on the register (some schools receive many more 'at risk' children than others); but even when these pupil intake differences are controlled for, differential delinquency rates between schools remain. It would seem, therefore, that some schools are better than others at preventing delinquency (and other undesirable behaviour) and at promoting compliance. What is their secret? The research on this question is still limited, but Michael Rutter and his colleagues have suggested that, on the available evidence, one important answer seems to be that the schools with the better behaved children tend to have an 'ethos' comprising some mixture of the following factors:

good models of teacher behaviour (with respect to time keeping, personal interactions, and responsiveness to pupil needs); appropriately high expectation of pupils with helpful feedback; interesting, well-organized teaching; good use of homework and monitoring of progress; good opportunities for pupils to take responsibility and show autonomy, with a wide range of opportunities for all to experience success; an orderly atmosphere with skilled, no coercive classroom management; and a style of leadership that provides direction but is responsive to the ideas of others and fosters high morale in staff and pupils.

(Rutter, Giller and Hagell 1998: 233)

In other words, schools of this type seem to provide both social expectations and social support, which tends to produce a sense of belonging and engagement in their pupils. And this, one may reasonably infer, engenders compliant behaviour through normative attachment to the school and its values.

The third subtype of normative compliance is that based on legitimacy; or, more fully, compliance

resulting from obedience to the wishes of a recognized legal or social authority, that person or body being recognized as legitimate. Legitimacy is a characteristic that may or may not attach to those in positions of power. It is important to recognise that compliance based on legitimacy consists of more than mere lack of resistance to the demands and orders of the authorities: that would constitute compliance as a result of social-structural constraint, or perhaps compliance through disincentives, based on fear of the consequences should the subject disobey. By contrast, compliance based on legitimacy is properly to be counted as a subtype of normative compliance, because it is based on a degree of moral assent to the right of the person in power to hold that power; moreover, as David Beetham (1991) has pointed out, a fully legitimate authority figure is one who conforms to the formal rules governing his/her office, who is administering a regime that is justifiable and fair according to the accepted moral standards of the society in question, and who commands the willing support and consent of his/her subordinates (see *Figure 13*).

Legitimacy is a topic that was for long neglected by criminologists. During the last decade, however, it has enjoyed an important renaissance, due mainly to the work of Tom Tyler. Tyler's (1990) first study used data from a panel study of Chicago citizens' encounters with the police and courts, and concluded that people are often as much if not more concerned about the processes by which they are treated as about the outcomes. Of particular importance in the area of process are questions of procedural fairness ('has their case or situation been treated in a fair way? Are like cases treated similarly?' and so on), and also issues about the quality of their treatment by authorities (e.g. 'Are they accorded respect by police in on-street encounters?') (See *Figure 10*.)

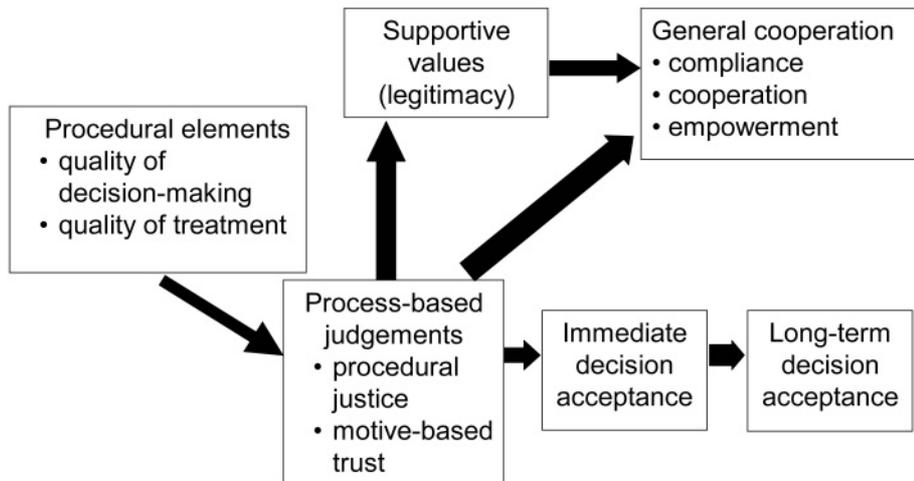
Figure 10: What is a Fair Procedure?
Suggestions in Paternoster, Brame, Bachman and Sherman (1997),
drawing on earlier literature:

1. Subjects' ability to make representations/participate (D)
2. Neutrality/impartiality of decision-maker (D)
3. Competent/high quality/reasoned decision by decision-maker (D)
4. Consistency (not arbitrariness) of decision-making (D)
5. Credible system for correcting unfair initial decisions (D)
6. Decision-maker treats subject with dignity and respect (treats as human beings) (T)

[Later distinction by Tyler (2003) between 'Quality of decision-making' (D) and 'Quality of treatment' (T)]

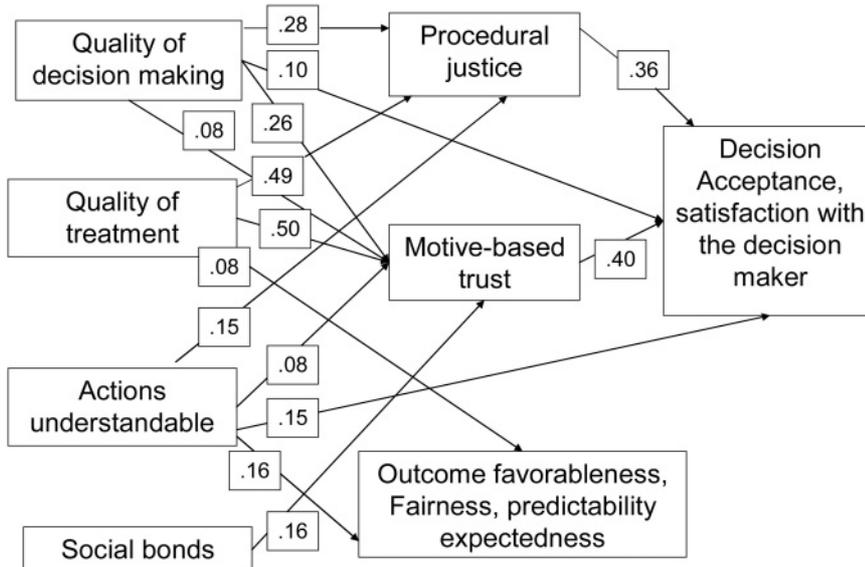
Tyler's argument is that people view their encounters with authority as 'information about the group that the authority represents' (Tyler 1990: 175). Hence, every transaction with an authority figure raises questions that extend 'far beyond those connected with the issue to be decided' (p. 175); to the citizen encountering the police officer (or train conductor, or whoever), that official is not simply dealing with a particular matter in a routine transaction, he/she is also in a real sense representing, through her demeanour and behaviour, the whole public service to which she belongs. Issues raised in such transactions include 'neutrality, bias, honesty, quality of decision, and consistency' (p. 175), and these are all issues that can raise the moral questions of fairness and respect (*Figure 10*). In short, we can postulate from Tyler's work that ordinary everyday encounters between legal authorities and citizens (including youths) can have crucial implications for the nature of the power relations involved, and to the validity of the officials' claims to justified authority – that is, to legitimacy. Where the legal authority is regarded as legitimate by the citizen, compliance in the immediate encounter is more likely to ensue, though the evidence of longer-term support (right-hand box in *Figure 11*) is at present rather weak. Tyler's later work with Huo (*Figure 12*) lends additional empirical support to his claims.

Figure 11: Tyler's Overall Model



The key elements of the model are shown in [the above] figure. The focus is on two consequences of public feelings about law and legal authorities: variations in willingness to accept decisions and differences in the level of general cooperation. Each is linked to process-based judgements of procedural justice and motive-based trust. Those process-based judgments, in turn, flow from antecedent assessments of two procedural elements: quality of decision making and the quality of treatment' (Source: Tyler (2003), pp. 284-285).

Figure 12: The Empirical Influence of Process-Based Judgements



I indicated earlier that the first subtype of normative compliance (based on belief) could be described as resulting from *normative self-policing*, or what some might call normative self-control. The second sub-type (based on attachment) has often been noted, in the criminological literature, as a major example of what is usually called *informal social control*; while the third (legitimacy) has been shown to vary according to the way in which *formal social control* is exercised. The three subtypes of normative compliance are therefore distinct, but potentially complementary. Those who wish to enhance legal compliance through normative mechanisms therefore have an interesting variety of possibilities to consider. Each of them, of course, is potentially relevant to youth at risk.

CRIME PREVENTION, PROSPECTS AND PROBLEMS: THE CASE OF EFFECTIVE INSTITUTIONAL VERSUS COMMUNITY- BASED TREATMENT PROGRAMMES FOR PREVENTION OF RECIDIVISM AMONG YOUTHFUL OFFENDERS

*By Prof. Dr. Hans-Juergen Kerner**



I. INTRODUCTORY REMARKS

According to functional theories of punishment in law, punishment is not to be considered as an end in itself. As for example Germany is concerned, the highest criminal courts in the country purport in their doctrinal terminology that administering criminal law may only be justified when it simultaneously proves that it is a necessary means for fulfilling the protective function of criminal law as a method for crime prevention. So criminal law shall ensure conditions for citizens that enable them to live peacefully together, and it shall contribute to peace in society under the control of the law. It is interesting to note so far that the central authorities among the growing European Union introduced, a few years ago and within the realm of the so-called “Third Pillar” of the EU (= Matters of Justice and Home Affairs), a kind of holistic concept. Along this concept the EU shall continuously strengthen its capacity or capability to offer its citizens an “Area of Freedom, Security and Justice for All”.

An important criterion for the efficacy of criminal law as a core means of formal social control is the extent to which ex-offenders continue to conduct themselves within the confines of the law. Most societies in our present world put particular emphasis so far on juvenile or young adult offenders, since among them the future and potentially dangerous career criminals are to be found, and in the long-term perspective a society may harvest the most enduring positive effects when it can prevent the early onset and the extended endurance of such careers.

II. PUBLIC CONCERN ABOUT RISING JUVENILE CRIME

At least in Europe during the year 1990 et seq. officially registered youth crime rates, especially regarding violent offences, were on the increase. This caused an intensive and sometimes even heated debate in the public sphere, and in federal and state parliaments, about the need for new methods for dealing with that problem. Various demands occurred in the political arena for stricter reactions, and particularly stiff penalties, against young offenders. Some asked for diminishing of the lower age of criminal responsibility from 14 to 12 years of age. Others opted in favour of treating young adult offenders in the same way as full adults under criminal law, which means they tried to change the existing German Youth Court Law allowing Juvenile Judges to handle 18 to < 21 year olds either way: Like juveniles (14 to < 18 years of age) or like full adults (21 years or older).

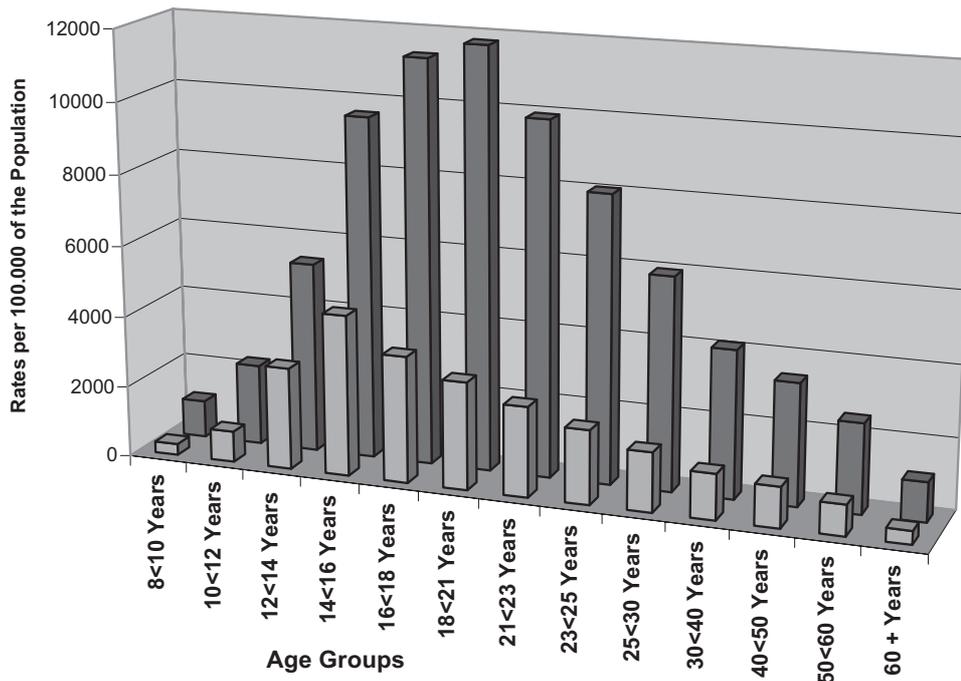
III. TRANSFERRING JUVENILES TO ADULT CRIMINAL COURTS

The introduction or expansion of systems of “waiver decisions” or “transfer decisions” in the U.S.A. where (sometimes very) young offenders can or must be sent to the adult criminal law courts and treated accordingly as if they were really adults can be regarded as the most expressive form of this new wave of “getting tough”. In the United Kingdom, the Blair government became somehow famous for its anti-crime slogan with which it aimed to follow the American model in a modified and more socially inclusive way. This slogan is going like follows: *“Tough on crime, but also tough on the causes of crime!”* This type of penal/correctional philosophy seems to overemphasize the problem of juvenile delinquency and youth crime at large. The so-called age-crime-curve which is depicting the rate of persons as coming into conflict with the criminal law (usually measured by getting caught by or reported to the police authorities, and then recorded for the crime statistics) aptly shows the following: Juvenile delinquency is rather steeply rising

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among male youngsters when they reach the age of puberty; the peak of the relevant age-crime curve usually oscillates around the end of high school years respectively around the upper age of juvenile court jurisdiction, i.e. somewhere between 17 and 20 years of age. Figure 1 gives an impression of how the distribution of crime is age and gender dependent in the Federal Republic of Germany. One should note that the basic structure of that curve did not change during the last decades. What changed was that the value of the rates in the younger (male) age groups showed, so to speak, “more of the same”.

Figure 1:
Age-Crime Curve in Germany
(Source: H. J. Kerner, based on Police Crime Statistics 2002)

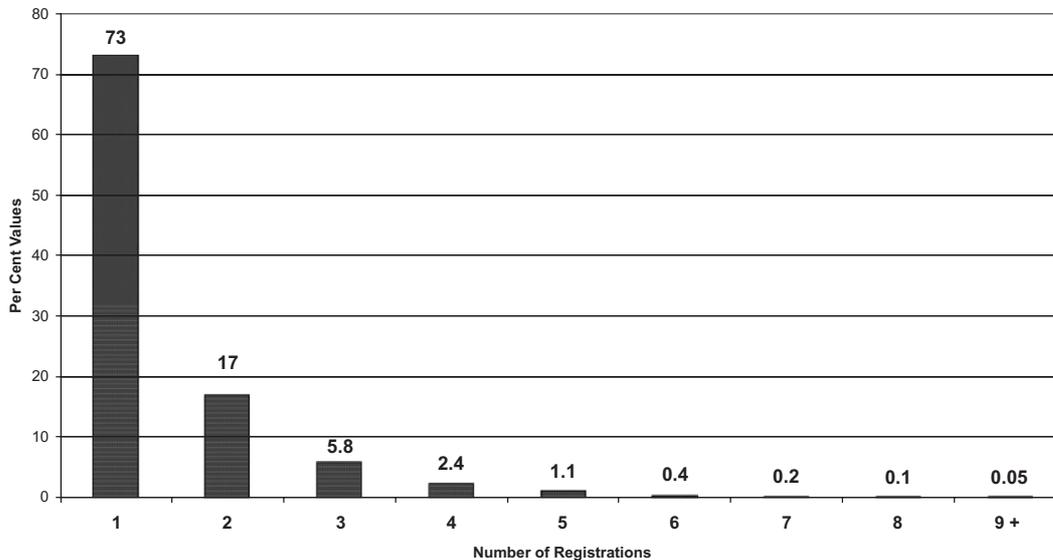


IV. DOMINANCE OF OCCASIONAL OFFENDING AMONG YOUNGSTERS

Many studies in different countries show, that still today - as probably ever before except severe crisis situations in whole states and economies – a great majority of young people commit some kind of petty offences during adolescence at some point of their personal development which may or may not be connected to difficulties in one or more socio-psychological areas (e.g. leisure time contacts, friendship, love relations, family, school, vocational education). Usually such one time or occasional offenders, alternatively called “adolescent limited offenders” along the theory as developed by Terrie Moffitt, do not enter into a criminal career. So far it may be of particular interest to consider selected results of a large study done in Germany by Prof. Heinz and his collaborators. The scholars managed to get access to the central criminal history registry in Germany as run by a special office of the Federal Prosecutor General. It is worth noting in that respect the following regulation which intends to enhance the rehabilitation of young offenders: As far as juveniles in the legal-technical sense of the term are concerned, i.e. all those young offenders from 14 to less than 18 years of age, they are registered in that registry only when and if they have been punished with the stiffest penalty available in German Youth Court Law, namely the so-called youth imprisonment. This penalty ranges from a minimum of 6 months to a standard maximum of 5 years of internment in a youth prison. Under exceptional circumstances (only) a specialized and qualified youth court, i.e. the so-called youth chamber at the regional criminal court, is being entitled to expand the frame of sanction, and to impose a penalty of youth imprisonment between more than 5 and up to 10 years duration. Such a penalty is reserved for heavy crimes that, in the case of an adult offender, carry a penalty of more than 10 and up to 15 years of imprisonment, or life imprisonment, like rape with grave consequences for the victim, robbery with weapons, or murder. Convictions and sanctions of a lesser degree than youth imprisonment (including a

conditional sentence) are considered not being “truly criminal”. But of course prosecutors and judges would like to know whether a young defendant, they are expected to deal with either informally or formally, is (at least officially) a first time offender or a “repeater”. In order to secure such a legitimate interest the Prosecutor General holds a separate registry. It is called, literally translated from German, “educational registry”. In substance all so-called directions and correctional measures are stored there. The educational registry is by no means accessible for private persons or entities like employers or schools, and it is neither accessible for the police or for local and regional youth authorities. Scientists are also blocked off in general. However, Heinz et al. received special permission to evaluate both, the criminal history registry *and* the educational registry. They drew two full birth cohorts of male and female persons as recorded in the registries. And then they looked, after a huge endeavour to re-organize the alphanumeric data of the registries into a strictly numerical data file, capable to be analyzed with complex statistical instruments like SPSS (statistical package for the social sciences), into many details. Here it may suffice to show just one major basic result pertaining to the male part of the 1976 birth cohort. The question is how often those boys did come to the notice of prosecutors and/or juvenile judges or youth courts from the age of 14 (lower limit of criminal responsibility) up to the age of 18 (age of legal maturity in all matters of law except criminal law in Germany). Figure 2 shows aptly that more than 70 per cent were registered only once in the criminal history registry or in the educational registry. Following a concept as developed by the famous American criminologist, the late Marvin Wolfgang, and by his collaborators, in the realm of the most prominent Philadelphia birth cohort study I, one can particularly look at those young offenders coming into contact with criminal justice authorities five or more times. In the Philadelphia birth cohort study (published in 1972) the scholars counted contacts of the (some 10,000 males) youngsters with the police due to delinquent acts (like playing truant from school) or due to crimes (like theft, burglary, rape or homicide). Some 35 per cent of the young generation had been registered in the police files. They had been handled informally or formally arrested. Among them some 600 committed 5 and more delinquent or criminal acts (some 6 per cent of the birth cohort, respectively some 18 per cent of the delinquents). This rather small sub-group accounted for the major part of all offences recorded for the whole birth cohort during their period of life from (at least) 10 to 17 years of age. Wolfgang et al. called them “chronic offenders”. In Germany a study performed by Weschke et al. in Berlin at the Berlin police headquarters came up with rather similar figures. The Berlin male youngsters of a comparable birth cohort had come to the notice of the (then still West-) Berlin police to the amount of 32 per cent up to their 18th birthday. Also the percentage of the “chronics” was very similar. Figure 2 depicts the situation for a later birth cohort for (then still West-) Germany as a whole, and only for those dealt with by judicial authorities in the broader sense of the term. It is important to know in this respect that German police officers and authorities are not entitled in any case or circumstance to terminate a prosecution formally or to impose even informal sanctions. They are obligated to report each and every offender eventually to the local prosecutorial office or, exceptionally, directly to the juvenile judge. As one can deduct from Figure 2, only a little less than two per cent of all those young male defendants reported to the judicial authorities and dealt with accordingly, committed five and more offences. So the rate of “chronics” in a whole country seems to be considerably lower than the rate in big cities (like Berlin), a fact which is already to be expected from common sense knowledge of how juvenile delinquency and crime are being distributed geographically.

Figure 2:
Frequency of Becoming Registered in the Central Criminal History Registry
 German Male Offenders, Birth Cohort 1976, Age Period from 14 to 18 Years
 (Source: H. J. Kerner, based on the Konstanz Birth Cohort Study, W. Heinz et al.)



V. RELATIVELY SMALL AMOUNT OF VIOLENCE

Real violent crimes account usually for only an absolutely or relatively small portion of all crimes committed by young people. The actual figures depend, inter alia, on the type of state and society, the poverty level, the unequal distribution of income and wealth, and on the particular time period taken into consideration. In West-European states the share is something between three and six per cent of the total of recorded offences. Those violent crimes very often take place during confrontations among youth of the same age group. In other words, juveniles are as much victims of crime as they are offenders. Violent crimes committed by young persons against adult and particularly elderly victims are, according to quantitative empirical studies, comparatively rare but they cause quite often, by various and partially obvious reasons, relatively high concern among people in neighbourhoods, towns, the public at large and surely in the mass media. We have some indications by studies that, in addition, the “visibility” of such offences has increased in the past years due to increased reporting of criminal acts to the police and other competent authorities.

VI. DELINQUENCY AND CRIME AS OCCASIONAL EVENTS

Even if juvenile delinquency and youth crime are surpassing the level of petty everyday offending, criminological longitudinal studies show convincingly that for the great majority of young (as a rule male) persons, offending is something like a temporary life episode. In terms of developmental psychology offending accompanies the transition from childhood to adulthood. It is, considered this way, not much more than a typical developmental mode of behaviour everywhere, and so far statistically normal. It is limited in most cases to a certain and often rather clear cut period in a youngsters’ life. This fits decently with results of other modern sanctioning research studies showing that a substantial proportion of cases can be dealt with informally, avoiding especially criminal court decisions, without any increase in endangerment of the public.

A. The Belief in Harsher Sanctions in General

Many people among the general public, many politicians responsible for anti-crime policy, and even some scholarly experts hold the opinion, if not the deep seated belief, that stricter and/or stiffer legal sanctions for young offenders can efficiently and effectively act as a deterrent, i.e. contribute to a reduction of juvenile crime. However, there is less than scarce evidence for this in empirical research. Also the concurrent opinion that increased numbers and stricter administration of criminal sanctions would have an individual preventive effect on young persons and block especially their descent into a criminal career, has still to be confirmed by empirical studies up to now.

B. The Call for “Getting Tough” with Intensive Repeat Offenders

As far as the rather small proportion of young people are concerned who come to the attention of the criminal authorities as heavy and/ or repeat offenders, some of them are in real danger of entering into a longer lasting criminal career. This sub-group is traditionally considered to be the core target of sanctions with deprivation of liberty, if not strong confinement. In criminological terms, during the last decades e.g. the already mentioned Moffitt's theory of few “life time persistent offenders” as opposed to the many “adolescent limited” offenders became popular. In the U.S.A. Marvin Wolfgang's also already mentioned concept of the (young) “chronic offenders” and their so to speak lions' share of the whole amount of youth crime became very influential for the shaping of more strict penal policies. Imprisonment became a kind of standard option again, whereas it was opposed in earlier times, during the reign of treatment philosophy, by the majority of theoreticians, youth authority institutions, and even by large parts of the police, judicial and correctional authorities. Behind the call for getting tough lies, apart from basic personal convictions about the nature of crime and the deservedness of punishment for criminals, the assumption (followed then by corresponding fear), that young repeat offenders tend to repeat their offensive behaviours more intensely and more extensively the more their offending is interconnected with, if not deeply immersed into, a typical set of adverse personal or social-psychological or environmental conditions. If one would consider such an assumption to be correct, one would accordingly expect that the deeper the involvement of a young person into a delinquent or criminal way of life is developed, the more he will belong to a group with slightly or heavily prevailing adverse conditions. And actually: This is what traditional criminological studies were able to demonstrate once and again in many countries. And this is also very compatible with the everyday experience of many practitioners dealing with delinquent and criminal kids. But: Can we really be sure about that phenomenon?

C. The Tuebingen Re-analysis of the “Philadelphia Birth Cohort Study I”, 1972

Together with Professor Elmar G. M. Weitekamp and a couple of my research collaborators at our Institute of Criminology at the University of Tuebingen we had severe doubts whether the mentioned connection truly existed. We did not believe, based on a lot of experiences out of, inter alia, the “Tuebingen Criminal Behaviour Development Study” (TCBDS), that the connection was a kind of “actual given” in the real world in the sense of an at least strong probabilistic or even somehow socially deterministic “causal link”. Such a causal link would imply that adverse conditions “create” more or less automatically or even inevitably, by the one or other still not very well understood process, enduring negativistic feelings among (particularly) young people and, in a parallel process, deviant attitudes which may then, in the event, pave the way to respective behavioural patterns resulting in a first delinquent and lastly, a so to speak, blossoming criminal career.

Our research team worked intensely on the two data sets provided by the U.S. National Archive of Criminal Justice Data. The first data set pertained to the recorded offences, the second data set pertained to the known offenders. When Marvin Wolfgang and his collaborators had been collecting and analyzing the data of their birth cohort members the computing capacities were still rather limited even in the United States. So they could not fully integrate data on offenders and on offences into one unique data set. As a consequence the publications do show, apart from a wealth of very interesting results regarding the recorded offences, only comparatively few results with regard to offender characteristics. Mainly the number of their offences, which methodologically speaking is rather the number of their appearances before or contacts with the police, and the ethnicity or race of the young offenders had been taken into detailed consideration.

The creation of a new and fully integrated data set did cost us a lot of time, energy, and some headaches, too. Eventually after one and a half years of work, we succeeded in a satisfactory manner with clearing nearly all of the uncertainties in fitting offenders with “their” and only their “own” particular offences. Out of the plethora of stimulating results which are mostly not published yet I'd like to show here only the one which refers to the above mentioned problem or question.

After looking at a host of bivariate correlations between singular variables, after inspecting many correlation matrices, and after running a series of multivariate calculations we got the impression that many results had a similar “tendency”. Irrespective of which single factor or set of factors was being taken into consideration, the outcome pointed towards the same direction. The more a young person was being situated on the “lower side” of an issue, the more he came out to having been in frequent contact with the police. Poor neighbourhood vs. decent neighbourhood, good school grades vs. bad school grades, to cite just

two examples, showed basically the same distribution. This in itself would of course not seem very remarkable. The remarkable thing was, for us, the striking similarity in the shape of the results. So we assumed that the single facts might, apart from the one or the other very specific if not idiosyncratic causal mechanism, form an “*additive scale*”.

Behind the concept of such an additive scale lies the theoretical assumption that irrespective of or apart from whatever single causal relationships there might be one has to expect a continuously rising “risk of failure” for the persons experiencing the very real psychological, socio-psychological, and also social-environmental “burden” put on their shoulders, so to speak. It is, seen from that perspective, not so important what kind or kinds of burdening factors are present in or around a youngster. It is also not that important to look for the patterns of co-occurring factors. It is, the opposite, just the sheer “number” of adverse factors which sets the process in motion. For the number means, so or so, a growing “weight” the young person is getting confronted with and is being asked to master in a socially decent manner.

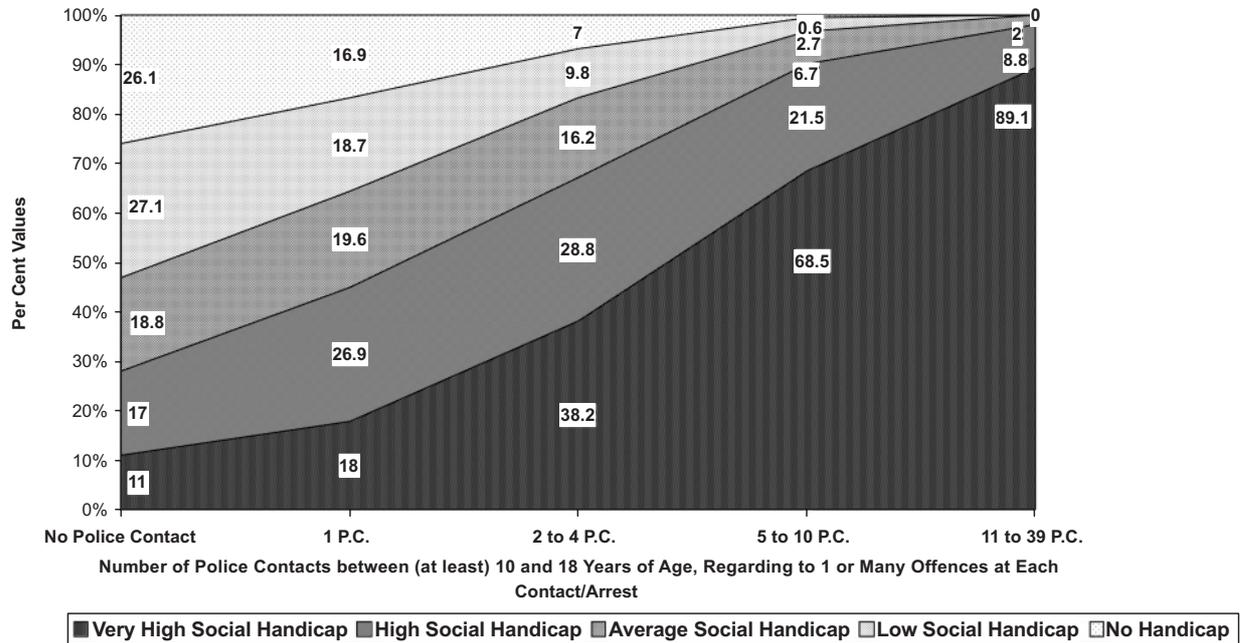
Based on this theoretical assumption we

- (a) decided to hold “race” not as a biological given or as a psychologically decisive personal characteristic but just, as any other fact of life which has some obvious and some less obvious implications for (not) climbing up the social ladder, as a potentially burdening factor (probably also in other countries than the U.S.), and
- (b) made iterative runs with all possible sets of 2, 3, 4, 5, 6, 7 and up to maximally 8 factors we could get out of the re-organized Philadelphia data set, and
- (c) divided the some 10,000 young people into five aptly suitable sub-groups (percentiles of 20) representing a growing intensity of socially and or individually adverse life conditions.
- (d) The resulting scale was given the name “Social Handicap Scale”.
- (e) The single factors entering into the original computer runs, and eventually included into the final version of this Social Handicap Scale were, in condensed description, the following:
 - Social characteristic of the neighbourhood
 - Ethnicity of the subject (dummy coded as “white- non white”)
 - Socio-economic status of the parent(s) respectively the family
 - Number of moves out into other neighbourhoods or towns
 - Number of moves of the subject to other schools
 - Transfer of the subject to special schools for either learning disabled or physically disabled students
 - Transfer of the subject to a special school for defiant or otherwise deviant students
 - Highest school grade the subject reached during his school career
 - Leaving school without a formal positive termination
 - Extent of achievement in school upon teachers’ evaluation
 - Intelligence quotient (three different time periods)
 - The amount and extent of playing truant at school

Figure 3 shows the correlation between the belonging of the young subjects of the Philadelphia Birth Cohort I to one of the five sub-groups, from the rather “well off” on the bright side of life, as opposed to the “desperate ones” on the rather grey side of life, and the number of committed offences respectively the number of contacts with the police by reason of becoming suspected of being delinquent or criminal.

The picture seems to confirm all the classical criminological, psychological, sociological and developmental assumptions so familiar to us all. The higher the number of police contacts of the youngsters, the higher the “share” the handicapped sub-groups take out of the events. The process obviously starts before the number of police contacts reaches the famous level of “chronic offending” (= 5 and more). However, it gets steeper from that level on. Among the most delinquent/criminal sub-group of offenders with 11 or more police contacts in the age period between 10 and 18 years of life, 97.9 per cent of the offenders belong to those who are either highly or definitely highly socially handicapped (= amassing up to 8 single burdening factors at once).

Figure 3: Philadelphia Birth Cohort Study - Male Offenders.
Subgroups with Different Extent of Social Handicap, Depending on the Number of Police Contacts (Source: H. J. Kerner et al., Re-Organized Data Sets of the Wolfgang et al. Stud 1972)



So: What about the mentioned idea that there are no real causal mechanisms in the real everyday world? The results seem to be fatal or, in a more drastic version, not much less than a slap in the face.

We were not fully discouraged, nevertheless. Since the way of this first complex approach was basically similar to the many other approaches in criminology and the other related disciplines: One looks at degrees of official recognizance of “problematic events or problem behaviours” at first; at second one tries to detect what kind of causal or background factors are related to these events/behaviours on the surface. By doing so one might, so we speculated, confound reaction mechanisms on the part of the “controllers” with behavioural or situational mechanisms on the part of the “controlled” even if the study design is not retrospective as it is usually the case in criminology, etc. but quasi-prospective as in the case of the Philadelphia Birth Cohort I study.

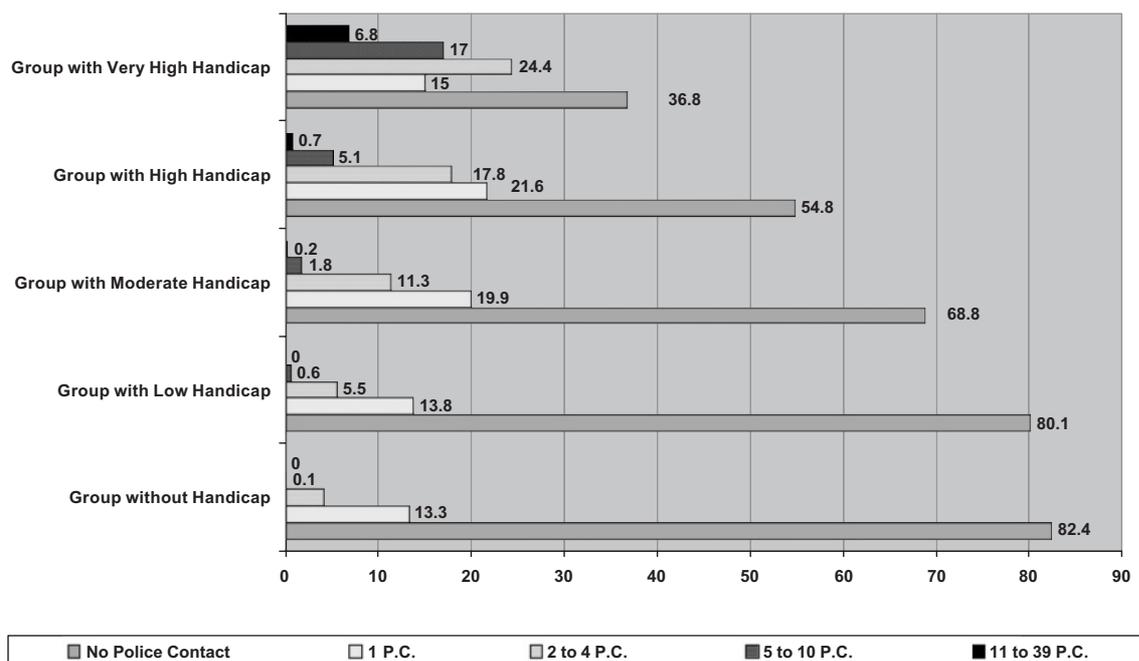
So we turned the analysis around so to speak. We started with all the 10,000 members of the birth cohort, as distributed among the five sub-groups with their different degrees of social handicap from birth on up to the leaving of school. And from there we calculated the amount of contacts each and every group assembled up to the age of 18. As Figure 4 shows very convincingly, a large part of the “evidence” coming out the way Figure 3 was being calculated is fading away.

When we look at the most privileged sub-group none of us will really be surprised to learn that roughly 82 per cent of its “members” never ever came into contact with the police during their childhood and adolescence. And none of us would expect that more than a very few would become “chronic offenders” of the Wolfgang type. Actually less than 0.1 per cent had a police record.

More thought provoking is a look at the most deprived sub-group with up to 8 burdening factors, the group with a very high social handicap being put on the top of Figure 4. Roughly 37 per cent of them never came into contact with Philadelphia police officers or authorities due to a delinquent or criminal act. Exactly 15 per cent had only one relevant contact, and another roughly 24 per cent assembled 2 to 4 contacts. That means that all in all 72.6 per cent remained below the level of the “chronics”. Taking this into the perspective of early intervention with the “youth at risk”, one could conclude that well meaning youth workers or community officers or other benevolent people would have invested perhaps much too much money, time and caring efforts into young people which either did not really need such kind of treatment or

may have needed it in substance but nevertheless managed somehow to stay outside the grip of status offence codes or the criminal code of Philadelphia. To put it more sharply, in the perspective of prediction of criminality and the very popular risk factor approach: Depending on where one would have set the limit, the prediction at time of birth or up to the age of 10 would have resulted in up to 43 per cent of so-called “false positives”. This term means persons who are predicted to show problematic behaviour in the near or the distant future (here delinquency and/or criminal offences) but who actually do not fulfil the prediction by remaining “clean” or, in clinical terminology, “symptom free”.

Figure 4:
Philadelphia Birth Cohort I_Male Offenders:
 Distribution of Police Contacts Among Subgroups, Age Period 10 and 18 Years, Depending on the Degree of Social Handicap
 (Source: H. J. Kerner et al., Re-Organized Data Sets Philadelphia I.)



D. The Need to Avoid Imprisonment

Imprisonment of young people bears, apart from the considerations as mentioned above, some heavy risks, even if it is administered in a more or less humane manner. Among the dangers that lurk in the background are: the loss of social ties, social stigmatization, and so-called criminal infection, which means e.g. learning criminal attitudes and skills from more experienced inmates. The dangers are particularly intense when it comes to “typical” multiple offenders. They show quite often, and suffer sometimes from, an intricate mix of problems, similar to those explained above with the Philadelphia birth cohort, both with regard to their individual dispositions as well as in relation to the social environment they grow up in. The mix may lead to deeply ingrained “criminogenic syndromes” among those who come out to be “true positives”. In the case of the Philadelphia birth cohort these are at least the few ones assembling 11 or more police contacts for one or (many) more offences related to each and every of these contacts. To confront those complex problem syndromes is an important task for crime prevention.

Imprisonment may help to incapacitate the young offenders if they can not be dealt with under conditions of liberty in community settings. And incapacitating may in so far contribute to public security and safety in the short and middle range. However, most young offenders spend only limited time in prison. When they are about to return into normal society they need skills not just to survive but to integrate in normal social conditions and ways of life.

Incapacitation tends to favour “negative conditioning”, due to a host of circumstances which shape the styles of living and behaving in even benevolent establishments of deprivation of liberty. Under such circumstances even the means of schooling young offenders or providing them with vocational education or

training may come out as somehow futile endeavours in that their potential (and actually “causal”) beneficial effect may be counteracted and even fully neutralized by harmful factors.

E. Concentrating on the Post-release Time Period, and Providing Through-Care

There is some hope, according to recent empirical studies with longitudinal design that one needs to use special kinds of preventive and helpful interventions in order to start at least the first real steps of improvement of young prisoners' life styles already during prison time. In order to secure such effects in the long run, methods of through-care are indispensable which guarantee the buffering of adverse experiences during the first weeks or months in liberty after release. This requires integrated efforts of different authorities, which in many countries are still today more talked about than actually implemented in a suitable manner. Preventive and helpful interventions are those which are oriented towards very individual and painstakingly checked problem constellations and behavioural patterns. They have to be based, in addition, on a person-to-person relationship characterized by acceptance and respect, which helps to create trust into others, a sense of getting treated fairly, and a positive self-image. All those and other circumstances open up a perspective for the future among the young people.

F. Traditional Means = Probation and Parole Orders

Probation and parole systems are well-established traditional alternatives to imprisonment in many countries. They are still not suitably established and equipped in many other countries of today, however. Where they are in good standing in general the parole and/or probation officers often suffer from heavy caseloads, which prevent them from dealing individually with their clients. Apart from those questions: Research in recent years has clearly shown, e.g. in Germany, that it is a sound policy to put also repeat offenders under parole supervision and helping schemes who were traditionally considered to pose higher risks for society and individual citizens in terms of recidivism. It seems even helpful to administer repeat probation and parole orders instead of imprisoning young people if the first or second or sometimes third supervision order officially ended in failure, be it due to defiant behaviour on the side of the youngster, be it due to the committal of new offences. In general statistical terms, the rate of successful termination of probation orders in Germany rose constantly in the last decades, and the basic trend was the same for first offenders, repeat offenders, and repeatedly supervised offenders alike.

There were some new methods of dealing with young offenders available which may have helped to reach this positive trend: e.g. integrated job finding systems, special housing opportunities for young offenders, open “probationary homes” with social and personal psychological services, community-service schemes combined with coaching of endurance and skills among the young offenders, and integrated alcohol and drug treatment schemes.

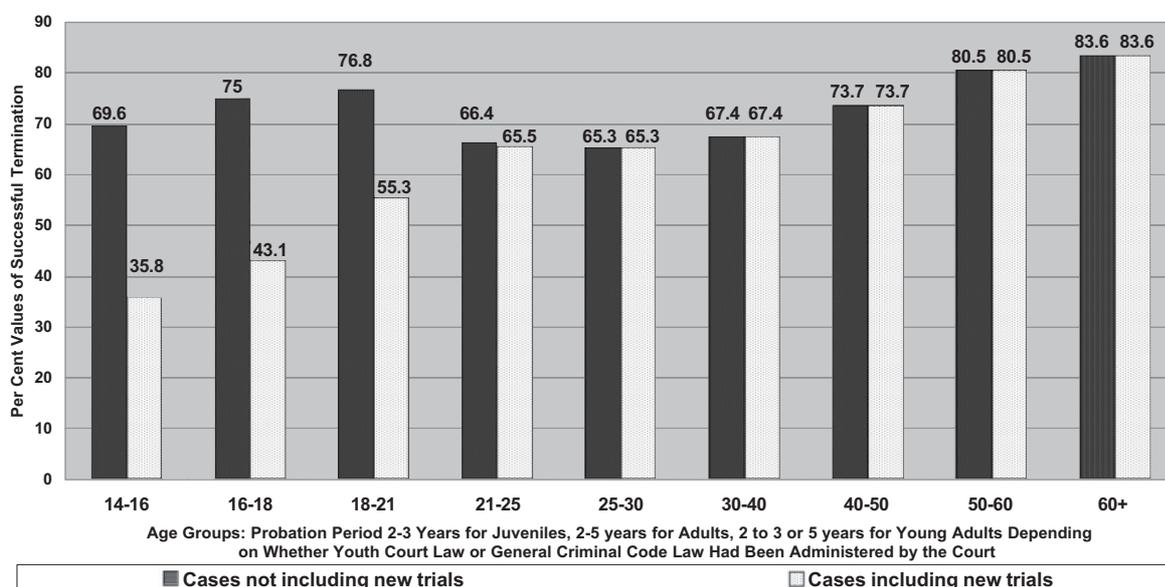
Figure 5 provides an overview of how high a percentage of cases/persons put under the supervision of probation officers in Germany got their probation supervision order terminated by a final positive judicial decision which is, according to German Youth Court Law or according to the adult German Criminal Code the quashing of the execution of the originally imposed conditional penalty of imprisonment. In general the success rates are rather high, particularly when considering the amount of repeat offenders or repeat probationers included in the numbers. On second sight one detects, when looking at the dark bars, that those below the age of 21 who almost always fall under the jurisdiction of youth courts show higher “success rates” than the nearest age groups of full adult probationers. And actually it is very common to point out this fact among practitioners of youth justice, including the adjacent helping professions like youth court aides and youth probation officers. Even some scholars seem fully convinced of the greater “power” of the youth court system as a whole as far as the avoidance of eventual imprisonment of offenders is concerned, in comparison with the adult criminal justice system. I would not like to deny fully such assumptions if not beliefs. There are actually some data available showing relatively beneficial influences of youth justice system interventions into the life of young persons, relative to the adult system ways and means of dealing with defendants.

However, when I followed the example of some sceptics who analyzed earlier yearbooks of the German probation and parole statistics in a slightly different way than the official authority were doing it, the nice picture lost a bit of its shine. The German Youth Court Law allows, and requires, the judge to take into account each and every former court decision relating to the defendant, provided that the decision ended in either a conviction without any sanction at all (so-called “isolated declaration of guilt”) or in an informal

sanction or in a formal penalty, and provided additionally that those decisions are not yet fully “exhausted” at the time of the new verdict. In technical terms that provision means in relevant cases that the judge/the bench substantially overrules the former court decisions as such, considers all now “remaining” offences, circumstantial facts, and personal conditions of the defendant in a holistic manner, and eventually sets up a new and unique respectively “integrated sentence”. This may come out, for example, as another probation supervision order with some collateral regulations (directions or correctional measures) different from those imposed on the probationer by former courts. By doing so, the behavioural “failure” of the defendant will turn out to become a kind of new “offer” to avoid imprisonment. This can surely be called a success from a certain perspective.

Without discussing this issue in more detail it may suffice to point out the following fact: If one considers the light dotted bars only, one can clearly detect the pattern which is so overwhelmingly present in each and any criminological or penological or treatment study anywhere in the world. The pattern is like follows: The younger the age group taken into consideration the higher the failure rate or, inversely as here in Figure 5, the lower the success rate, however defined or measured.

Figure 5:
Probation Supervision Orders in Germany
Success Rates Depending on the Age of the Probationers as Assigned to a Probation Officer
 (Source: H. J. Kerner, based on raw data in BewHiStat 1999 [2003], total of terminated cases)



G. Remaining Neutral or Even Positive Effects of Youth Imprisonment

In all states of the modern world some (young) offenders are committing such heavy crimes that they “deserve” to be punished with a penalty implying deprivation of liberty. Other (young) offenders were given less intrusive sanctions so often before their last act of offending now to be decided upon by a youth court or a criminal court that it seems “inevitable” by all standard legal and practical means to impose imprisonment now! German judges and courts are used to considering imprisonment as somehow the last resort to rely to. This cannot and need not be elaborated here in more depth. However, apart from this complex issue of sanctioning theory and practice some pieces of research, a couple of them performed rather recently, have brought up interesting results which deserve to be discussed under several different socio-legal, criminological, penological, and crime prevention perspectives in the future.

I would like to point here only to selected results of one of our Tuebingen research studies we did in the last years, together with Professor Werner Maschke from the state of Baden-Wuerttemberg Police College. That study aimed at the detailed exploration of the experiences of young people in Baden-Wuerttemberg with the criminal justice system in a broad sense of the term, i.e. including juvenile justice, law enforcement and youth court aide interventions. It was a commissioned study for the state government. It was and still is expected to bring out some fruitful ways and means to deal in a humane as effective and efficient manner

with young delinquent and criminal persons. The project contains different approaches and uses quantitative as well as qualitative methods. It includes young persons at different stages of contact with "the authorities". Here I only would like to show selected results pertaining to a small sub-group of some 30 young prison inmates living at the time of the semi-structured personal interview, and the additional administration of a questionnaire, in the central youth prison of Baden-Wuerttemberg. It may be worthwhile to note that the structure of the results shown here is very similar among other sub-groups of youngsters also included in the study.

As Figure 6 shows only a few answers indicate that the young prisoners forcefully resent their imprisonment ("revenge" might indicate such an emotion or attitude). The major part of the answers goes towards a "quid pro quo" attitude (bearing the consequences of what one has done), towards the need to change ones' life or to accept being used as an example for other youth at risk.

Figure 6:
Young Men in State of Baden-Wuerttemberg Central Juvenile Prison = Main "Reason" for
Serving Time in the Institution

(Source: Kerner/Maschke-Project on Experiences of Young Persons with the Criminal Justice System)

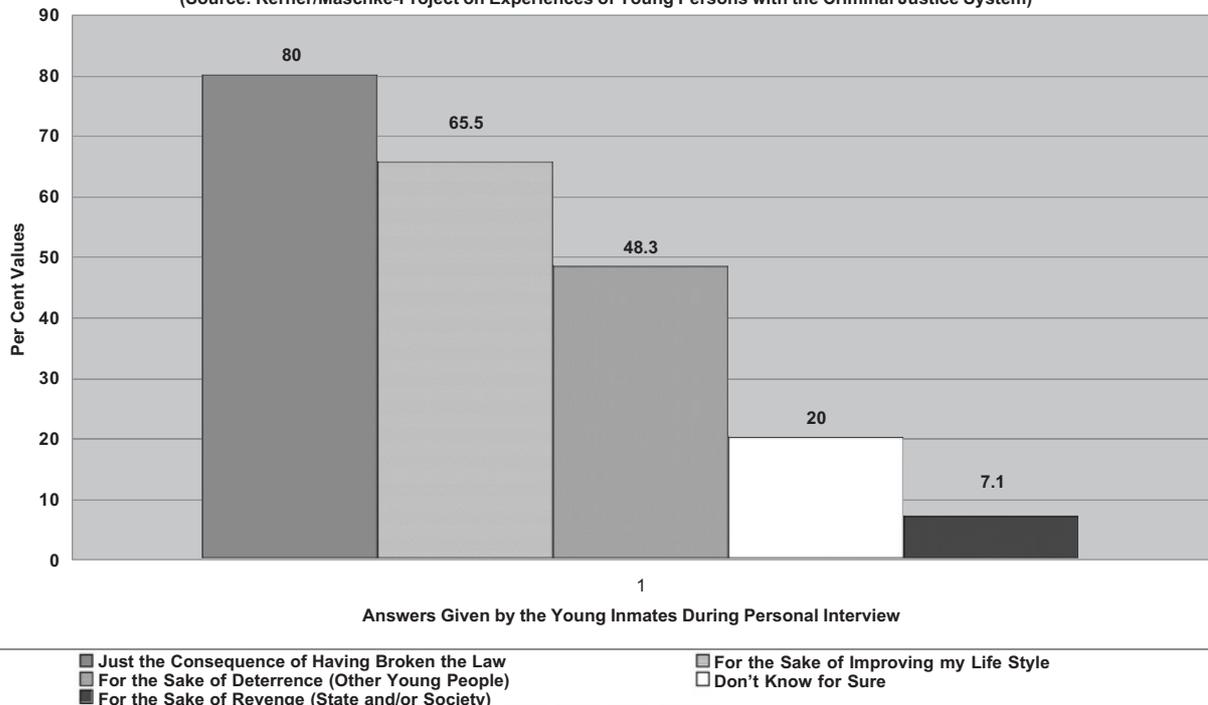
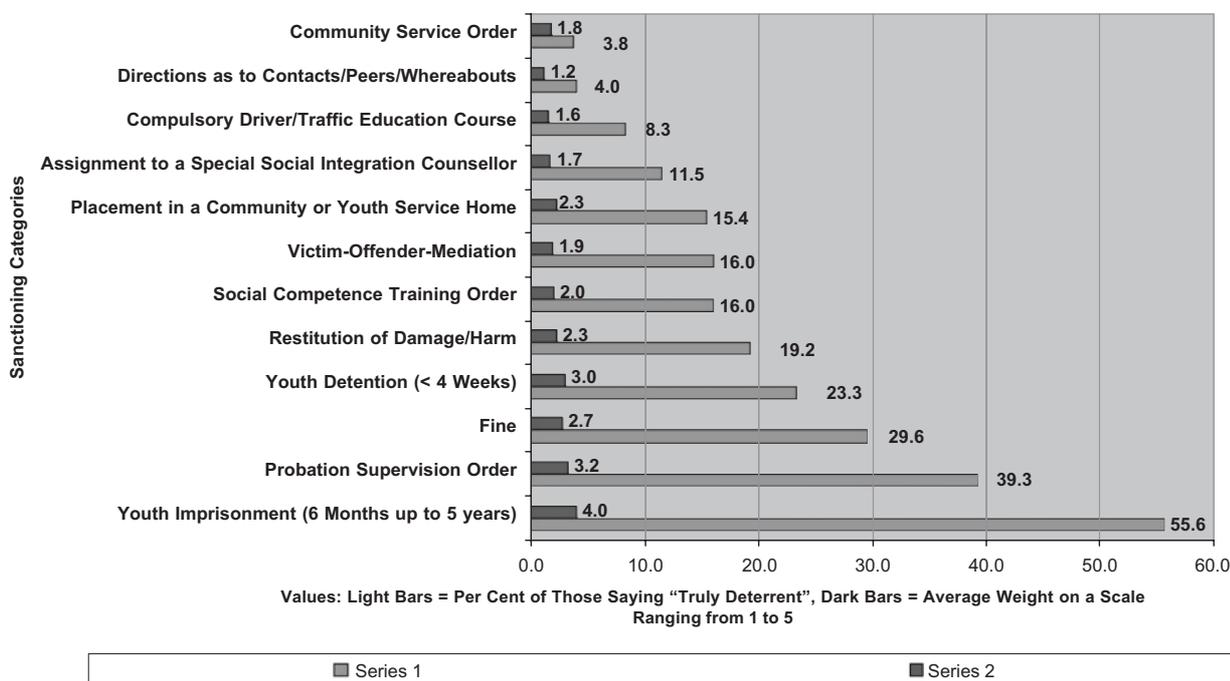


Figure 7 depicts the opinion of the young prisoners as to the "power" or "degree" of deterrence of different sanctions or penalties are concerned which the German Youth Court Law and German Criminal Code are providing today. On the one hand one can aptly detect that the penalty of youth imprisonment is considered the most deterrent of all interventions into the life of young offenders; some 44 per cent of the subjects, however, do not consider youth imprisonment as truly a deterrent but only a deterrent to a lesser degree. On the other hand the fact that a probation order comes in the second rank in deterring power, which may surprise many readers, is well in line with a few older studies performed in the United States of America. It coincides already with common sense assumption that sanctions like community service are practically not considered to be a deterrent at all.

Figure 7:
Young Men in State of Baden-Wuerttemberg Central Juvenile Prison
= Evaluation of the "Degree of Deterrence" among Different Sanctions)
 (Source: Kerner/Maschke-Project on Experiences of Young Persons with the Criminal Justice System)

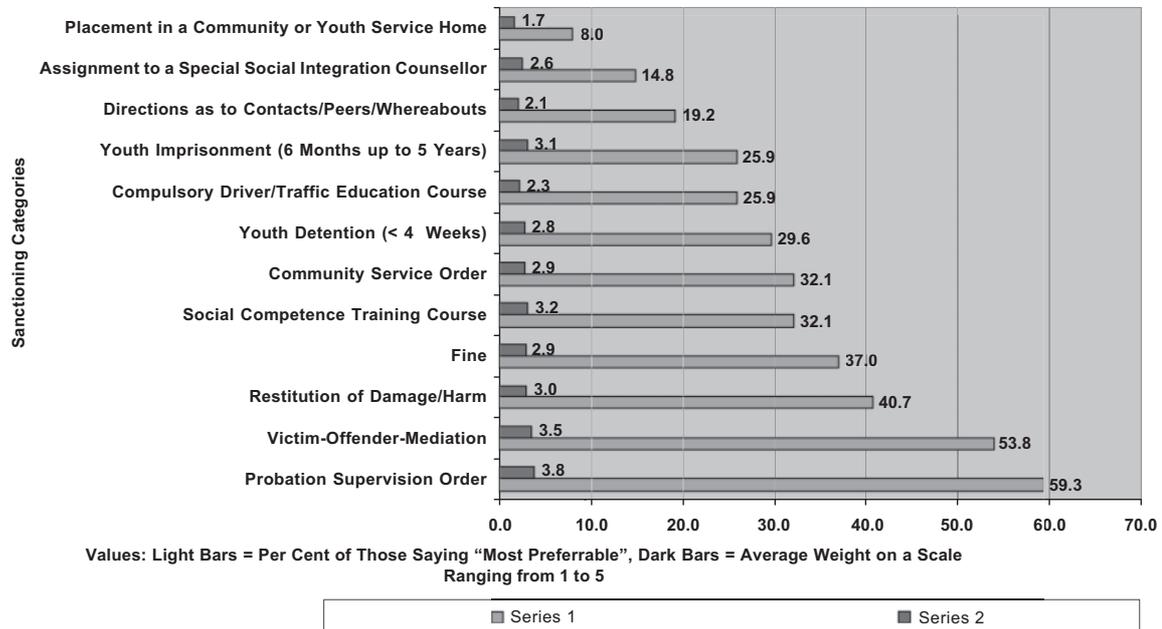


This picture should not lead us to discard the socially integrative sanctions at all. As we can clearly deduce from the results shown in Figure 08 the young prisoners are well aware of the general meaningfulness of such sanctions. And from the qualitative semi-structured interviews we carried out with them it came out that they consider them very meaningful and apt for themselves in order to pay back to society for the harm done to others, in order to come to some or full reconciliation with their victims, and in order to try to live a decent and future oriented life under conditions of controlled liberty.

Figure 8 shows us what high a rank posit, after the classical probation supervision order (so far a meaningful deterrent for the young offenders!) the measures/offers of victim-offender-mediation and the restitution of the damage done or the harm caused.

Figure 8:
Young Men in State of Baden-Wuerttemberg Central Juvenile Prison = Selecting the Most Meaningful Sanction for Young Offenders

(Source: Kerner/Maschke-Project on Experiences of Young Persons with the Criminal Justice System)



H. Long-term Effects of Sanctioning

In terms of penal theory or the measuring of sanctioning effects we should consider that seemingly futile treatment efforts in the short run, as we are confronted with over and over in many fields and in practically every state, may nevertheless bear powerful "seed strength" for improvement of offenders in the long run. One can call that in everyday language a "sleeper effect" of individualized treatment as opposed to the seeming "null effect" or only "minor effect" within a distance of follow-up of say 2 to 5 years. In more scholarly terms this can be understood as a type of "deferred re-socialization".

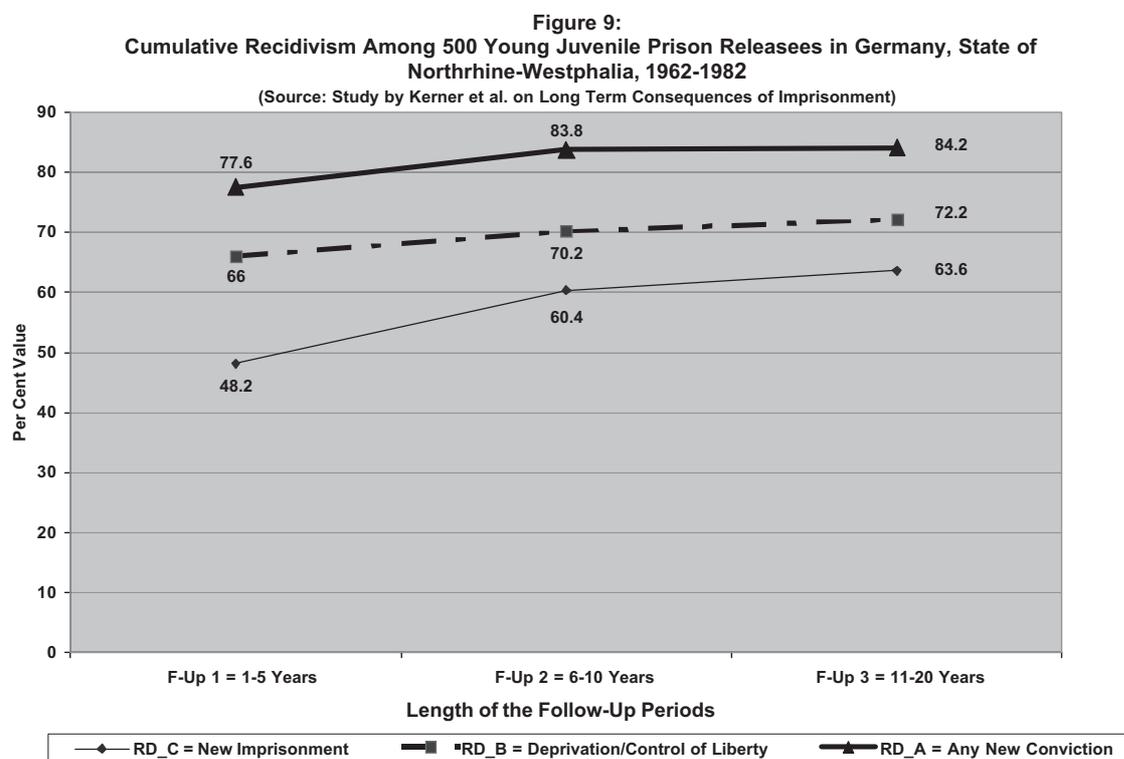
I. Aggregate Data vs. Individual Trajectories

The complex process is being deeply connected with phenomena we are all well aware of under everyday life conditions: It takes time and normally repeated effort to change attitudes and behavioural styles. One may take the "decision" to quit smoking as a telling comparative example also for otherwise perfectly decent and normal people. Based on our Tuebingen longitudinal and comparative studies on (ex-) prisoners on the one hand, (formerly) young men of the same age and regional belonging out of the normal population on the other hand, I developed the theoretical concept of "cognitive re-socialization" which enables us to understand long term improvements in criminal attitudes and behaviours, and to develop suitable practical schemes. This can not be dealt with in more depth here. Statistical data on the aggregate level, i.e. pertaining to large groups of offenders, show typical structures of recidivism which may lead to scepticism, if not pessimism. Rates and structures of recidivating are, laying rather on the surface of things and events, strongly bound to a limited set of "indicators" like age, sex, and earlier convictions, which may not be causal factors in themselves but rather epiphenomena of broader problems or syndromes "in the background" of peoples' personalities and living circumstances conducive to repeated crimes. However, the few research studies available internationally, including our own, which deal with "individual trajectories" of living and offending and receiving sanctions, indicate that the so-called criminal careers do not usually lead to an ever increasing "immersion" of the offenders into further deviance. On the contrary: at every step of the career, even after ten or fifteen convictions, there is a real option for desistance. And as we could show with a group of some 500 young releasees from a central youth prison in one of our German states during a follow-up period of 20 years, most of them actually finished their criminal career.

Figure 9 depicts the further criminal career of a group of some 500 young prisoners released from two large youth prisons in the German state of Northrhine-Westphalia. This is the biggest of our states with

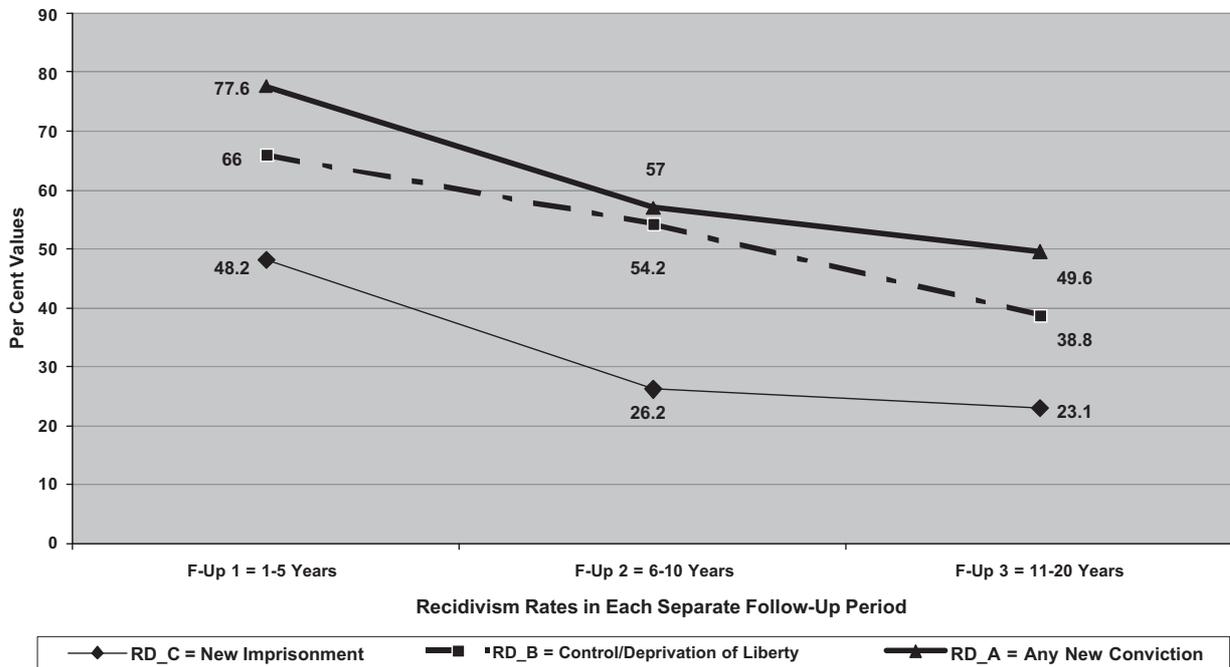
more than 17 million inhabitants. The young prisoners were released in the year 1962 from two large state youth prisons, one of which was a medium security closed prison, the other a minimum security semi-open prison. In pursuing the work commenced by Dieter Hoebbel, a then doctoral student, we re-analyzed the data on the first follow-up = 1 to 5 years development after conditional or final release from the youth prisons. Our team, I myself, Helmut Janssen and Dieter Hermann with some research assistants, then took on the next periods of time, and we followed-up the ex-inmates at first for a further five years, accumulating the time at risk up to 10 years, and later on for another more extended period of 10 years, accumulating then the whole time at risk up to 20 years. Out of a multitude of interesting and sometimes mind-provoking results I would like to show here only the ones that related to the recidivism rates.

Figure 9 depicts a dynamic process very common in many studies dealing with the fate of young (male) prisoners after having been released from a correctional institution. All three measures of recidivism show a rather constant rise in the “failure rate”. In the very long run roughly 84 per cent of our group of ex-inmates acquired new convictions. Roughly 72 per cent were given new sentences implying deprivation of liberty, be it conditional imprisonment sentences with an additional probation order, be it unconditional imprisonment terms. However, since a part of those managed to terminate their probation supervision term, and since a few others got their imprisonment terms commuted before execution of the imposed sentence (e.g. via pardon granted by the competent authorities), not all of the high-risk group returned to prison. Roughly 64 per cent eventually had to go to prison again, at least once.



The seemingly sad picture can be turned towards a more promising one when one changes the method of measurement and perspective. We did so by computing the three conceptually different recidivism indicators in a different way. Instead of calculating the accumulative risk of failing, which is the most convenient and also actually internationally used approach, we calculated the “failure rates” for each follow-up period separately. Figure 10 presents the results of that procedure. We see that the lines are now directed downwards along the 20 years of the criminal careers of the whole group of ex-inmates. During the second decade “only” some 50 per cent got still new convictions, but (as is not shown here) to a much lesser extent as in the previous follow-up periods. Accordingly, only roughly 39 per cent received a new sentence implying deprivation of liberty. Roughly 23 per cent had eventually to spend some new time in prison but as a rule (as it is not shown here) rather short-term periods.

Figure 10:
Degrressive Recidivism Among 500 Young Juvenile Prison Releasees in Germany, State of Northrhine-Westphalia, 1962-1982
(Source: Study by Kerner et al. on Long Term Consequences of Imprisonment)



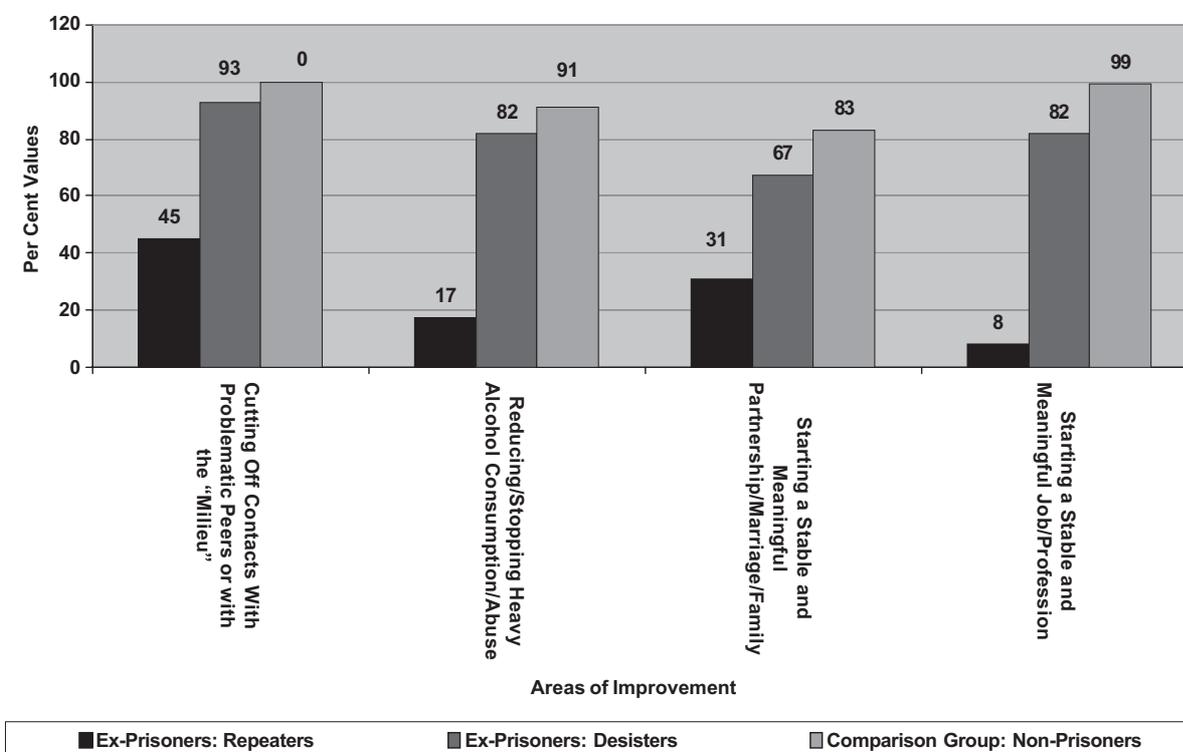
Put in other terms: The majority of these former young prison inmates could reach, trying alone or with useful support by others, in the long run a reintegration into normal society. The data set of our Northrhine-Westphalia study did not allow us, however, to unveil the possible material factors or substantial dynamic developments, which contribute to the eventual relative or absolute positive results. But we could approach this question more aptly with the follow-up data, and the qualitative results out of 400 individual case histories, related to the above mentioned Tuebingen Criminal Behaviour Development Study (TCBDS). We were able to follow many of the study subjects, originally 200 young adult prisoners in the regional prison of Rottenburg near Tuebingen (some 22 years on the average), and 200 young men out of the normal population of the same age living in the same counties, towns or villages as the convicts. These 200 control persons were not necessarily “non-criminals”. Since the founder of the TCBS, Prof. Hans Goeppinger, did not believe in a clear distinction between so to speak black and white sheep, he opted for taking a random sample of “normals” in order to allow the researchers to have a broader variance of individual developments, including convictions potentially leading to a criminal career. Actually some 23 per cent of the comparison group had received 1 to 3 convictions and sentences but no prison sentences except to subjects who “disappeared” after having received by mail the Institute of Criminology’s letter of invitation to join the longitudinal study.

Meanwhile we followed some 230 persons up to the age of 60 or more. The data set is rather complete and detailed up to the age of 40. The qualitative results as stored in the individual case files pertain to a host of very interesting issues for selected sub-groups of our subjects.

Here I would like to present only one central result of a particular kind of study done with the quantitative data set. Wolfgang Stelly, Juergen Thomas and I, assisted by research assistants, selected two samples. On the one hand 83 heavy young criminals out of the prisoners group (early starters and late starters combined, with actually more than five convictions and many additional behavioural problems). On the other hand 112 young men out of the comparison group who did not receive any youth court or criminal court convictions during their whole life time up to the age of 35. The idea was to study the positive and the negative “extremes” of all possible developments the subjects could become immersed into. Apart from many other results of our bivariate and multivariate calculations we inspected the pathways the subjects

followed, and the turning points they were experiencing, after having reached full maturity which has been determined by many international developmental psychologists to be around the age of 25. From other life history studies, and from looking at the age-crime-curve as depicted by crime statistics, we know that after the age of 35 only a very minor percentage of persons (men) are continuing dense criminal careers. So, in pursuing a kind of research strategy like Laub and Sampson in the United States with the Glueck sample, we looked for the “co-variables” of getting out of a criminal career. As Figure 11 aptly demonstrates our results are basically very similar to the American results. Getting away from problematic peers, managing alcohol problems, starting a meaningful job and entering into a (new) meaningful and emotionally stable partnership, marriage or eventually a family of its own, are among the most relevant factors for desistance. In terms of the statistical picture the subgroup of desisters “approached” its “counterparts” on the standard population quite good, whereas the persisters remained far behind or did not change at all, at least not until 35.

Figure 11:
Pathways out of Crime Among 2 Sub-Groups of Young Ex-Prisoners (Similarly Heavy Young Criminals up to 25 Years) in the Life Period between 25 and 35 Years of Age
 (Source: Kerner et al.: Tuebingen Criminal Behavior Development Study)

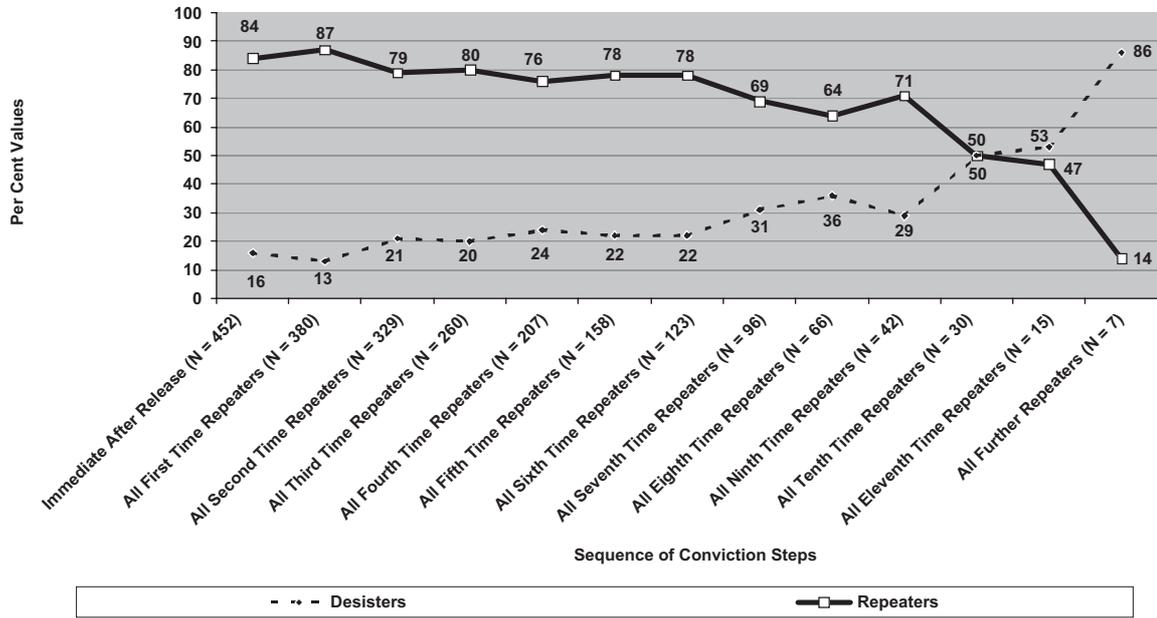


The modal way is not “stopping at once” but “fading out” gradually. This is well in line with the above-mentioned phenomenon of deferred re-socialization. With the data of our Northrhine-Westphalia study on 500 young released prisoners we can demonstrate the development in a rather impressive manner. Many people, not only in the general public, would probably be inclined to assume that there is a kind of “law” going the following way: The more extended a criminal career, the higher the percentage of recidivists proceeding to the next step which is a new offence. Taking this perspective seriously one would expect the curve of persisters in our study to show a clear upward trend. Actually the data provided us with another message as can be seen in the final Figure 12. The long-term trend is directed downwards. In other words: At every step of a criminal career there seems to be a chance to desist, i.e. to terminate the career. Some of the effect may of course have been “produced” just by the growing age of the subjects, including maturity effects and burning out symptoms. But this is surely not the whole truth. The details of the complex issue must be left open here.

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Figure 12:
Individual Criminal History of 500 Young Juvenile Prison Releasees in Germany, State of Northrhine-Westphalia, 1962-1982

(Source: Study by Kerner et al. on Long Term Consequences of Imprisonment)



**YOUNG DELINQUENTS AND YOUTH AT RISK:
DATA AND REFLECTIONS ABOUT A COMPLEX PROBLEM
WITH REGARD TO COMMUNITY LEVEL CRIME PREVENTION EFFORTS**

*By Prof. Dr. Hans-Juergen Kerner**

I. IS JUVENILE DELINQUENCY AND CRIMINALITY ON THE INCREASE TODAY?

In many States, also in Europe, the public is quite concerned, in some countries even highly concerned about the trend and a perceived new “quality” of child delinquency, juvenile delinquency and criminality. The commonly held belief is that “things get worse and worse” in these times. Partially influenced by media hype in actually happening cases of heinous crimes committed by sometimes quite very young people, the public in general, but also many practitioners and politicians, get the firm impression that in particular youth violence is getting out of control. Is that perceptual “picture of the evil” being founded in objective data?

There is no clear-cut answer to that question. All too often the available official crime statistics are incomplete. Or the categories are not very useful for detailed and scholarly sound analyses. Or the counting rules allow for a lot of discretion that may prevent the authorities from putting the optimal type of information on the forms used later on for creating the relevant crime statistics.

But even if we take all those and other problems into consideration: It seems as if there was *actually* a true and substantial rise in juvenile delinquency, especially youth crime, during the last decades in many countries of the world.

In Western Europe the period between the late 80’s and the 90’s of the last century was seemingly the period with the most dramatic development since some 40 years.

It seems as if this development was, in a manner still waiting to be fully understood or reasonably explained, “influenced” by the so to speak “big ground wave” of sudden social, economic and political changes preceding and accompanying the downfall of communist regimes/states in Eastern Europe. The fundamental processes of social change led in a couple of respects even to social turmoil. As young persons are very perceptive of all sorts of “news” and irritating/mind-provoking events it seems plausible to conclude thereof that they have also disproportionally been influenced by the generalized turnover of many state and societal circumstances. Delinquency and crime can, from this perspective, be seen as kind of outward directed “solutions” of tensions deeply felt even if not explicitly recognized as such.

This approach to the phenomenon of rising youth crime rates in the last decade or so would be well in accordance with the Anomie-Theory of Emile Durkheim, a French sociologist and criminologist, who lived in France in the late 19th century, and who is considered as one of the founding fathers of criminology as a science. This classical anomie-theory says: Whenever big changes in basic structures of societies are about to happen or do actually happen, people become concerned in a very deep-rooted substantial manner. They develop feelings of being endangered. They feel their values becoming de-valuated. They become uncertain of whether or not societal norms will remain firm and valid. In the extreme a generalized state of vaguely defined, but emotionally nevertheless strongly felt “normlessness”, will spread out. Older persons tend to become more careful and cautious, younger persons tend, in the opposite, to become more agitated, unruly, restless, and daring.

This approach would help to understand, perhaps even really to explain, why the most dramatic “spikes” in the youth crime field occurred in East Germany and the States of Central and Middle-East Europe. This approach would predict eventually, what is actually happening now, at least in the majority of West-European countries: The rise of juvenile delinquency and of youth crime came to a halt. In some countries it remains on a high plateau without further increase. In some other countries it shows a decrease. In empirical terms, however, no one can sufficiently predict whether the new facts indicate a stable trend towards less youth crime or whether this is nothing but a temporary “pause” in the ever rising amount of youth problems in

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modern societies. Every region in the World deserves so far to be analyzed in its own right, that is with a careful evaluation of the whole population size and age distribution, the level and type of distribution of wealth and income, the prevailing family structure, the school system, the labour market, the force and also integrity of the authorities, and so on. This cannot be dealt with here.

Irrespective of middle range changes in youth crime there are also some long-term trends. And one can reasonably say that these trends indicate a mix of structurally high offence proneness among young people on the one hand, and of increases in actual offending rates in difficult times or under difficult socio-economic conditions in state and society.

Let us look at some data from Germany. In order to show the long-term trend of youth crime in this country I set the starting point with the year 1984. In that year the system of creating the crime statistics was being fundamentally overhauled. The most important issue, in my opinion, was the possibility for the police to individualize from then on an offender as one and the same person if someone was arrested a couple of times during the same year and dealt with by different agencies. So the figures presented on e.g. age and gender groups relate to true "persons". The last year taken into consideration here is the year 2001.

As one can see in Figure 1, the young generation came to the attention of the police to a much higher degree than the full adult generation. And the increase in offenders among the population was higher among the young than among the older. There is a stark difference in the level between the male and female populations, but no substantial difference in the basic trend except the circumstance that the female populations' trend curve is comparatively steeper in the young age groups.

Figure 1:

**The Rise of Criminality in Germany in the Last Decades:
Comparing Different Age Groups and Male and Female Offenders**

(Source: Police Crime Statistics)

Age Groups	<u>Level of Crime Rate in 2001</u> <u>Female</u> <u>Offenders</u>	<u>Level of Crime Rate in 2001</u> <u>Male</u> <u>Offenders</u>	<u>Percentage of Increase</u> <u>Among</u> <u>Females</u> <u>1984-2001</u>	<u>Percentage of Increase</u> <u>Among</u> <u>Males</u> <u>1984-2001</u>
Juveniles < 18	3,813	10,066	+ 119 %	+83 %
Adolescents < 21	2,858	11,293	+ 82 %	+68
Young Adults < 25	2,169	8,372	+ 50 %	+ 51 %
Mature Adults 25 +	820	2,734	+ 7 %	+ 8 %

The crime statistics show in addition that violent crimes did share that general trend. Some crimes like robbery, but not sexual assault, demonstrated even a still more pronounced increase among the young generation. There are some pieces of research, however, that allow for the assumption or, in scholarly perspective, the hypothesis that at least part of that particular development is not based on hard facts of “youthful criminal behaviour” but rather on the consequences of heightened public concern about youth crime. To put the problem in more mundane terms: We have reason to believe that the understandable irritation of many people about the worsening crime situation led them to a change in their reporting crimes to the police. They may have informed the police particularly more often if and when they fell victim of or were informed about violent crimes as committed by young people.

One indicator is the fact that German youth courts (and adult criminal courts alike) acted comparatively reluctantly in these years. As criminal court statistics show, the rates of convicting people did increase but much less than the rates of suspects and/or arrestees. And the “gap” between the two trends became greater among young defendants than among older defendants. No sensible person would easily tend to assume that the youth courts and the criminal courts in a country discard real trends of more intense and more excessive crime, and even condone heavy youth crime.

Figure 2 can be used as additional evidence. Researchers in the Northern German city of Hannover, and in the Southern German city of Munich co-operated with the city police forces in the analysis of the internal files that contain detailed information about the concrete quality of criminal acts, about the suspected offender(s) and, less often, about the victim(s). Here only the information about the offences as such shall be presented. The concrete harm caused by those violent crimes committed by young people in both cities was quite obviously not much different.

For many purposes in theory, anti-crime policy, crime control practice, and crime prevention efforts it is viable to know as much as possible about the hidden crime events. The total of those events is usually called “dark field” or “dark number”. When one is trying to elucidate this dark field by modern social/criminological social science research methods one uses so-called self-report studies, either in the version of offender surveys or of victim surveys. The bulk of those studies are being performed in the United States of America. Also England and the Netherlands are comparatively good in repeated national surveys of that type. I shall for the sake of consistency, however, stay with German studies. They are irregularly administered, and pertain mostly to certain regions or cities or towns.

The substance of the results is, however, quite similar to the big studies in the other countries: Delinquency and crime are “normal” among young people as general phenomenon. That means more than half of the young population commit the one or the other offence during their life development until they reach adulthood. If one looks at minor offences like department store theft or fare dodging at public transport (trains, buses, subways, etc.) the rates of “culprits” may even approach the 100 per cent line. Severe crimes, however, are rather rare events, also in the dark field. Only a minority of youngsters commit them, and if they do so, they normally do not tend to become repeaters or career offenders. So: Heavy crime is still statistically not normal among the upcoming generation.

Males are more active than are females, also in the dark field. The difference is the more pronounced the more we look at heavy offences. With growing age, the young persons turn from more simple offence types to more sophisticated ones. With growing age, youngsters turn to illegal goods and services that represent the “needs” of their law-abiding counterparts. To give just one easily understandable example: Also in the dark field children prefer bicycles, juveniles prefer motorbikes, and adolescents or young adults predominantly turn to cars.

Figure 2:

**Physical Harm Inflicted on Crime Victims by Young Offenders
in the Federal Republic of Germany**

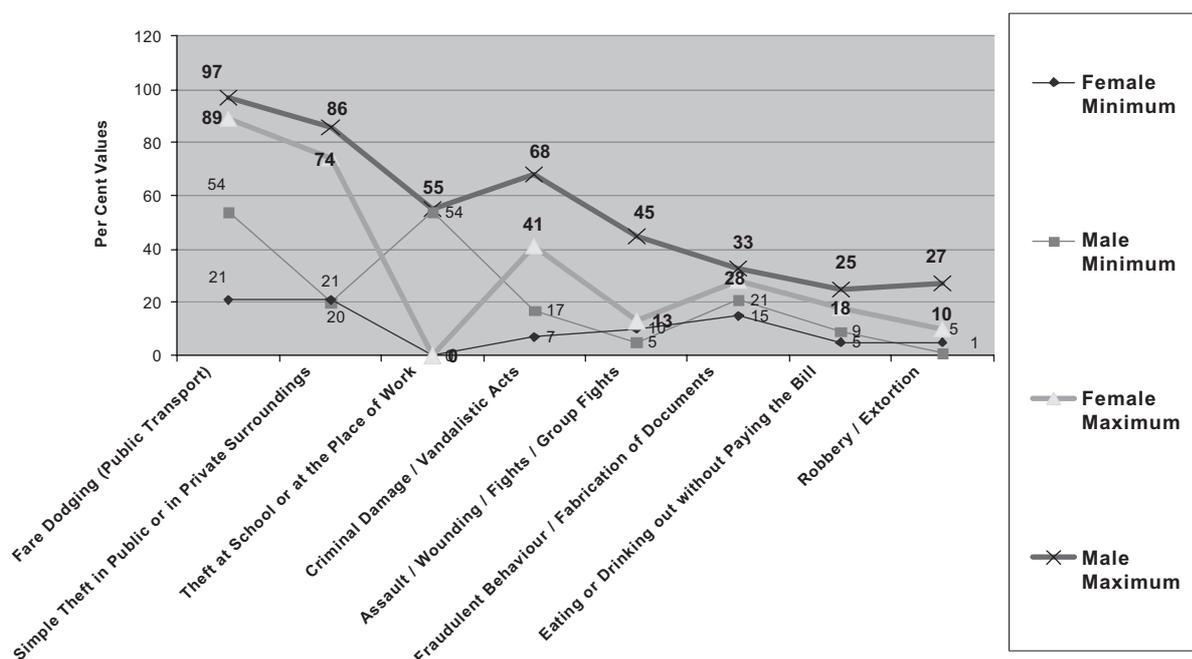
- Comparing 2 German Cities in Similar Time Periods —
(Source: Pfeiffer et al. and Elsner/Molnar)

City and Type of Crime	Type of Harm	Share in Per Cent in the Year 1989 (Munich) and in the Year 1993 (Hannover)	Change between the Starting Year and the Final Year Munich = 1998 (10 year Period) Hannover 1998 (5 year Period)
Munich: <u>All Violent Crimes</u> as Committed by Young Persons Below 25 Years of Age (<u>511 and 640 Cases</u>)	No Substantial Physical Harm	20.2	+ <u>3.9</u>
	Some Harm, But No Substantial Treatment Necessary	47.9	- <u>3.5</u>
	Substantial Harm: Medical Treatment Necessary	25.2	+ <u>1.1</u>
	Severe Harm: Clinical Treatment and/or Surgery	6.7	- <u>1.1</u>
Hannover: <u>All Cases of Robbery</u> as Committed by Young Persons Below the Age of 21 (<u>123 and 203 Cases</u>)	No Substantial Physical Harm	57.7	+ <u>10.3</u>
	Some Harm, But No Substantial Treatment Necessary	22.8	- <u>0.6</u>
	Substantial Harm: Medical Treatment Necessary	16.3	- <u>7.4</u>
	Severe Harm: Clinical Treatment and/or Surgery	3.3	- <u>2.3</u>

Additional Information on Munich: Life Threatening Consequences: 2 Cases in 1989 and 9 Cases in 1998 // Homicides: 2 Cases in 1989, 4 Cases in 1998.

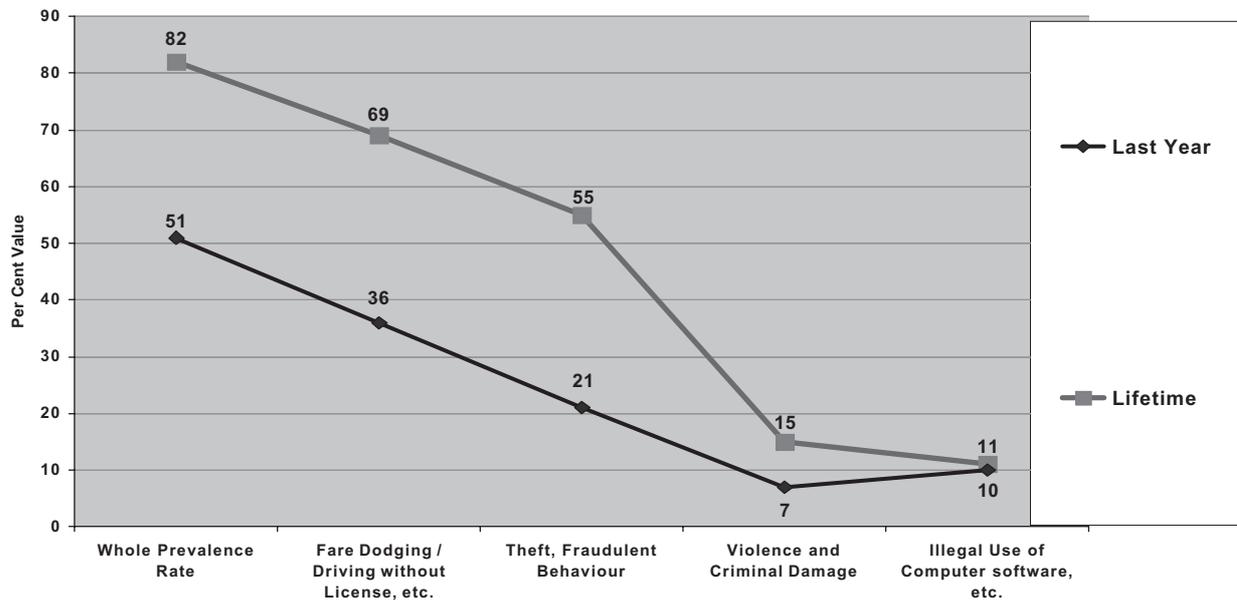
Figure 3 demonstrates the difference between major offences and minor offences, and the difference between young males and young females. It summarizes the main average results of all reliable studies on self-reported offending in Germany among young people up to 1996. Let us consider for example the left part of the graph. We see: On their path to adulthood between 97 and 54 per cent of the young males, depending on the exact age group and the exact time frame and other moderator variables, admitted to fare dodging at least once. The young females are not so far away from that very high figure: between 89 and 21 per cent of them declared themselves as offenders so far. Let us then turn to the right part of the graph, concerning the crime of robbery (including violent extortion): here the maxima are 27 and 10 per cent “only”, the minima are 5 and 1 per cent.

Figure 3:
Juvenile Criminality in Germany: MiniMax Results of Self-Report Studies up to 1996



Of course the amount of self-reported crime should come out most differently, for various reasons (e. g. actual behaviour, remembrance of bygone events), when one compares short time periods with long time periods. Short periods deliver more accurate and more reliable results. The differences can be aptly demonstrated with a study done in the German city of Mannheim. This citywide representative study aimed at unveiling a couple of developmental issues among young people. Here I shall only take out the dark field issue, and group similar offences together in four groups for the sake of clarity of the structures in offending. As one can see on the left hand side of the graph the young people in Mannheim confessed, 82 per cent for their life time, and 51 per cent for the period of the “last year” before the interview was taken, to have committed at least one offence belonging to one of those four crime groups. (Actually: many of them confessed to much more than just one offence, but the details are not important here). Apart from the overall figure: Fare dodging was – again – the most common offence, followed by theft and fraudulent offences. Violent acts, even when including acts of damaging property, occurred seldom. The new offence of so to speak computer pirating will be now considerably higher than in the early 90’s, in my opinion.

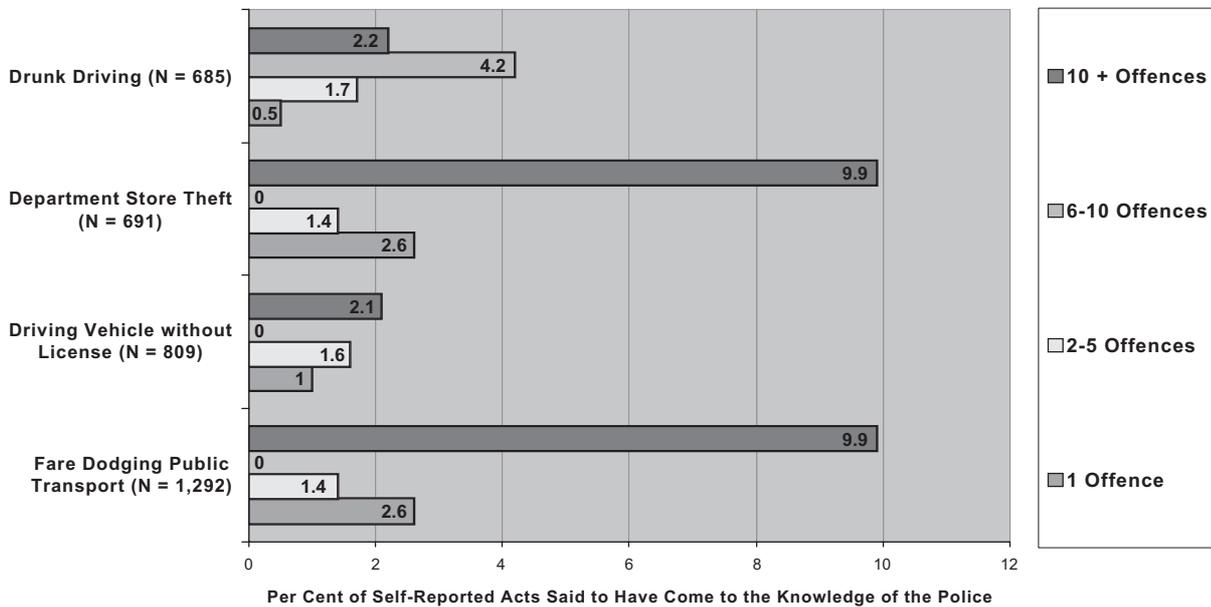
Figure 4:
Juvenile Criminality in Germany: Self Reported Offences of Young People in the City of Mannheim (14-21 Years of Age) 1991



In terms of *individual prevention* not all offences indispensably or even urgently deserve to be prosecuted. Not every offender will be “sucked” or “forced” into a delinquent or criminal career if some or all of his/her offences go undetected. There is normally no kind of deterministic “way into crime” or an imminent danger of auto dynamic life complications that may eventually end up in deviant life styles intersected with occasional or continuous criminal acts. We do know from many research studies, and from statistical data analyses, that most young offenders commit crimes under opportunistic circumstances. Many other young offenders commit crimes on of the spur of the moment (e. g. acts of spontaneous rage or jealousy), a condition that will diminish in the course of maturation. Other young offenders commit crimes only during a rather short and clearly delineated period of time, and grow out of that as soon as the specific life situation is terminated (e.g. orientation crises in school during puberty).

So far (and only so far) it is not a heavy reason for concern to learn that only a very tiny part of all offences young people commit comes to the knowledge of the police. Even repeated offending does not necessarily lead to truly high detection rates. This can aptly be demonstrated with *Figure 5*. Here researchers asked some 1,500 male first year students from three universities in East and West Germany whether they had committed selected offences belonging to the category of “control dependent” acts and, if so, how often they did commit them. After that they asked the subjects in how many events the police were notified of the acts or detected them by their own crime scene control strategies (like in the case of drunk driving). *Figure 5* shows only the whole numbers for all three universities together. The most “prolific” offenders had a detection risk of maximally 10 per cent. The less prolific but still considerably active offenders told the researchers they had not been detected at all in three of the four crime categories, but reported the opposite – the highest rate of all groups on drunken driving.

Figure 5:
Offending Among German Students: Rate of Offences Becoming Known to the Police (1,519 Males at 3 Universities, 1991)

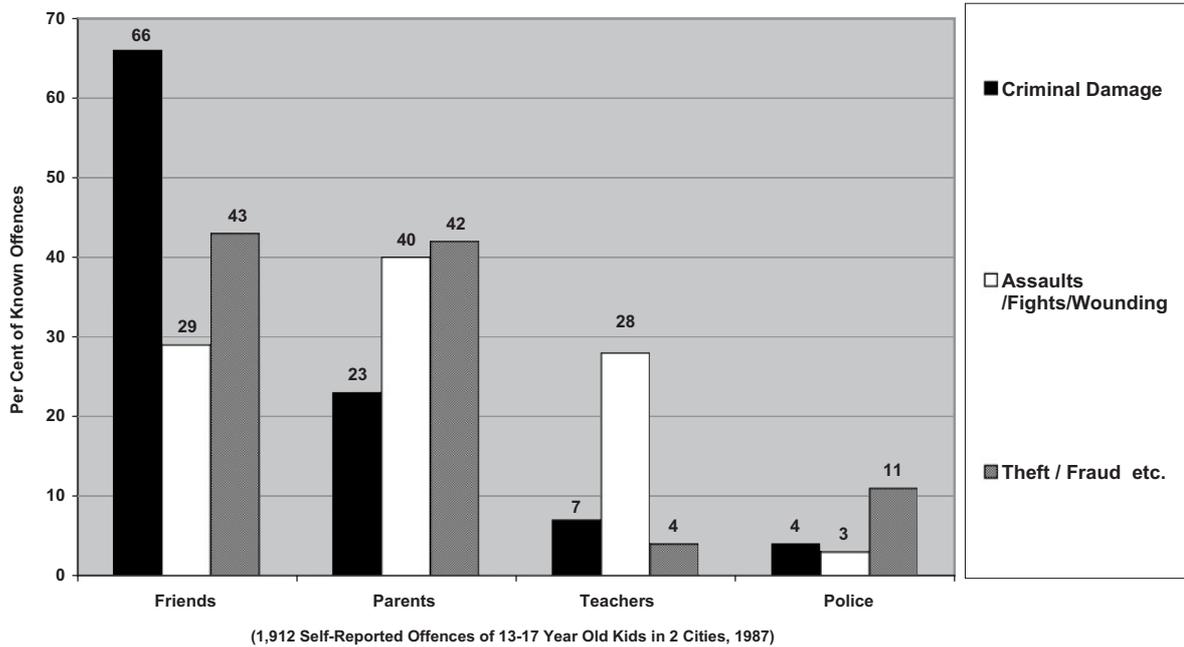


This result has some implications also for general preventive as well as for individual preventive efforts of the police. Even doubling or tripling the efforts of controlling young people and potentially “critical” places and situations would presumably lead to only a limited increase in clearing rates, in detecting and apprehending young offenders. This leaves open an important other function of publicly visible if not deliberately somewhat symbolically exaggerated extensive and/or intensive policing: Reminding (potential) offenders not to become too daring or reckless, and ensuring (potential) victims the police would be already present or come to the scene within a short period of time in the case of a victimizing event.

The police could, however, try to co-operate with so-called informal agents of social control. This abstract scholarly term encompasses e.g. peers, youth club leaders and personnel, youth associations on the local level, kindergarten nurses, schoolteachers and, not to forget, parents. With regard to initiating or to enhancing person-to-person, and therefore potentially very forceful crime prevention efforts, the police could activate them to take juvenile delinquency more seriously in principle, to look at with more scrutiny those they are living with or directly responsible for, and to initiate procedures of counselling, help and eventually strict control if things start to get out of control. The police could also serve as a kind of facilitator agency for other societal or community groups that do not have the capacity to offer advise and support for young people but quite often do not know enough about where problem areas are situated or where young people are becoming endangered most.

How important that idea might be can clearly be demonstrated with *Figure 6*. Here researchers in two German cities performed detailed self-report studies combined with a survey on values, life concepts and perceptions of crime and crime control among young kids. As one sees, friends are, simply due to group life and group behaviour, very well aware of acts of criminal damage and theft. Parents do know considerable amounts of thefts and assaults their kids have committed. Teachers are at least informed about a certain part of the assaults, of course mainly those occurring on school grounds.

Figure 6:
Offences Committed by School Kids in Germany: Amount of Knowledge Among other Persons



II. THE IMPORTANT BUT NEVERTHELESS LIMITED ROLE OF JUVENILE JUSTICE IN DEALING WITH YOUTH CRIME AND, AS A POSSIBLE CONSEQUENCE OF ITS INTERVENTIONS, IN PREVENTING FURTHER OFFENCES AND EVENTUALLY CRIMINAL CAREERS

Let us turn now away from those research results on the “realities” of youthful offending, and turn to the further question whether (police as crime controllers or so-called law enforcers) public prosecutors and youth court judges can contribute their part to preventing crimes and juvenile or adolescent criminal recidivism, and so cut off imminent long- term criminal careers.

The generalized answer to that question, based on many research studies in many countries, and sometimes even convincingly backed up by experimental studies, goes like this:

- It is important that the juvenile justice system does function in a consistent and predictable manner.
- It is important that the juvenile or youth justice practitioners try consistently to interact with the local police on the one hand, and with youth institutions, juvenile volunteer workers, schools and other “agents of education and professional knowledge” on the other hand, in order to get first hand knowledge on what the situation is all about and what means and ways community resources could provide for young people at risk or in danger.
- It is important that the youth justice system sticks with proportional sanctions, utmost with the idea not to get automatically stronger or stiffer in general, and deliberately not so in cases of offenders, which show up, repeatedly with rather minor offences. Intensive early interventions bear the real danger of paving the way for more intense further offending instead of preventing it.
- It is feasible and not leading to increases in youth crime, sometimes even leading to faster pathways out of crime, to make use of quick informal reactions instead of formal ones in cases of youth presenting only minimal risk.
- It is feasible and not leading to increases in youth crime, sometimes even leading to faster pathways out of crime, to offer/administer socially inclusive community based programmes instead of imposing criminal sanctions in cases of youth with medium risk.

A couple of countries, including Germany, changed their juvenile policing and juvenile justice policies accordingly from the 70's of the last century on. The first guiding idea is that sometimes the experience of having been caught and interrogated is in itself a sufficient “sanction” for good mannered young people. The second guiding idea is that informal procedures can be more aptly “tailored” along the different requirements of individual cases and along the different “needs” of individual offenders. The third guiding

idea is that if and insofar as young people learn to understand the “personal implications” of their offences for others in processes of direct educational communication, this will be followed by comparatively long lasting resocialization effects.

Figure 7 demonstrates that the German juvenile justice system continued also in the years from 1980 to 2000 on its generalized pathway towards informal and/or educational handling of cases dealing with young offenders.

Figure 7:
Juvenile Justice in Germany: On the Path towards Informal Procedures
 1980-2000

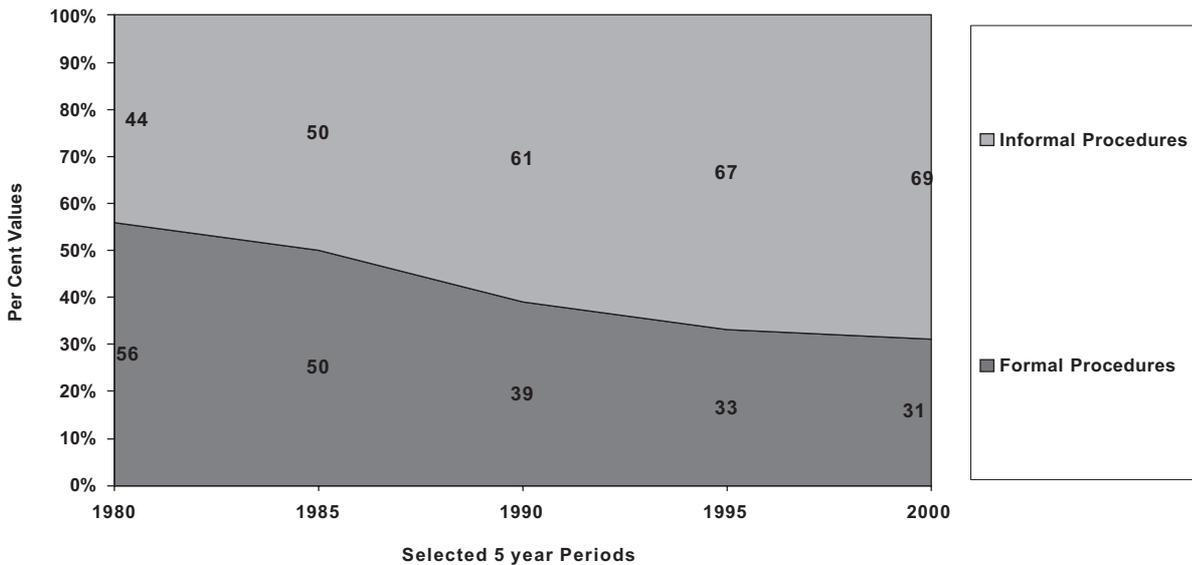


Figure 8 demonstrates the steadily increasing role of the juvenile prosecutor in the course of that development.

Figure 8:
Juvenile Justice in Germany: The Change from Formal to Informal Procedures, and the
Rising Influence of the Juvenile Prosecutor
 1980-2000

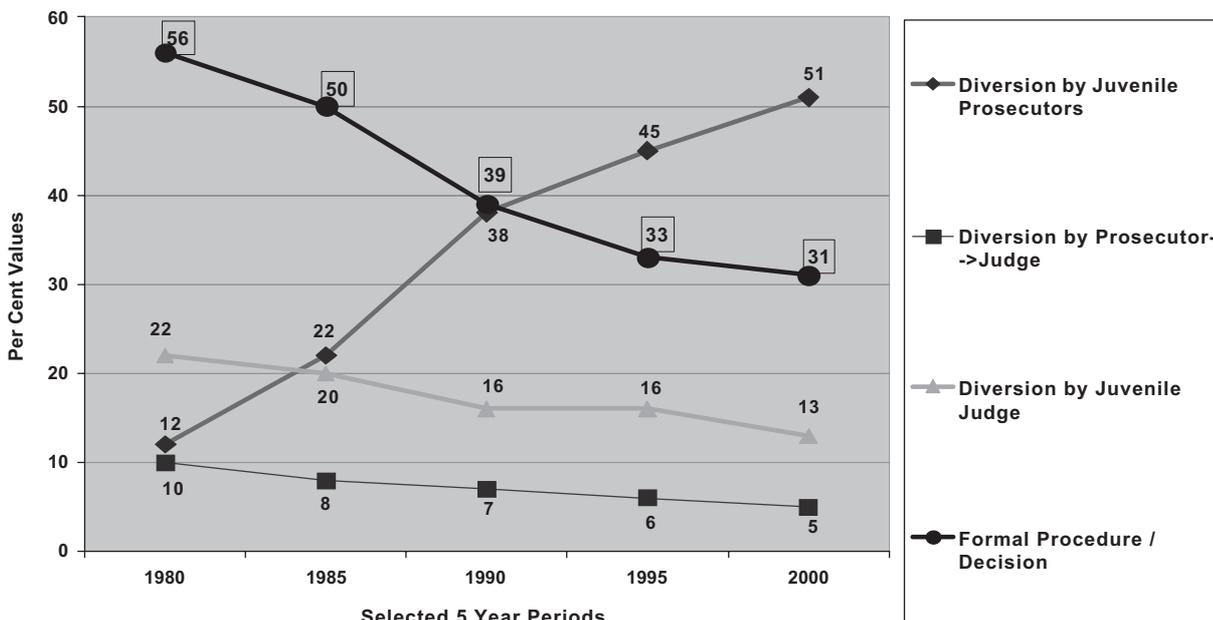


Figure 9 indicates that this juvenile justice system felt not constrained or “forced” in these difficult years to turn the pace of events: Instead, it made less use than ever before of short term youth detention measures; and it administered the criminal penalty of youth imprisonment in a consistently cautious manner.

Figure 9:
Juvenile Justice in Germany: Development of the Sanctioning Structure 1980-2000

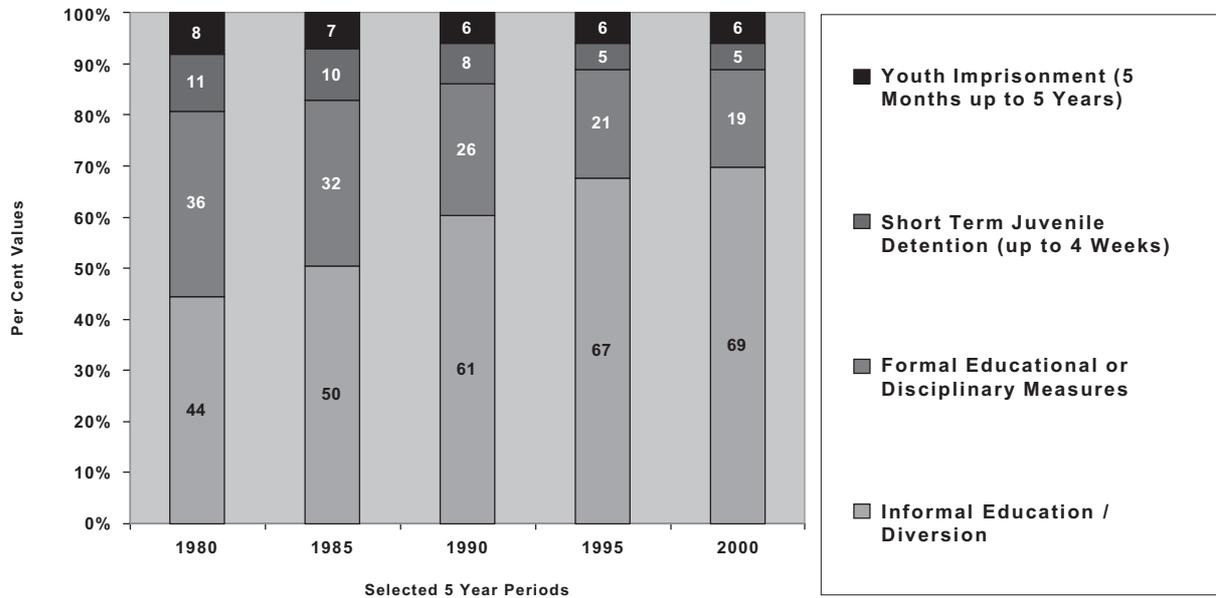
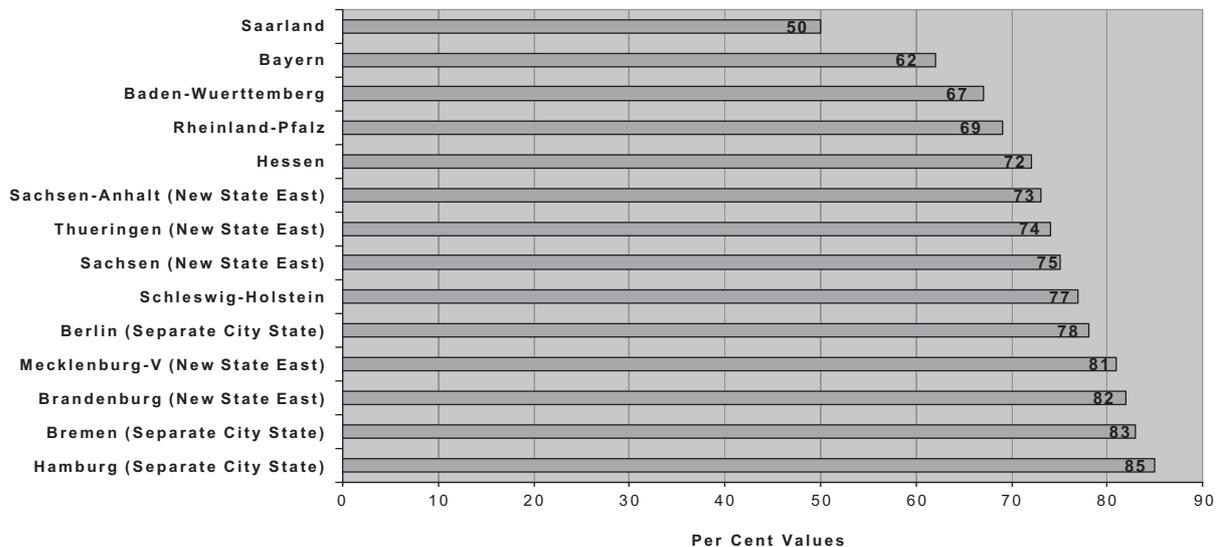


Figure 10 shows that there are still some differences in the amount the different German states make use of informal procedures and decisions in youth crime cases; however, the differences are smaller now than they used to be some 30 years ago when the new development started. Our so-called city-states among the now 16 “Laender” of the federation stay traditionally on the top; however, the new states in East Germany adopted this policy in a remarkable manner within a few years after the unification.

Figure 10:
Juvenile Justice in Germany: State Policy and Practice Differences with Regard to Diversion



III. SELECTED MEASURES, INITIATIVES, PROGRAMMES AND SANCTIONS THAT SHOWED TO BE HELPFUL ABOVE THE AVERAGE IN EDUCATING AND TREATING YOUNG OFFENDERS, AND TO CONTRIBUTE TO EFFECTIVE AND EFFICIENT PREVENTIVE EFFORTS

Research results and statistical analyses provide us internationally with always the same message: one should not expect to change young peoples' offence-related behaviour patterns or their whole lifestyle at once due to how ever conceived or tailored measures and/or sanctions and/or penalties. In the middle time range (that is up to 5 or 6 years) different interventions tend to "produce" not so much different "results" in terms of further offending or, not to forget, also desistance of crime. The reasons have a lot to do with habits and ingrained behavioural patterns on the one hand, with complex environmental and interactional factors on the other hand. However, many young persons do respond nevertheless rather quickly in a positive way if they are being offered measures and sanctions that bear for them the immediate perceptual "appeal" of being personally, interpersonally or socially meaningful. I shall point at some of them, as used (also) in West European countries, that proved to be better in practice than other measures and sanctions, and that are worthwhile to be tested more intensely in the future. Only a few of them are in a more than preliminary or superficial way already backed up by valid and reliable scientific data. So they need further intense scholarly scrutiny, too.

Figure 11:

Prevention of Youth Crime: Community Oriented and Multi-Agency Initiatives and Institutional Programmes in Continental Europe

- "Task Sanctions"
 - Deferred Prosecution
 - Pre-Probation
 - "Prosecutor Initiated Diversion Courses"
 - "Community Service Orders" with supervision and work guidance
 - Peers as "Conflict Mediators" in Schools
 - Houses of Youth Justice
 - Neighbourhood Justice Centres
 - "Treatment instead of Punishment": Self-Obligating Placement in Intensive Drug Education and Treatment Houses
 - Vocational Education in Youth Prison: Inviting normal Youngster to Join in
 - Victim-Offender Mediation
-
- So-called **task sanctions** have been invented in the Netherlands. Here the police are transferring young offenders, after first giving them a thorough interrogation and addressing their "needs", immediately to specialized local juvenile task forces or youth offending teams. These offer the young culprits in a clear manner some possibilities on how fast and how intense they could and should "work off" their "debt toward society" caused by the offence(s). If the young person consents a kind of contract is initiated, the parents and the prosecutorial office are informed by telephone, and the youngsters are sent directly to the place where they can deliver their work and fulfil the "task" to show practical repentance. For example: They repair, if necessary with repeated efforts, a children playground that has been damaged by themselves, by their comrades or by unknown other youths. If more appropriate, the youth team sends the young person home to their families and asks them to talk to their parents first, and then to return in order to start their efforts.
 - **Deferred Prosecution** is predominantly used in Austria. The new Juvenile Justice Act there entitles the juvenile prosecutors (and, in a later stage of the procedure the juvenile judge, too) to postpone officially and explicitly cases where there is no doubt about the young persons authorship of the act, his/her legal guilt, and the necessity to enter an educational procedure. Then the prosecutor can offer the young defendant and his/her parents to either develop within a short period of time own

ideas as how things could and would be “rectified” again. If this seems not suitable or promising he will direct them to municipal youth service institutions and/or to local volunteer associations that offer e.g. so-called social training courses lasting up to six months. The probationary period can be up to two years duration. If the programme is successfully terminated, the case will be closed.

- **Pre-Probation** is quite similar in substance to deferred prosecution. It pertains, however, to juvenile court judges' jurisdiction in more severe cases where the penalty of youth imprisonment seems under normal conditions indispensable. This crime prevention measure was invented, some decades ago, by juvenile court judges in Southern Germany. If a young person is charged by the prosecutor with a rather heavy offence or with a whole series of offences of so to speak only middle quality, the judge may check, assisted by the local youth court aid agency, whether the young defendant has shown promising signs of personal or behavioural improvement since the time of committing the offence(s) and since the time of having been caught and interrogated. If this is clearly the case, the judge pronounces the appropriate penalty. But then he declares to hold the case open for a maximum of six months. He orders the youngster to turn to a “personal counsellor” who may be a probation officer, a youth court aide, or an experienced volunteer. If things develop well, perhaps even in an optimal manner, the judge will decide, after these six months, to grant probation for two to three years. Otherwise he has now convincing evidence that this young guy deserves to be sent to prison.
- **Prosecutor-initiated** diversion courses are local crime prevention schemes being run in many regions e.g. in Germany, the Netherlands or Belgium. Some local prosecutorial offices “invented” such courses themselves. Others were and still are helpful in establishing and stabilizing such courses, also by providing financial support by means of so-called “poenas” (summary monetary obligations) imposed on (wealthy) adult offenders. The prosecutor tells the young person that the prosecution will be terminated as soon as he/she has participated constantly and in a provable active manner in the course activities. These activities can be and actually are wide spread. The range goes from traffic education to environmental improvement work up to intense trial programmes.
- **Community service orders with integrated supervision and work guidance** arrangements are being used in German cities with the aim to reach those young offenders that are capable of doing manual work but because of one reason or another are not able to master the requirements of stable and durable engagement necessary for a job or a standard vocational education programme. The juvenile prosecutor or, after a charge, the juvenile judge imposes a certain amount of community service units (e.g. 150 hours of work for a charitable organization), and sends the young person to specialized schemes provided by youth probation associations. These associations hire and support qualified “work trainers” which accompany the youngsters rather closely during the first hours of their work in the community, and teach them how to cope, how to get and maintain motivated, and so on. If this is successful, the intensity and frequency of guidance is gradually diminished. Eventually the substantially improved youngster will be helped in finding either a place/firm where he can enter a regular vocational education programme or a decent job to start with on his way back into normal society.
- **Peers as conflict mediators in schools** have been used for the last ten years all over Germany in cases of severe bullying or violent fights or intense damaging of school property or other persons belongings. Volunteer students receive up to 50 or even more training hours, paid for, for example, by the communities or voluntary associations or victim support initiatives. Those who qualify are then appointed officially as conflict mediators or “conflict guides”. Students acting out or repeatedly being aggressive or oppressive towards their classmates or towards other schoolchildren are sent to these guides. But the guides can take also initiative out of their own motion. If they can solve the conflict eventually so that the victim, the class teacher, the school principal, the parents of the victim, the parents of the offender, and finally the offender himself declare their being content with the result, the case will not be reported to the police or the prosecutor. Alternatively the teacher or the school principal may feel obligated to report the case to the competent authorities, or school regulations may require them to report. In this case they can inform the juvenile prosecutor by phone, explain the situation to him, and ask for his consent to retain the case within the realm of school affairs. If the prosecutor is eventually informed about the successful regulation, he is legally entitled to qualify the informal procedure as “sufficient diversionary endeavour”. This allows him then to close the case officially without any further intervention.

- **Houses of “Youth Justice” or “Neighbourhood Justice Centres”** in neighbourhoods with a large population of young people are active, for example, in France, Belgium and, in the last five to ten years, also in some German cities. They offer integrated services for victims, offenders, relatives, family members and other people concerned about or affected by a crime or its consequences. Depending on the local traditions and/or resources, social workers, youth workers, municipal administrative specialists, part time therapists, members of victim assistance associations, probation officers with part time assignments, police community liaison officers, juvenile prosecutors with part time assignments, or even a juvenile judge (ad hoc) can and will collaborate and cooperate. In the optimal case this guarantees a fast, efficient and effective solution of conflicts, either conflicts that led to an offence, or conflicts that developed out of an offence.

In the South-Western German city of Stuttgart the State ministry of justice, the mayor of the city, the community youth authority, the local youth prosecutors office, the local youth court and the police created, in the suburb of Cannstatt, a “House of Youth Law”. There all these institutions are working in close partnership. They have day-to-day working contacts. They enter into detailed and very concrete discussions about the “needs” of every offender. And they try hard to come to as much consensual decisions as possible of what should be done and who should do it and who should take the responsibility for the case management and its termination.

- The **concept of “treatment instead of punishment”**, as it is called colloquially in Germany, was inserted by a special Act of law into the German Drug Law already many years ago. It allows the youth prosecutor as well as the adult prosecutor to defer the execution of a court sentence of imprisonment between one month and two years in adult cases, and between six months and two years in juvenile cases. He can do so, if the young drug dependant offender (irrespective whether he has been punished for a drug crime or for another offence) offers convincingly that he or she will turn voluntarily to a private or municipal intense drug treatment programme offering a residential place there with other drug dependant persons. Those others could be offenders, too, or also non-offenders or ex-offenders living there due to other reasons, but in any case on a voluntary base. If suitable the prosecutor can take the initiative, tell the young offender about the chance, send him to the programme activists, and eventually ask him, at a pre-fixed date, whether he is prepared to volunteer. If he does so, and if the programme managers report successful termination of the treatment, the prosecutor quashes the execution of the prison term.
- The central youth prison of the state of Baden-Wuerttemberg in Adelsheim has, inter alia, a professionally equipped **vocational education department** where young prisoners can enter an apprenticeship qualifying them eventually for some 20 different job careers as defined in state and employers associations’ regulations. The machinery there and the additional technical devices are so elaborated that no other firm or plant in the whole rural region where the youth prison is being located can offer comparable possibilities for young people. This led the prison warden, the work masters and the teachers to the idea to open the prison vocational education department for young people from outside. They offered this to the local community, other communities of the region, and to selected firms with a good reputation. After some hesitance and deliberations and visits to the prison, the offer was accepted.

Nowadays young prisoners learn and work side by side with perfectly “normal” young apprentices from outside. They experience, seeing everyday living role models, what social integration means. The young “normals” on the other side learn to understand severe offenders as persons and not just as “those hopeless criminals”. A third group of young people consist of offenders, which make use of that opportunity as part of a diversionary programme they were assigned to, or as a voluntary accepted condition in the realm of a probation order. This programme has convincing success as such. Practical experience demonstrates also its beneficial consequences in blocking off a further criminal career on the part of the offenders. No single case was up to now reported where a “normal” young apprentice was induced to commit a crime due to his working in the prison environment and due to his close contacts with problematic offenders.

- **Victim-Offender Mediation** is embedded in a world-wide new movement towards alternatives to the juvenile justice system in general or at least towards more meaningful reactions within that system, be it as a diversionary measure, be it as part of probation or parole arrangements, or be it as a measure in its own right which eventually may lead to a discretionary termination of the procedure,

in severe cases but to a mitigating of the sentence to be imposed.

The leading idea of VOM is to engage the victim and the offender, if necessary also their family, their friends and other implied persons, in a dynamic procedure of mutually demanding, but eventually "healing" meetings. The conflicts leading to a crime and/or the conflicts resulting out of the crime and its consequences shall be dealt with in an open atmosphere by way of mutually helpful talks, discussions, exchange of views or, quite often at least in the first stages, highly emotional expressions of sadness, fear, rage or despair. Therefore it needs a well trained mediator or another experienced conflict solution facilitator who masters the task to remain neutral, to guide the participants through the whole demanding "affair", and to let them eventually find nothing but "their" own mutually acceptable or even rewarding "solution". Concepts related to VOM are, for example, on a rather concrete level, **Restitution** of the damage done or the personal harm caused and, on a rather high and more penal policy level, **Restorative Justice**. There exists already a whole host of books, articles and other documents. Therefore it may suffice here just to mention the basic approach.

IV. CRIME PREVENTION CONCERNING REPEAT OR CHRONIC OFFENDERS

Repeat and chronic offenders make out an only limited part of the total of (young) offenders. But they commit so many offences that they take a more than proportional share of the total amount of crime as stemming out of the whole birth cohort they are belonging to. International research and experience shows, that - as a thumbnail rule - within a given year some 3 to 5 per cent of the members of a birth cohort are responsible for some 30 to 40 per cent of all crimes. Under a longitudinal perspective the relationship remains structurally the same. However, the dimensions change as the levels go up. This can aptly be demonstrated with *Figure 12*. It shows the results of a research study performed by the criminological research unit of the Bavarian Police in Germany. All 14-year-old youngsters living in Munich, who became known to the Munich police for a criminal offence, were followed up for the next five years in a prospective design.

The results are clear-cut. Just to point at the extremes here. The one-time young offenders shared roughly 34 per cent of the offender total, but contributed only roughly 5 per cent to the offence total. The multiple offenders who committed 20 or more offences took a share of some 10 per cent of the total offender group, but they contributed with some 52 per cent to the offence total.

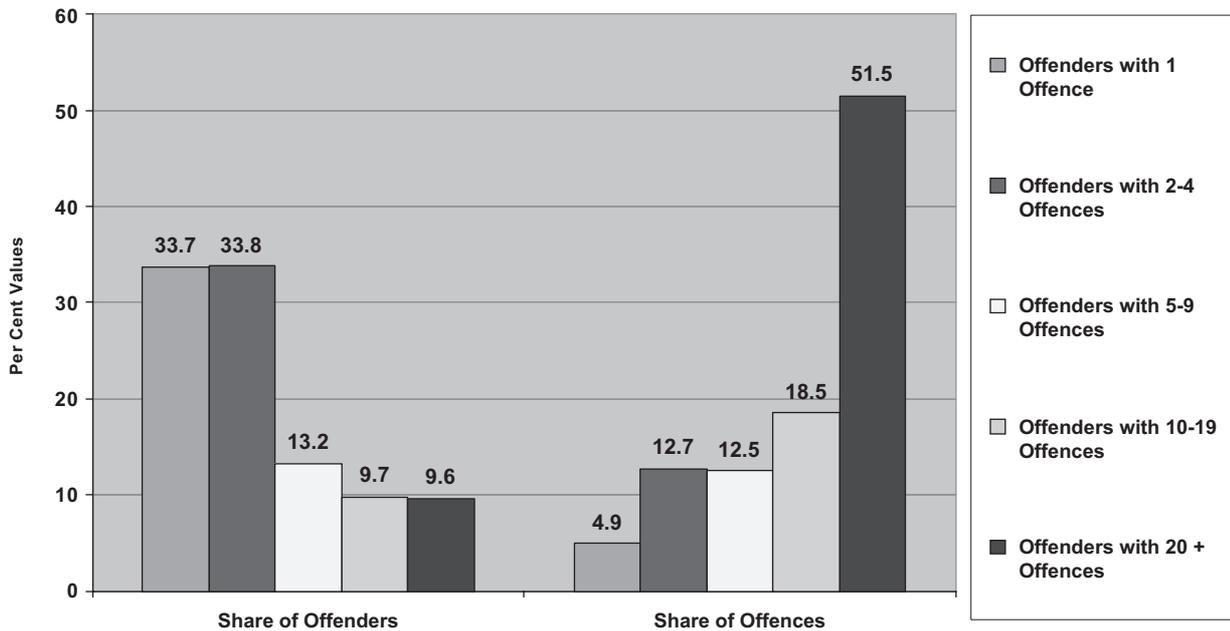
Some of those multiple offenders are basically "bad guys". That means: whatever the real causes of their criminal propensity may be, and how decisively we may be convinced to get them eventually out of their delinquent habits: their offences are not (visibly) related to any psychological impairment or to any family problem or to any environmental distortion, to name just a few of possible correlates of crime.

However, the majority tends to have complex personal or socio-psychological or economic problem constellations. They really need quite often substantial educational and correctional interventions in order to enable and empower them in the middle or long run to turn (themselves!) their way of live and their deep rooted problematic behaviour patterns around, that means towards a normal and socially integrated way of living.

The question is now: Are there concepts or/and instruments with which we can distinguish those among them being definitely at risk of entering into a long lasting and stable criminal career, as opposed to the others who are at present in difficult personal and/or life conditions but not already on the way towards chronic offending?

Based on the ground laying work of Professor Hans Goeppinger, the founder of the now some 40 years ongoing "Tuebingen Criminal Behaviour Development Study, TCBDS", we use in Tuebingen the so-called "Method of Ideal-type Oriented Comparative Individual Case Analysis" (MIVEA in German: Methode der idealtypisch vergleichenden Einzelfallanalyse). This method proved to be astonishingly good in discriminating between those young persons already (but not necessarily in a deterministic and invariable manner!) crime prone, and the others being only in temporary risky situations or in acute risk of deviating.

Figure 12:
Offenders and Offences: The Role of Repeat or Chronic Offenders for the Impact of Crime on Society



Offences Recorded by the Munich Police for 14 Year old Juveniles in 1991: Follow-Up = 5 Years

Figure 13:

Crime Related Behavioural Syndrome
 = Set of Factors among Young Persons
 Indicating a High Individual Risk to Become Delinquent
 or Even Criminal in the Near Future

Interrelated Elements of the Syndrome:

- Denial or Avoidance of Duties at Home, together with
- Denial or Avoidance of Duties at School or in other Institutional or Social Relationships together with
- Unreasonable/Unsound Use of Money and/or Individual Possessions together with
- Total Lack of Structure in Leisure Time Use Respectively Activities together with
- Total Lack of Life Plan/Highly Vague or Unrealistic Ideas About Own Future Existence

The central criterion is the so-called "Kriminivalente Konstellation" which may suitably translate into English as "Crime Related Behavioural Syndrome". *Figure 13* depicts that syndrome and its core elements. In order to be considered as a real syndrome in the methodological sense of the term *all* single elements must be there *at once* and *provable* to exist by clear pieces of evidence. There are explanatory rules about what the exact meaning of the terms is, and when a given symptom can be regarded as sufficiently developed to be coded accordingly. *Figure 13* delineates only the set of factors as such.

Under regular conditions one may find one or more single elements of the syndrome among occasional offenders or even among otherwise fully normal young men. In this case these elements are of limited individual prognostic value, as are any other isolated or singled out elements of a person in its social relationships. They may be considered, then, as a kind of risk factor [see below]. The *whole* syndrome, as a "complex unit of interacting and interwoven elements", is a peculiar "property" so to speak of (future) repeat or chronic offenders. This should not be misunderstood as a kind of static concept of personality or, in the extreme, as a kind of negative determinism. The concept allows, in the opposite, for change. Already Goepfinger, the scholar who was laying the ground for the methodology, made it quite clear that people can change their attitudes, mind sets, and behavioural patterns, even if one would be basically sceptical, as he was indeed, with regard to the more fundamental anthropological/psychological/psychiatric/psychotherapeutic question whether their "personality" as such could be changed.

Therefore Goepfinger advised his collaborators to be reluctant, and not to predict any further development with a time frame of more than five years at the maximum. He insisted that each and every client/offender be freshly, and in as neutral a manner as possible, studied on any occasion where decisions about his future life were to be prepared. For it could never be excluded that in the course of life at least one and possibly an important negative factor has faded away, and been substituted by a positive factor. To put this in practical perspective: Even if a young offender did show all elements of the crime related behavioural syndrome at the time of adjudication, he deserves to be given a chance to prove change during his prison term, if it comes to a decision to deny or to grant parole or conditional release. The syndrome as a whole would, so to speak, "disappear" if only one and single element had turned toward "normality", e.g. if the prisoner had been enabled by correctional programmes, or been capable enough out of his own endeavours, to become a duty-oriented young man. In that case the remaining elements could and should be included in an expertise that weights "chances" (= favourable factors) with "risks" (= unfavourable factors) in the present life situation.

Compared to this crime related syndrome which is therefore an instrument for an individually oriented *prognosis*, the other syndromes we use, e. g. for expertise in court or in youth prisons for conditional release decisions, are in substantial and methodological perspectives of no direct prognostic value. I shall here only show two of these syndromes. The first one is called the "School Syndrome" (*Figure 14*):

Figure 14:

School Syndrome

= Set of Factors Among Young Persons Indicating an Unspecific Risk for Juveniles to Become Delinquent or Even Criminal in the Near Future

Highly Relevant if Interrelated with the
Crime Related Behavioural Syndrome

Elements of the School Syndrome:

- Extensive and Intensive Truancy
- Lack of Attentiveness when Present
- Irregular or Lazy Fulfilment of Homework
- Avoidance of Any Extracurricular Activity
 - Lack of Achievement Orientation
 - Negative Emotions toward Teachers
- Negative Feelings about Well Behaving Students
 - Disciplinary Problems
- Self-Image as "Bad Student" or "Loser"

The second syndrome is called the “Contact and Leisure Time Syndrome” (*Figure 15, below*).

Those syndromes are, seen in methodological perspective, just another example of what psychologists and developmental criminologists tend to call *predictors*. They indicate a certain *heightened risk* for each and every young person showing the main elements of the relevant syndrome(s) to offend once or twice or even a couple of more times in the near future. But this is predominantly an *aggregate risk* or, put into more everyday language, a rather unspecific danger for young persons as a collective. If nothing improves in their everyday life situation or with regard to their prevailing behaviour pattern by appropriate guidance/educational offers/help to parents in terms of secondary crime prevention for these youth at risk, the danger of falling into crime may become more imminent for them in due course of time.

**Figure 15:
Contact and Leisure Time Syndrome**

= Set of Factors Among Young Persons
Indicating an Unspecific Risk for Juveniles to Become Delinquent or Even Criminal
in the Near Future
Highly Relevant if Interrelated with the Crime Related Behavioural Syndrome

Elements of the Contact and Leisure Time Syndrome:

- Socializing mainly with “Pals” instead of close friends
- Leaving Home Without Parents’ Knowledge
- If at Home: No Useful Hobbies: “Dependent” on Videos, PlayStation
- Preference of Violent Media Content
- Strolling Around Without Any Clear Idea of What Might Happen or Could be
- Done in the Next Few Hours
- Sensation Seeking: “Lust” for Noisy and/or Risky Environments
- Restlessness/Penchant towards Vehicles/Joy Riding

One has nevertheless to bear in mind: There are youth living a life “at the edge” for some months or even for one or two years who master it later on, alone or with the help of caretakers and parents, to get out of the dangerous life constellation. In any case: It is always worthwhile to *offer* those persons afflicted multifaceted and multi-agency programmes in school and the community that provide the endangered juveniles an incentive to join in *voluntarily* with others they know or get easily acquainted with.

As those multi-problem crime prone young offenders are concerned on the other side, it is a very hard and time and energy consuming endeavour to correct them, and to eventually enable them to turn themselves viz. their life around in the direction of a law abiding and more or less decent life. Our recent European experiences with longitudinal studies show us that the average time one would need to educate those difficult young people accordingly amounts to some seven years. There is, if only a real substantial treatment effort takes place, so far no substantial difference between treatment in institutions and treatment in the community. Even youth imprisonment, which I would in principal like to be reduced to an absolute minimum – guided by the idea of last resort in cases of very heavy crimes and/or very threatening young offenders – cannot be discarded in that respect.

Due to complex psychological predispositions and due to their often negative and frustrating life experiences from early childhood on many of these young persons do show what can be characterized, in rather abstract terminology, as *delayed maturation*. They need, in other words, more time to overcome adaptation difficulties and to develop a full or at least moderately stable adult identity. The delay has, as far as we can see from German data and experiences, a time/life span of some five to ten years compared to average young persons out of the standard population. This timeframe seems typical for West-Europe in general. Other regions of the world, however, may have other psychosocial or biosocial or bio-psychological conditions, which influence the modal way of maturation among their upcoming generations in general. This may eventually lead, then, to shorter or longer timeframes for the maturational delay of the difficult young persons than it is the case in Europe.

Developmental psychologists and scholars in the field of sociology of youth argue that nowadays the somehow "extended" phase of youthfulness among young persons in e.g. Western industrial countries should be set around 25 years, even if they can, and in general are to be, considered as young adults that have to take responsibility for their acts and omissions. This implies that the more immature deviants could then be expected to adapt accordingly from this "critical" phase of life development on. Actually we could show, in a specially designed follow-up analysis of the TCBDS-subjects, that the bulk of changes among the repeat offenders that eventually got out of a criminal career occurred in the life period between 25 years and, at the latest, 35 years.

If this result could be replicated with other studies in other countries, the difficult but eventually promising task of educators, psychotherapists, probation officers, prosecutors, judges and correctional officers, to name but a few, would be not to give up but to keep going with repeated efforts to get these offenders on the right track. To put it in a kind of slogan: Patience, stamina, strict guidance and consistency need to be combined!

An analytical frame of concepts and prospects for the whole field of crime prevention shall be added here, in order to demonstrate how complex the issues are when considered in detail, and how careful one should remain before setting up a cost expensive programme.

V. CRIME PREVENTION BROADLY DEFINED

The topic or field of crime prevention can be delineated as the complex task of guarding and protecting society against criminal offences. There has been no clear-cut and precisely defined definition till now of what crime prevention is really all about. This situation is not likely to change in the near future. The main reasons for this sceptical expectation are to be found in the theoretical and practical complexity of the subject matter having particular significance for the aim of dealing with youth at risk.

VI. TRADITIONAL THREE AREA APPROACH

A rather traditional, but nevertheless basically still useful approach is to make a difference between three areas of crime prevention which are, in analytical perspective, nicely separated from each other, but which are, under practical circumstances in real world situations of the committal and control of offenders and offences, somehow interconnected and interrelated. In problem areas of communities, within so-called multi-problem families or among multi-problem neighbourhood peer groups practitioners may even be confronted with the heroic task of dealing with an intricate mixture of those areas in all possible dimensions of social problems and individual disadvantages. In what way ever this might be addressed in concrete countries, regions, towns, villages or small neighbourhoods, the basic concept is always identical:

- Primary Crime Prevention = directed at the community (or particularly the young generation) as a whole,
 - in order to strengthen the socio-psychological power of the community elements at large;
 - in order to empower people (particularly young persons) for the increase in immunity against deviant temptations and seductions;
 - in order to enhance positive emotions and values by teaching or by advisory methods;
 - in order to provide ample opportunities for behavioural patterns during leisure time; and
 - in order to develop measures for enlightening youth.
- Secondary Crime Prevention = aimed at groups of people at risk, especially young persons at risk, on the one hand, or aimed at reducing opportunities to commit an offence on the other hand.
- Tertiary Crime Prevention = targeting people who have already been dealt with for delinquent acts (like status offences among children or juveniles) or have been convicted of a crime, and eventually sentenced or otherwise been formally dealt with by the competent authorities.

VII. THREE AREA APPROACH REGARDING VICTIMS

The same distinction can be applied in a fruitful manner to victims of crime: Primary prevention of becoming victimized in general, secondary prevention of becoming victimized in particular situations or under specific vulnerable conditions like youth at risk in run down public housing environments, and tertiary

prevention of becoming repeatedly victimized after having fallen victim to a crime. Among young persons, for example pupils in schools, "Victimization Prevention" may actually be easier and faster accomplished in practice than "Crime Prevention" respectively "Criminality Prevention".

VIII. MODERN APPROACHES OF CRIME PREVENTION

There exist a couple of more modern conceptions of crime prevention. They are theoretically and conceptually not at all, or at least not in the first or second instance, directed towards "changing/sanctioning/treating" (young) persons as such or towards "teaching" persons in an intentional and directed manner new behavioural patterns or habits or values or morals. They are rather "object-oriented". That means they try to re-shape environmental conditions in manifold ways.

This re-shaping will, in the event, cause psychologically determined "perception blockades" among (young) deviants or persons at risk of becoming delinquents regarding the opportunity structure for committing offences. That part of the issue is dealt with in the theory and practice of so-called situational crime prevention. Other conditions will make the costs of committing an offence or of gaining a desired valuable good seemingly (if not actually) much too high for youth at risk respectively potential (young) offenders, as they would dare to act out. That part of the issue is dealt with in the theory of target hardening.

There exists some empirical evidence that such object-oriented crime prevention measures are even more suitable than victimization prevention measures in enabling practitioners to harvest rather immediate and, sometimes, also enduring successful results in reducing the amount and intensity of (youth) crime in communities.

IX. THEORY-PRACTICE CONTRADICTIONS

In a host of countries, like in my home country GERMANY, the importance of crime prevention for crime policy and practical law enforcement as well as for the way in which those persons at risk of committing an offence (or multiple offences) are treated, and how offenders are dealt with, has - for rather a long time - occupied a prominent position in scholarly theory and in common sense political statements in public. When it comes to practice, however, many of those countries have been rather negligent in actually implementing crime prevention as an integrated institution under everyday conditions in communities and among collaborating authorities. Even such nice concepts like problem oriented policing or community policing were often given more lip service among top-level officers (and city majors or party leaders) than real serious consideration with the aim to implement them in due course of time.

In Europe the Scandinavian countries were the first to change that situation. In Asia and Far East, Japan is internationally renowned for its scheme of local policing which can, to some extent, be theoretically delineated as a kind of "making formal social control partially informal" by continuous and stable community immersion.

In the so to speak reluctant countries, like Germany, new developments have been arising since the early 1990's. They are directed towards activating authorities, private associations and organizations, and community interest groups (even grassroots movements) to develop interconnected initiatives and local schemes for crime prevention and victimization prevention. So, for example, the first state-wide Crime Prevention Council and the first additional living examples of local or regional Crime Prevention Councils have been founded, on the soil of the Federal Republic of Germany, in the northern State of Schleswig-Holstein in 1992. At present some 2,000 to 3,000 initiatives and institutions are working in Germany as a whole in a very dedicated manner. Information about these can be found at the website of the German Federal Criminal Police Office (Bundeskriminalamt, BKA, <http://www.bka.de>)

X. THE ENDURANCE OF LOCAL CRIME, AND THE PIVOTAL NEED FOR COMMUNITY CRIME PREVENTION INITIATIVES AND INSTITUTIONAL STRUCTURES

The globalization of crime and the activity of transnational crime notwithstanding: Still, and also today, a large proportion of day-to-day crimes, particularly among young persons, takes place at a local level, according to the experience of practitioners, and backed up by the results of modern scholarly research. The offences as such are "local events". The offenders are, to a certain extent, but the "products" of local

conditions and circumstances, of sometimes very idiosyncratic concrete, nevertheless enduring, "breeding factors or syndromes".

The same is very often true for victimization events and for the individual victims. Therefore it is vital and of utmost importance to develop clear and convincing concepts of community crime prevention. Community crime prevention concentrates, on the one hand, its energies on the modification, reduction or ultimately even full eradication of crime as an "actual occurrence".

On the other hand, community crime prevention showed, in the last decades, its capacity to serve as an efficient tool in reducing or avoiding peoples' fear of crime, particularly the fear of crime among elderly persons as young (potential) offenders in the community are concerned. As we all know, fear of crime is an important factor hampering the quality of life of decent people. In towns and particularly big cities it can affect the whole set of daytime living patterns, of nighttime precautionary measures and of ways to see the world as either safe or dangerous. Such a set may develop into a complex and very stable kind of basic worldview with related behavioural patterns. The set could be suitably condensed in the term "habitus" French social scholars tend to use for delineating different social classes or social strata from each other. It may eventually prevent people (inhabitants and travellers alike) to visit certain parts or ecological areas of the city.

Fear of crime among citizens is also enhanced, sometimes even mainly caused, by conditions that seem, from the point of view of police practitioners and with regard to local crime statistics, to have nearly nothing to do with "objective" conditions viz. manifest crime. This is the message explicated in a very influential manner firstly by Wilson and Kelling in their "broken windows theory". The core issue pertains to signs of decay and dereliction in public places and/or of continual disturbances as perceived to exist or as actually existing at a higher than tolerable level. Such situations are considered by citizens to be the outward sign of an underlying threat of crime or of the phenomenon of actual crime. A lack of reaction on the part of the police or (other) responsible local authorities can eventually result in a widespread loss of trust in the validity of the law and in the guarantee of internal security. However, the relationships between the various factors are to be considered to be much more complex than many adherents of the broken-windows theory seem to recognize. Nevertheless the basic mechanisms have been repeatedly reiterated in the Federal Republic of Germany with some 30 citywide crime surveys or so-called citizen surveys.

Instead of disturbances also "disturbing persons" may cause alertness and concern. Among them are quite often young persons hanging around public places. In Germany these were for many years predominantly punks and minority youths (e.g. second and third generation foreigners). It may be interesting to note so far that in some of our big cities like Frankfurt and Stuttgart around 25 per cent of the population is of foreign origin. Many are still non-nationals after many years if not decades of living in Germany due to - inter alia - restrictive laws and a rather reluctant state naturalization bureaucracy. In more recent years two new groups of young people became somehow the "substitutes" for the old problem groups. These are in the East, which means in the so-called new States, very aggressive respectively violent rightwing youngsters, mostly skinheads with a strong penchant towards Nazi ideology.

In the West, in the so-called old states, and with a certain concentration in southern and south-western states or areas, one finds instead second generation "Russians" from German descent. Their families used to live predominantly in Kazakhstan and other remote provinces of the defunct Soviet Union being now independent states. They returned in high numbers to their old "fatherland" Germany immediately after the tumbling down of the wall and the falling down of the iron curtain. They are still coming in large numbers, but much lower ones compared to the early 1990's. Young boys among those arriving late, i.e. after 1995, seem to be particularly at risk of becoming delinquent and later on criminal. We shall cite only a few of a whole plethora of reasons and causes for that. Those youngsters were much more integrated into the culture of their land of birth than were their older siblings and the parents, not to speak about the older generation. For them their Kazakh peers were their natural friends. They learned the Russian language as fast and as natural as any other children playing around during free time and/or going to public schools with an "indigenous" majority. For them "Germany" did not exist as a kind of real country one had always to think of and thrive to belong. It was rather but another tale or old story Grandma and other older people were telling about on every suitable and, from the youngsters perspective, even more unsuitable occasion.

The decision to emigrate and to “return” to merry old Germany was, as we learned (also) from our own research project on processes of integration and disintegration, quite often taken by the parents and elders without even asking the young persons pro forma about their own opinions, not to speak about their emotions. From their view they had been forced to leave their home, their peers, their “habitat” and their everyday living conditions providing stable orientation. When they arrived in Germany they were confronted with an intricate situation. German constitution and German law consider(ed) them as being “Volksdeutsche”, a term that means- to simplify the matter a bit - pertains to being German by blood heritage. According to that rule the “Late Re-Immigrants” (Spätaussiedler) are entitled to receive a German passport as soon as possible after settling (provisionally) down. They are further entitled to particular social benefits. These circumstances are considered, to a wide degree, as an unjustified privilege by indigenous Germans but, sometimes even more explicitly, by the not so German minorities. So it happens that these new Germans are called Russians and considered the true foreigners by the nominal foreigners living in the country already for long time.

Those circumstances and situations cause a lot of tensions. Particularly for youngsters their lack of mastering German comes as an additional burden. They can hardly follow school education. They are hampered also in vocational education and in their place of work. In the event, many of the young boys, as opposed to young girls, play truant at school, become heavily defiant at home, turn to strong alcohol (with repeated episodes of binge drinking), get used to or even early addicted to illegal drugs, and quite often join either retreatist groups or bluntly violent gangs. In pursuance of what they had experienced in their country of birth they expect e.g. police to be rather brutal, and are prepared to beat them up when caught committing an offence or when strongly suspected of having committed one or a series of offences. Since German police do not normally turn to such kind of behaviours the youngsters quickly tend to consider them as being weak persons. They are, from the youngsters’ perspective, feminized or, just to quote one of the more derisory terms, “sissies” which deserve contempt and eventually open defiance if not a manifest physical attack.

The more elaborated signs of deviance, delinquency and criminality are nevertheless concentrated among only a small minority of this minority. So the available sources draw an ambivalent picture. On the one hand, the general crime rate of the relevant young generation, in as much as it can be measured at all, seems not that much exaggerated as it is discussed publicly or even among academic circles. On the other hand regional and local police forces do report relatively high numbers of violent acts, committed alone or in groups or gangs. And in the youth prison system those young male offenders can be found in rising numbers. For example in the central youth prison of Baden-Wuerttemberg some 10 per cent of the inmates are of “Russian” origin, which is much higher than their share of the general population.

Many communities are still more or less desperately trying to develop a valid concept of reintegrating the young “latecomers”. Since these boys tend more and more to call themselves “Russians”, and to communicate with each other nearly exclusively in the Russian language, the authorities are more often than not “blocked off” in a very broad sense of the term. More successful communities started to run special multi-agency or multi-faceted deviance and delinquency prevention programmes. They hired young adults or full adult persons out of the law-abiding members of the minority that have direct linguistic and otherwise culturally pre-determined access to the difficult youngsters. Or they relayed to private charity organizations or individual volunteers. Strict but not aggressive, and permanently visible, control strategies on the part of the police are being so to speak “intertwined” with a mix of positive offers like special discos or entertainment opportunities (- primary crime prevention -), of social education or qualification courses for the very young at particular risk (- secondary crime prevention -), and of clear cut enforcement policies with regard to public troublemaking and the committal of particularly street crime (- tertiary crime prevention -).

As far as the right-wing young East-Germans are concerned, but also with regard to their West-German counterparts with whom they tend more and more to establish loosely knit but nevertheless rather stable networks, the German federal government inaugurated, a couple of years ago, several special programmes. Two of them are of particular interest.

The one programme having meanwhile terminated was called AGAG, meaning an action programme against aggression and violence. Some millions of Euros were used to enable local associations and the communities themselves to develop schemes of intense treatment of those youngsters. Quite often the

associations and communities contracted services out to experienced street-workers, youth aides from specialized branches of (Western) youth authorities or to new associations that were deliberately created anew just for the sake of dealing with those particular issues. The results of the programme have never been very thoroughly evaluated. As far as one can see from limited evaluation studies the results were mixed ones. Some street-workers and others could at least diminish the amount of annoying and dangerous behaviours, and help the young male extremists to "live out" their phase of development without eventually landing before court or in prison. But there were also cases where the "caretakers" were either much too tolerant towards the ideology and its expression, or where they even seemed to have been somehow sucked into the right-wing scene. This seems to have led in a few extreme cases to stabilization if not a further promotion of the Neo-Nazi scene.

The other programme was run by governmental agencies that sometimes relied on private persons or organizations, too. The most active governmental agencies were, and still are, the secret services called "Verfassungsschutzämter", literally translated as "authorities for defending the constitution". They installed, inter alia, some telephone hotlines. They put adverts in newspapers and magazines. They launched interviews on radio and television networks. And they got themselves additional budgetary means to run those activities in a more than just superficial manner. The central aim of all this was and still is: To actively approach members of the right wing or Neo-Nazi scene and to offer them virtual assistance and, later on, real advice and (substantial) help in order

- to get out of the scene,
- to cut off all relations to their radical and quite often very violence prone peers,
- to tear off the emotional and ideological strings with the older core persons providing and hammering in the particular ideology and hate orientation, and eventually
- to return to a decent life as a normal citizen.

How successful the programme has been in quantitative terms is impossible to evaluate so far. However, the authorities had some spectacular cases where they succeeded in turning around so to speak publicly known "figures". This indicates that the particular approach is at least principally sound and worthwhile to follow further on.

A few years ago, the German Federal Ministry of Justice began installing, apart from but connected to a loosely knit crime prevention information network, a task force on hate crime. This task force is expected to analyse the different concepts of "hate crime" and to develop new initiatives to tackle those crimes and their perpetrators firmly.

XI. EARLY INTERVENTION FOR YOUTH AT RISK

Early intervention for youth at risk is, in principle, a valid concept and a worthwhile scheme for short-term effects or reducing manifest deviant or delinquent behaviour, and in the best case also long term tools for securing the social and social-psychological integration of young persons in the community at large.

XII. ASSESSMENT SCALES AND SIMILAR INSTRUMENTS OF RISK-CALCULATION

Assessment scales and similar instruments of risk calculation are somehow necessary. However, it is often overlooked that all of such instruments and methods do not provide more than "predictors" for future behaviour. They provide decent probabilistic "indicators" of what *groups of people* with certain characteristics may do to a certain extent, which normally never reaches the point of certainty. Therefore, scholars and practitioners need to develop and make use of person-oriented methods, which allow for individual variance, and provide eventually, in lieu of statistical predictors, individual "prognostic" factors. [See above].

XIII. THE ESTABLISHMENT AND MANAGEMENT OF A FLEXIBLE DISPOSITION AND TREATMENT SYSTEM

The establishment and management of a flexible disposition and treatment system with the aim to tackle child delinquency, juvenile delinquency and youth crime is also somehow necessary. However, it is often overlooked that such a system is easier to talk about in a general manner than to conceive of in a stringent and coherent and practically suitable way.

The relevant problems are grounded in e.g.:

- Different “world concepts” of people joining different institutions and/or organizations and/or authorities.
- Different organizational and operational “philosophies” of authorities themselves, as developed and strengthened or even “hardened” by years or decades of running the business and dealing with their everyday workload.
- Inertia effects at all levels of groups, institutions and authorities.
- Inter-relatedness of the individual, family, neighbourhood, school, and other fields and factors resulting in a “mix” of problems and obstacles to fast and efficient and effective change of things and persons.
- Expected but not realistically achievable deterrence effects, at least in the short and middle range, of repressive sanctions.
- Expected but not realistically achievable “turning effects”, at least in the short and middle range, of counselling and treatment effort and measures with regard to the “personality” and the ingrained “habits” of (young) people.

XIV. AS POLICING, PROSECUTORIAL DECISION MAKING, AND JUDICIAL DECISION MAKING ARE CONCERNED

There is mounting evidence that one has to develop patience with young offenders instead of trusting in the immediate real effect of interventions, not to speak of believing in the full social re-integration of young heavy or repeat or even so-called intensive or chronic offenders. The new concept of “desistance from crime” tells us stories that are somehow opposed to what we learned from so-called recidivism studies concentrating on kinds of “criminal careers”. Terminating a criminal career is an option that can be “activated” at each and every step respectively after each and every conviction, sentence or prison term. Offenders must decide themselves to “do it now”. But they can be helped in coming to that decision, and to develop the endurance to carry the whole difficult task to a successful end.

EFFECTIVE MEASURES FOR THE PREVENTION OF CRIME ASSOCIATED WITH URBANIZATION

*By Prof. Irvin Waller**



I. INTRODUCTION

Many who live with violence day in and day out assume that it is an intrinsic part of the human condition. But this is not so. Violence can be prevented. ... In my own country and around the world, we have shining examples of how violence has been encountered. (Nelson Mandela, WHO, 2002)

The developments in the last decade demonstrate that crime and victimization can be reduced significantly by prevention that uses the scientific knowledge about what works and policies that follow new norms established by the United Nations. These reductions will avoid billions of dollars in loss to victims and communities and ensure that taxes are used to invest in youth and communities as well as pay for effective police, courts and corrections.

The first section of this text provides the background in terms of the knowledge base to support the statement that crime can be reduced as well as the international norms that guide the implementation of programmes that will reduce crime and victimisation significantly.

For the norm base, a handbook is in preparation on the implementation of the UN Guidelines (Waller, Kirvan et al., 2005) which will provide Canadian and International examples to illustrate how to operationalise the principles.

In order to implement effective measures, it is essential to understand the key elements of the UN Guidelines for Prevention and the Bonnemaision version of how agencies work together to identify, plan, implement and evaluate effective crime prevention strategies.

The second section presents examples that have successfully applied those principles. For the knowledge base and the examples, the reader is encouraged particularly to look at the reports prepared by the International Centre for Prevention of Crime (1999a, 1999b) and Waller (2000) which provide more details and references on the knowledge base. They also provide details on the examples of inspiring programmes and projects that are listed in my charts below. These details provide about a page on the crime problem, the programme, the results and sources for further information which are usually available for free over the Internet.

II. THE KNOWLEDGE BASE

The prestigious and encyclopaedic reviews that have accumulated in the last decade repeatedly recognize the cost-effectiveness of prevention. However, they do not show that the common ways for using police, courts and corrections have an impact on crime, unless there are mammoth investments. Reviews such as those done by Her Majesty's Inspectorate of Constabulary in England suggest that policing would have an impact on crime when it is targeted and in "strategic" partnership with school boards, and municipalities. Indeed small scale projects using these principles have had a measured impact on crime.

These reviews have examined the empirical research on what reduces crime and victimisation. They have been completed by governments, intergovernmental agencies and a few university groups (Australia, National Committee on Violence (1990); Canada, Standing Committee on Justice and Solicitor General (1993); Audit Commission, UK (1996); Home Office and Treasury, UK (Goldblatt and Lewis, 1998);

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UNODCP (Newman, 1998), International Centre for Prevention of Crime, (1999a); US Congress (Sherman et al., 2002 and 1997); Blumstein and Wallman (2000); Washington State Public Policy Institute, USA (Aos et al., 2002); HM Inspectorate of Constabulary, UK (1998/2001); US, Surgeon General, (2001); World Health Organisation (2002)).

Full references for these texts are available with a summary and internet reference on www.crime-prevention.ca, which is the internet site of the Canadian Forum for Crime Prevention. This is a recently formed public interest group established to reduce crime and victimisation through evidence based prevention.

One of the most frequently cited was done in the United States. The US Congress required the Attorney General to provide a comprehensive evaluation of the effectiveness of over \$3 Billion annually spent in crime prevention grants. As independent researchers, Lawrence Sherman and his colleagues reviewed more than 600 scientific evaluations of programmes intended to prevent crime. Their seminal report pinpoints what works, what does not work, and what is promising in preventing crime and victimization. It examines the results from community, family, school and situational approaches to crime reduction as well as the effectiveness of the police, courts and corrections. This report serves as an important tool in understanding which prevention programmes are backed by scientific proof of effectiveness.

Another frequently cited review was completed by the International Centre for Prevention of Crime (1999a). This reviews both scientific literature and the government literature. It looks at projects that have worked as well as the consensus that is developing about how to implement crime prevention across cities and countries in both the developed and the developing world. It has formed the basis for the background materials used at the UN Congresses on Crime Prevention and Criminal Justice as well as the influential review undertaken by the British Home Office and Treasury. The International Centre for Prevention of Crime (Montreal) also brought together 100 descriptions of prevention programmes to inspire action (International Centre for Prevention of Crime, 1999b). These have been translated into several languages including French and Spanish. They provide easy access to this extensive government literature to elected and permanent government officials with or without expertise in criminology or crime prevention.

The reviews are consistent in their conclusions that rates of interpersonal violence can be significantly reduced through well planned and multi-sector strategies that tackle multiple causes. They are cautious on the degree to which increasing expenditures on policing and corrections will reduce rates of crime and victimisation, particularly because of the costs involved. For instance, policing will not reduce rates of victimisation by:

- Increasing budgets even by large amounts, though these will take scarce financial resources away from public health nurses, teachers and youth workers all of which can significantly reduce crime and victimisation
- Continuing the common ways of delivering policing based on patrols, response to calls for service and investigation, all of which will become less and less effective in reducing crime as fewer:
 - victims report their victimisation to the police
 - offences known to the police result in an offender being identified
- Using popular American programmes, such as neighbourhood watch, boot camps and drug resistance education (DARE), which have been shown not to be effective in reducing crime

Some of the reviews were undertaken as comprehensive spending reviews to determine how governments should allocate their funds to reduce crime and victimisation. In the USA, they have had little influence but in the United Kingdom they led to trail blazing government action to reduce crime

In 1996, the *British Audit Commission* completed a comprehensive spending review of programmes to tackle youth offending, concluding that expenditures on policing, courts and prisons were misspending (on) youth. Rather than leaving police and criminal justice to only sanction offenders after the victimisation, the British government legislated a permanent commission named the *Youth Justice Board* to focus partly on preventing crime before it happens.

The *British Home Office and Treasury* also collaborated on a comprehensive spending review, in order to identify the comparative cost-effectiveness of crime prevention programmes (Goldblatt & Lewis, 1998). The report concluded that optimal crime prevention strategies involve the multi-sector tackling of the multiple

causes of crime. The components of such an integrated strategy would include (but are not limited to) interventions focusing on children and families at-risk, increasing social cohesion, improving the environmental conditions of crime "hot spots", and placing more emphasis on problem-oriented policing. This report provided the basis for the cabinet approval of a \$600 million budget re-allocation over three years, in order to invest in the *Effective Crime Reduction Strategy*.

Further, a benchmark report by the *British Inspectorate of Police* (1998 and 2001) for Her Majesty's Inspectorate of Constabulary called for the fostering of partnerships between police services and social/educational partners. In 1998, the trend setting *Crime and Disorder Act* required, among other priorities, that all municipalities undertake a multi-sector *Local Crime Reduction Strategy*. These strategies are centred upon the diagnosis of the local crime problem, the implementation of a plan, and the evaluation of the implementation process and impacts on local crime rates.

In sum the prestigious reviews conclude that social and situational prevention are effective by:

- Tackling particular social causes (inconsistent parenting, school abandonment, and so on) reduces offending.
- Tackling particular situational determinants (lack of surveillance, ease of turning into cash and so on) reduces victimization.
- Using enforcement strategically or in partnership to work (using GIS, intelligence, accountability).
- Being more cost effective than current policing, judicial and particularly prison practices, when evaluated.
- Providing additional social benefits (school completion, jobs, paid taxes and so on) when the prevention tackled the problems of youth at risk.

A key concept behind strategic approaches to crime prevention is that crime is concentrated in certain families and neighbourhoods as demonstrated by repeated large scale surveys undertaken in affluent democracies. The following highlights the conclusions.

Large scale data sets confirm social, situational and location of crime

- 5% of youth account for 55% of offences
 - Longitudinal studies confirm 5% risk factors such as relative poverty, ineffective parenting and dropping out of school
- 4% of victims account for 44% of victimisation
 - Victimization studies confirm 4% risk life routines such as not guarding goods, vulnerable to opportunity, close to offenders
- Hot spot locations for drugs and other offences
 - Police statistics confirm that hotspots concentrate offenders and victims geographically

Though there is no definitive analysis that identifies an exhaustive list of the causes of crime, the UN Congresses concur with the scientific literature that the causes are multiple and include social development, cultural, situational and law enforcement related factors. These include that crime trends are determined by changes in societies summarised below.

1. Social Development, e.g.
 - Gap between rich and poor
 - Youth excluded from school, jobs and hope
 - Demographic proportion of 15-24 males in population
2. Cultural Disposition, e.g.
 - Females dependency on males - violence in home
 - Urban shift - atomisation of families and communities
3. Physical Design of Communities, e.g.
 - Transportable property not looked after or designed for protection
 - Access to firearms, alcohol and other drugs
4. Enforcement and Justice, e.g.
 - Faceless society - low clearance rates
 - Persistent offenders not incarcerated (but huge opportunity cost)

Much of the knowledge about the effectiveness of law enforcement and factors associated with crime victimisation has come from crime victimisation surveys.

A crime victimisation survey is a survey of a representative sample of the general public to measure:

- Who has been a victim of different types of common crime (burglary, theft, assault ...),
- What motivates folk to report to police or not
- Differences between those victimised and those not
- Impact of the crime on the victim
- Attitudes to prevention and criminal justice.

National crime victim surveys have been undertaken for many years. In the USA, every year since 1972, 80,000 individuals aged twelve and over in 43,000 different households are interviewed twice for the National Crime/Victimization Survey. This survey provides the USA with annual information on trends in crime and the lack of reporting to police. It further helps to identify current crime prevention issues that need to be addressed. [www.icpsr.umich.edu/NACJD/NCVS/] [www.ojp.usdoj.gov/bjs/]

The annual British Crime Survey conducted by the United Kingdom’s Home office is an excellent example of providing the necessary data to plan and track prevention efforts. More than 60,000 households have been interviewed every second year since 1982 in the “British Crime Survey” The survey questions adults about common offences such as residential break-ins, car thefts, assaults as well as less frequent crimes such as robbery and sexual assault. This survey produces key data for crime prevention, including the extent of repeat victimization in the United Kingdom. [www.statistics.gov.uk/ssd/surveys/british_crime_survey.asp]

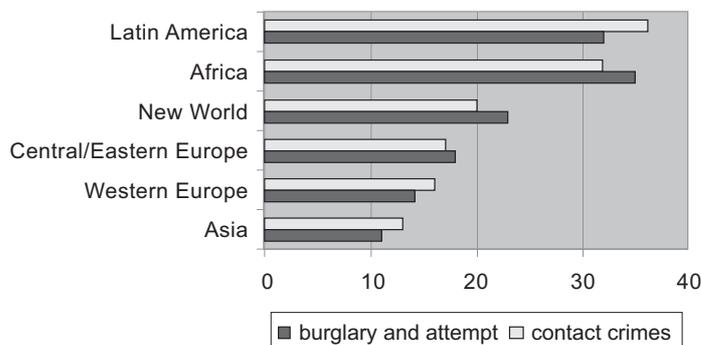
Globally, since 1989, some 40,000 different households across the world have been surveyed in the International Crime Victims Survey (ICVS) in four different years. This survey allows for cross-national comparisons and the examination of international victimization trends over time. Many major cities in the developing world have participated in one or more of these surveys. [www.unicri.it/icvs/]

The World Health Organisation Report on Health and Violence has identified some of the risk factors associated with violent victimization as follows:

- Routine life styles
 - Interaction with persons who are violent
 - Going out frequently
- A culture of violence
 - Violent role models at home and school
 - Tolerance of violence
 - Firearms
- Presence of facilitators
 - Alcohol
 - Other drugs

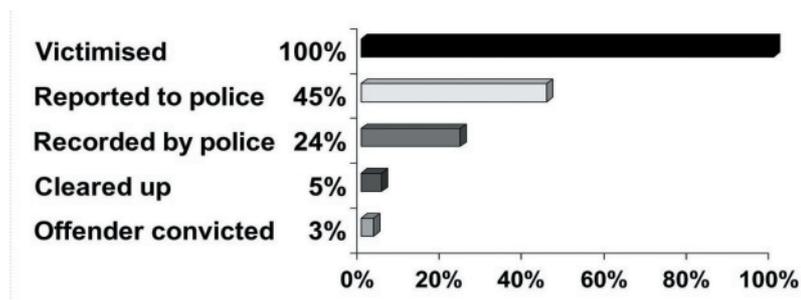
Interpersonal Crime is a Continuing and Increasing Cost to Victims

**Percentage of Adults Victimized:
Previous 5 Years**



The International Victim Survey provides some important data on the rates of victimisation. These show how rates of property and violent crime vary from world region to region as well as the high proportion of victimisation that is not reported. The chart below illustrates the relatively small proportion of victimisations that are reported to police even in countries where police are very professional and popular as these data are taken from England.

**Outcomes Following Victimisation by
Different Stages - Impunity**



The UN International norms were developed originally from experience but now are increasingly influenced by scientific reviews. The most significant are:

Guidelines for the Prevention of Juvenile Delinquency (Riyadh) (1990)

Guidelines for the Prevention of Urban Crime (1995)

Habitat - Safer Cities

Guidelines on Crime Prevention (2002)

WHO - World Report on Health and Violence

There is much in common between the different instruments and intergovernmental policy perspectives. Presented below is an identification of seven key elements that run through the principles in the UN guidelines for crime prevention. There are also principles relating to overseas development and aid.

Effective Elements in UN Guidelines for Crime Prevention follow on a first paragraph that affirms the conclusions that we have already seen from the prestigious reviews

1. There is clear evidence that well-planned crime prevention strategies not only prevent crime and victimization, but also promote community safety and contribute to the sustainable development of countries. Effective, responsible crime prevention enhances the quality of life of all citizens. It has long-term benefits in terms of reducing the costs associated with the formal criminal justice system, as well as other social costs that result from crime. Crime prevention offers opportunities for a humane and more cost-effective approach to the problems of crime. The present Guidelines outline the necessary elements for effective crime prevention.

The following key strategies specify the essential elements required from all levels of government and civil society to achieve significant reductions in crime and victimization.

Although governments primarily bear the responsibility of ensuring proper legislation, funding, and organizational capacity, the active participation of communities, non-governmental organizations, the private sector and so on is also required to ensure effective crime prevention.

1. Systematic analysis, planning, implementation, and evaluation
2. Knowledge-driven strategies with appropriate human capacity and data systems
3. Multi-sector partnerships to tackle the multiple social factors associated with crime
4. Comprehensive strategies, targeting high risk neighbourhoods and encompassing environmental design

5. Local prevention strategies that reduce opportunities for trans-national crime
6. Public engagement and outreach
7. A permanent and funded responsibility centre for prevention

More than any other, I want to draw your attention to a process originally inspired by Bonnemaïson as a Mayor and later Speaker (Questeur) of the National Assembly of France. Crime will be solved through wise partnerships of schools, local government and policing to tackle multiple causes. The diagram is one critical key to success in reducing crime.



III. MEASURES THAT HAVE WORKED

There are many problem oriented policing examples that have reduced crime successfully. Unfortunately many of them are at the level of the individual officer. The most important examples are those where a police agency has gone over to a problem oriented policing strategy. Here are some interesting examples, all of which have relevance for developing countries. They all represent an application of the Bonnemaïson problem solving model, though the secretariat is limited to the police and so their success is more limited. They are often limited in time because there was no structure or procedure as in the UN Guidelines to ensure their sustainability.

SACSI is particularly important for countries with concentrations of violence associated with handguns and illicit drugs. In the United States, programmes in selected Safer Cities have successfully tackled the trafficking of guns and drugs at the local level. The city of Boston launched “Operation Ceasefire” in 1995, a project based in a systematic problem-solving process that involved the implementation of problem-oriented policing through team work of the analytic capability of Harvard University and the practical knowledge of the Boston police. This strategy combined police enforcement action to eliminate access to firearms with social programmes designed to help youth in difficulty complete school and gain meaningful employment. The evaluation of Boston’s strategy revealed that youth homicide fell from an average rate of 44 per year (1991 to 1995) to 15 in 1998. In light of the success in Boston, the Department of Justice sought to replicate the process, and launched a multi-site initiative called Strategic Approaches to Community Safety Initiative (SACSI). The sites most successful in reducing the incidence of gun-related violence and drug trafficking were those dedicated to the strategic problem-solving process of analysing local crime problems and implementing and evaluating problem-oriented solutions. [www.ojp.usdoj.gov/nij/sacsi/]

129TH INTERNATIONAL SENIOR SEMINAR
VISITING EXPERTS' PAPERS

- Police Service Problem Solving (Newport News, USA, 1980's)
Police chief formed analysis unit of 20 officers
Reduced burglary, street prostitution and robbery
- "Hot Spot" Analysis and Problem-solving (Edmonton, Canada, 1990's)
use police crime data to identify local challenges and "hot spots"
engage high-risk neighbourhood in planning and implementing
Edmonton Police: reduces crime 41%, violence 31% over 4 years
- Strategic Approaches to Community Safety (Boston +, SACSI, 1990-),
joint police and university teams to analyse causes of violence
NB success of Operation Cease-Fire in Boston for youth homicides
Replications across USA and now piloted in Brazil
- Partnership between police and business (e.g., Netherlands, 1990's)
reduce commercial robbery by improving situational prevention measures (limit access to cash, improve surveillance, etc.)
create a tracking system for robbery offenders
support community youth employment and educational initiatives
26% drop in commercial robberies and doubled solved robberies

There are other examples of problem oriented strategies. I will mention three others that illustrate different uses of the model. I then mention an internet site that gives myriad examples in a very accessible format.

- Respond to domestic violence with police officer and social worker
provide immediate assessment, intervention, and follow-up in crisis situations
decreases the number of repeat calls for service
decreases delinquency among kids of participating families
- Closed Circuit Television (CCTV)
Increases arrests and displaces crime
Reduces theft from and of cars
Debate on other crime reduction impact
- Targeting offenders with stable jobs and families
Traffic violations
Occasional intra-familial violence
- www.popcenter.org
Internet site that gives many examples

There are an increasing number of projects that successfully reduce crime that engage local residents. The most famous of these started with an initiative by the Mayor of Seattle in the early 1970's. He established a Law and Justice Planning Office that undertook a Bonnemaison style analysis and then implemented three programmes to reduce burglary, sexual assault and store robberies. The burglary programme achieved large reductions in an experiment that enabled the evaluation to confirm large reductions. This programme inspired Neighbourhood Watch but unfortunately the spread of neighbourhood watch was based only on multiplying the programme itself rather than doing the problem analysis first. Also often neighbourhood watch is implemented without professionally trained workers, so that the results are not generally enduring or impressive.

Nearly fifteen years later, the UK reinvented the Seattle approach but added in an element focussed on repeat victimisation. The best example of this was the Kirkholt experiment that achieved a 75% reduction in residential burglary within four years using a "cocoon" model which refers to the mobilisation of the immediate neighbourhoods. The project involved a university professor, city officials, and others collaborating to reduce residential burglaries, by analysing the extent and causes of burglary in a high crime estate called Kirkholt. They noted a very high level of residences that were repeatedly being victimized. With the help of hired staff, they gathered neighbours and encouraged them to watch out for each others' property. They also improved the physical security of the area, such as by installing locks and lights and removing gas meters containing cash inside them, which was attracting offenders. The Kirkholt probation service was persuaded to provide high-risk offenders with rehabilitative programming. A comparison between residential burglaries in Kirkholt and in the surrounding area confirmed a 58% burglary reduction in one year and a 75% reduction over four years in Kirkholt (ICPC, 1999b, p.132).

The efforts to multiply this success across the UK produced some results but were not sustained by any permanent responsibility centre as called for by the UN Guidelines.

- City of Seattle (1970)
 - Mayor created Law and Justice Planning Office
 - City plan, priorities, implementation
 - Targeting causes with paid workers
 - 61% reduction in residential burglary in scientific experiment
- Empowering potential victims to protect themselves
 - Cocoon neighbourhood watch
 - Avoid repeat victimisation
 - Kirkholt Experiment, UK (1988) - 75% reduction
- Safer Cities, UK (1992)
- Crime Reduction Strategy, UK (1998)

In the 1970's, initial efforts to design out crime in Australia, Canada, England and the USA led to concepts such as Crime Prevention through Environmental Design, Defensible Space and later Situational Crime Prevention. It is now common in many of these jurisdictions to have police officers, architects and others trained in these concepts who sit on the planning boards that approve designs that go from entries to buildings through houses, offices, parking lots, street layout to whole cities.

The approach known as Crime Prevention Through Environmental Design (CPTED) aims to effectively design and use the built environment in a way that reduces opportunities for crime and lessens the fear of crime within communities. CPTED is a strategy commonly used by planners, architects, police services, security professionals, and so on. Examples of direct applications of CPTED include (but are not limited to) appropriate lighting in public spaces, visible entrances to businesses and private property, deadbolt locks and peep holes on doors, and neighbourhood cohesion.

In Canada, CPTED concepts have been used to design towns with reduced opportunities for crime (Tumbler Ridge, B. C.), to design public housing projects (Vancouver, B. C.), to design schools (Brampton, ON), and to encourage resident interaction and social cohesion (Montreal, QC), among others. Various organizations across Canada strive to disseminate CPTED knowledge and practice, such as "CPTED Ontario". [www.cptedontario.ca] [www.rcmp-grc.gc.ca].

In the Netherlands, the police developed a manual on secure housing by design in order to help housing project developers render their homes unattractive to burglars. The manual covers areas such as parking, grounds, locks, entries, and resident participation and responsibility. In order to obtain the police label of approval on their housing projects, housing developers must meet the various specifications of the manual. An evaluation revealed a 70% reduction in property crime over one year among the participating houses, which prompted the national implementation of the Secured Housing Label in 1996.

In Germany, the government introduced a requirement for all new vehicles to be fitted with steering wheel ignition locks. An evaluation revealed that cars fitted with the ignition locks were significantly less likely to be stolen than older models. [www.crimeprevention.rutgers.edu]

Clarke has systematised some of the concepts into those that decrease rewards, reduce opportunity, increase risk and spike excuses. There are many examples of the application of these approaches. For some large scale programmes such as steering wheel locks, it has been possible to establish their preventive effects. Others such as searching airline passengers are generally accepted as working though the proof is not scientific. Still others seem to displace crime without clear evidence of reduction. These are used widely by private security companies where displacement may be sufficient. They have costs to citizens' freedoms but typically citizens will pay this price because they believe they are protected. The Clarke and Felson web site is a source of examples.

Designing Out Crime

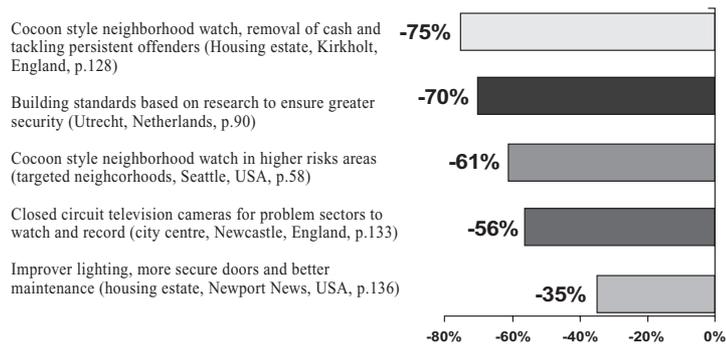
- Situational crime prevention - Clarke, USA
www.crimeprevention.org
- Firearm regulations, 1978, Canada

- Code for new housing, The Netherlands
- Steering wheel locks, Germany

Tackling causes of repeat victimisation (4% experiencing 44%) reduces crime by 35% or more. The next table provides a comparison of the types of reductions in crime achieved by these measures together with the page in the “100 Programmes” (ICPC, 1999b). These reductions justify a significantly greater investment in the use of these types of measures.

Tackling Causes of Repeat Victimisation (4% Experiencing 44%) Reduces Crime by 35% or More

Solutions to increase the risks and reduces the benefits for offenders



Problem Oriented Justice also holds out hope for crime reduction. Restorative justice has become a popular phrase and indeed will be part of a workshop at the UN Congress on Crime Prevention and Criminal Justice. These are typically experimental projects that have not yet become a mainstream way of doing justice.

However, France has had victims represented by lawyers in their courts for more than 30 years and many cases are settled by the offender paying some restitution to the victim. *France* provides for reparation through their system of *partie civile*. This enables the victim to have standing in the criminal court so that the judges will decide what payments the offender will make to the victim for the damages that were incurred in the criminal act. The legislation for the *partie civile* process is similar to that in many other jurisdictions. However, it is not a dead letter as in most of those jurisdictions because France provides “legal aid” or funding to lawyers who assist victims without the resources to pay for lawyers themselves. Finland has a similar system.

Even in 1986 when other countries were focussing only on assisting victims, France emphasised both this assistance and mediation. Its national organisation - L'Institut National d'Aide aux Victimes et de Médiation (INAVEM) - was established as a national voluntary organization to coordinate and support victim assistance and mediation throughout France. In 1998, France launched an extensive innovation which set a new benchmark for other countries. They created 20,000 positions for community social mediators. Essentially, young persons who were unemployed would be hired to work with municipal, transportation and other sectors to help resolve conflicts between individuals and between individuals and various state agencies. France also has many community justice centres where professional magistrates solve local problems between neighbours or within families.

In *the Netherlands* the police can refer first or second time juvenile offenders to HALT offices in 65 communities. The HALT office organizes both reparation from the offender to the victim and assistance with everyday problems such as jobs, school, peers and family. The HALT programme has become particularly famous internationally because the scientific evaluations have shown that the programme reduces recidivism.

- Problem Oriented Justice
 - Restorative justice (Halt, The Netherlands)
 - Holding young first offenders accountable through reparation to victims
 - ensuring assistance with life goals through counselling and school participation
- Counselling for domestic violence male offenders
- Community justice centres (Maison de Justice, France)
- Use of technology in courts for victims

Improving victim collaboration with police is critical to policing. The “*Crime Victims’ Bill of Rights*” (International Association of Chiefs of Police) urges police to “establish procedures and train personnel” to implement the “incontrovertible rights of all crime victims,”

The police department is the agency most often and first contacted by victims after a crime. The police are available 24 hours a day, 7 days a week. They call ambulances and fire departments. They can separate the parties in a dispute. They may recover property, protect the victims from an aggressor, and arrest the suspect. The victim is essential to the police because research shows that it is the victim who alerts the police in more than 60% of offences. It is the victim who describes the details of the crime and the suspect. It is very often the victim’s cooperation that facilitates an arrest and a conviction.

The police are well situated to initiate crisis support to victims. Because they are often the first officials to talk to the crime victim, they are able to reassure and refer the victim to appropriate services in the community. Therefore, the training of all police officers should include how to reassure and refer victims so that victims receive not only emergency medical care, but information and social support.

The Crime Victims Bill of Rights was approved in 1983 and calls on police to treat victims as “privileged clients” by ensuring that victims are to be:

1. Free from intimidation;
2. Told of financial assistance and social services available and how to apply for them;
3. Provided a secure area during interviews and court proceedings, and to be notified if their presence in court is needed;
4. Provided a quick return of stolen or other personal property when no longer needed as evidence;
5. (Given) a speedy disposition of the case, and to be periodically informed of case status and final disposition; and, wherever personnel and resource capabilities allow, to be notified in felony cases whenever the perpetrator is released from custody;
6. Interviewed by a female official in the case of rape and other sexual offences, wherever personnel and resource capabilities allow.

For the police to meet this challenge, there is a need to include these elements in internal directives and ensure that officers have adequate training.

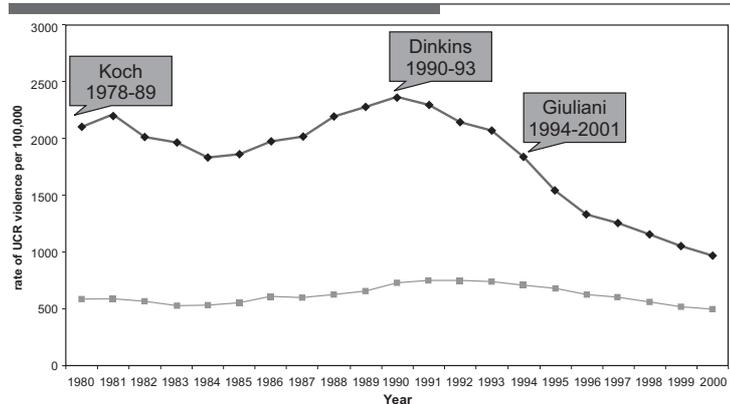
- Police First in Aid to Victims
- Office for victim assistance reporting to Commissioner
 - Directives on respect for victims
 - Leaflets, videos and materials
 - Card with central number and services for victims
- Female police officers and stations for victims of assaults on women
- Children as victims and witnesses

Partnership and problem solving are avenues for success for police. I will discuss this more in my second paper but we must note here the use of police data systems which map crime as a basis for more effective reductions in crime. In New York City, the introduction of Compstat is often heralded as the reason for large reductions in crime and violence. The use of mapping and accountability is undoubtedly an important avenue for the future - very much consistent with the Bonnemaison principles and the UN Guidelines. However a cursory examination of the trends in New York City shows that many other social trends were also at work. Indeed scientific analyses of the reasons for the drop in crime and violence in New York City point to the contribution of several other factors.

- Compstat in New York City
 - Deploying police officers strategically with accountability
 - Target specific problems

- Beware unproven claims from New York City
- Share Geographic and Strategic Data
 - Geographic Information Systems
 - Establish permanent joint executive planning groups
 - Collaborate with agencies able to tackle situational and social causes
 - Tackling persistent offending committed by men at risk
 - Focussing on dropping out of school and dysfunctional families in a multi-sector partnership (e.g. with schools and housing) that identifies and solves problems
- Local government community safety strategies
 - UK Crime and Disorder Act

Violent Crime Rates per 100,000 Reduced by 59% in New York City from 1990 to 2000 with US National Rates Reduced by 30%



Strongest Explanations for Crime Reduction in New York City

- Demographic trend over 2 decades
 - Proportion of males 15-25 in population declined
- Increased proportion of persistent offenders incarcerated over 2 decades
- Reduction in unemployment over 1 decade
- Maturing of crack cocaine market disputes in early 1990's
- Targetting of young males with handguns and illicit drugs in 1990's

This effort to organise and plan in partnership between police services, schools, housing and social services but led by the mayor is believed to have been the major reason for large reductions in crime in cities in North America and elsewhere. I will explain the example of Bogotá as it provides an interesting model from Latin America. Not only are these approaches consistent with the UN Guidelines for crime prevention but also with the Bonnemaïson principles. It is in this direction that modern policing and justice must go to succeed.

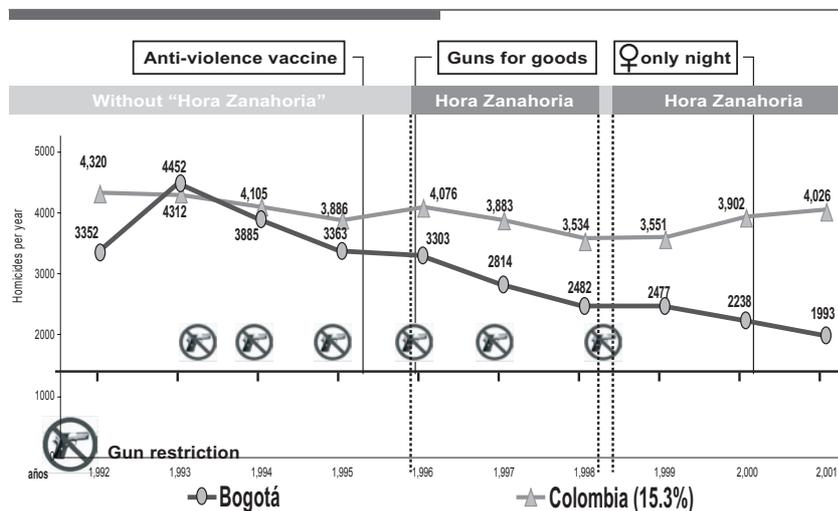
“Safer City”

- combine problem-solving policing with social programmes for at-risk youth
- reduce access to drugs and firearms through strategic and targeted police action
- mobilize social programmes to help youth in difficulty complete school and gain meaningful employment
- various US cities: reduces violent crime by 44% to 67% over five years

Cities with large reductions

- Bogotá, Colombia
- Boston, USA
- Edmonton, Canada
- Fort Worth, USA
- Newcastle, UK
- New York, USA
- Portland, USA

Homicides Reduced by 55% by Mayors of Bogotá, Columbia, through Anti-violence Vaccine, Removal of Guns and Curfew for Men



Success requires skill development. These are all knowledge-driven strategies with appropriate human capacity and data systems. An important part of knowledge-driven crime prevention is having access to adequate professional skills and organizational resources to promote, support, and evaluate community-based efforts in crime prevention.

Crime Concern provides crime reduction advice, support and training to local governments, police, and youth services to implement this legislation, particularly helping them to:

- work as effective local partners and teams in tackling crime
- conduct local audits to identify priority crime problems
- develop crime reduction strategies with set targets for reducing crime
- adopt measures known to work in reducing crime
- monitor and evaluate results

Crime Concern also manages nationally-driven programmes to prevent crime, such as:

setting up volunteer mentoring schemes to support and improve the life chances of young offenders or those excluded from school.

Every local government in England and Wales has a centre responsible for developing and implementing its community safety plan. With the help of Crime Concern, they produce three-year plans for crime reduction in partnership with other agencies, and implement many proven projects known to have reduced crime in other jurisdictions. [www.crimeconcern.org].

Also in the United Kingdom, NACRO runs projects and services nationwide for individuals and communities alike, and also provides consulting, research and training services for people and organizations involved in crime reduction. [www.nacro.org.uk]

Furthermore, under government leadership, practitioners and policy makers from government, police, local organizations, voluntary groups and others in the United Kingdom have formed partnerships and developed various Toolkits. These serve as consolidated and comprehensive guidance tools, and are meant to foster multi-sector partnerships and assist communities in responding to various crime problems, such as street crime and robbery, domestic burglary, and rural crime. [www.crimereduction.gov.uk/toolkits]

The Eisenhower Foundation in the United States focuses on building the capacities of non-profit inner city organizations, in order to enhance the skills, knowledge, and actions of neighbourhood-based social development strategies. By providing technical assistance in organizational management, personnel management, staff development, fundraising, financial management and more, the Foundation aims to promote grassroots organizations as models for future replication of what works in improving the social conditions of disadvantaged neighbourhoods. [www.eisenhowerfoundation.org]

Crime Concern and NACRO, UK
Bristol University, UK
European Forum on Urban Safety, France
Tool kits, UK
National Crime Prevention Council, USA
Eisenhower Foundation, USA

Success requires data and evaluation. Establishing data systems to help manage crime prevention and to allow communities to assess their needs and measure their progress also plays an important role in knowledge-based prevention. Mapping of crimes known to police is now available in many developed and developing countries. Santiago in Chile has a particularly sophisticated version. Victimization surveys seem expensive but are not only cheaper but more effective than training police officers to keep satisfactory records as Argentina has discovered. It is vital to evaluate the effectiveness of programmes, particularly in countries where the resources are limited. Longitudinal surveys that follow the development of a sample of children from birth to adolescence provide critical information for policy making. The list includes:

Crime mapping, available in developed and developing countries
Victimization surveys, Argentina
10% of funds for evaluating crime reduction programme, The Netherlands
10% of funds for evaluating crime reduction programme, UK
National longitudinal survey on children and youth, Canada

IV. CONCLUSION

A great deal of knowledge about effective crime prevention has emerged from systematic analysis, planning and evaluation of strategies in countries such as the United Kingdom. Further knowledge has been gained from various scientific examinations of the multiple factors associated with crime, and interventions most effective in addressing these factors. Such initiatives have shown what reduces crime, what doesn't, what appears promising, and what is most cost-effective.

The UN Guidelines emphasize the need to generate, share, and harness this international knowledge base, while also striving to acquire nation-specific knowledge as a means of ensuring responsible and effective crime prevention tailored to the needs of individual communities. We have seen that for success that countries must improve.

1. Police must give priority to crime reduction rather than enforcement, particularly by using indicators that measure crime trends such as victimization surveys.
2. Police agencies must use planning and strategy at the command level, set targets in terms of crime reduction, and use tactics focused on repeat offender, victim and location considerations.
3. Planning must select targets that are amenable to enforcement and collaborate with other agencies able to tackle the underlying causes.
4. City wide planning that mobilizes the key agencies - schools, social services, families, police and so on - around a diagnosis, plan, implementation and evaluation process is critical to sustained success.
5. Successful prevention requires specific training, coaching and data.

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EFFECTIVE MULTI-AGENCY SYSTEMS FOR EFFECTIVE URBAN CRIME PREVENTION

Role of the Community in the Integrated Approach (multidisciplinary approach) and Establishment of an Effective Multi-Agency Cooperation and Collaboration System for Urban Crime Prevention

*By Prof. Irvin Waller**

I. REVIEW OF KNOWLEDGE BASE AND INTERNATIONAL NORMS

At the beginning of the twentieth century, the laws and policies called for juvenile delinquents to be rehabilitated or cured by social workers, probation officers and child care workers. But the legislators never invested in the programmes to rehabilitate young offenders. So unfortunately by the 1970's rehabilitation was assumed to have failed.

This failure of rehabilitation was used by populist politicians to invest more in being "tough on crime". They wanted young persons to be prosecuted for a discrete offence, defended by a lawyer, and if found guilty, punished to the full extent of the law.

Statistical studies on large samples of young offenders in the USA, England and many other countries have evaluated whether a sentence of prison, service in the community or probation stops the juvenile from re-offending. In sum, they do not.

However, the studies do show that fifty per cent or more of the typical young offenders are reconvicted within three years of their original conviction. Those that are reconvicted tend to come from worse family situations and have done less well in school.

They also show that the nature of the sanction does not make any difference, unless it includes one of those few programmes "carefully designed to target the specific characteristics and problems of offenders that can be changed" (Sherman, 2002, 351). The number of police officers or the severity of court sentences do not figure among the factors that affect whether a youth will stop offending – indeed the more a youth is arrested or in front of a court, the more likely he is to the more-offend in the future.

Overall the conclusions about the effectiveness of corrections could be summarised as follows that corrections will contribute to reduced crime and victimisation through:

- Investment in programmes that divert offenders from prison to community programmes that are adequately resourced and known to tackle successfully the causes of violence and alcohol use.
- Marginal decreases in rates of crime achieved by massive increases in the number of persons incarcerated. In the USA, increasing the incarceration rate by 250% from 1974 to 2004 is estimated to have decreased the crime rate by 35% - but at costs exceeding \$20 billion - enough to provide a job to every unemployed youth or childcare for the poor that would have had a much larger impact on crime rates.
- A few correctional programmes that have reduced recidivism by small proportions, though most correctional agencies resist investment in programmes that work.

The accumulation of prestigious reviews which repeatedly recognize the effectiveness of prevention conclude that:

- Tackling particular social causes (inconsistent parenting, school abandonment, and so on) reduces offending.
- Tackling particular situational determinants (lack of surveillance, ease of turning into cash and so on) reduces victimization.
- Using enforcement must be strategic or in partnership to work (using GIS, intelligence, accountability).

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- Where costs are evaluated, tackling causes is significantly more cost effective than current policing, judicial and particularly prison practices.
- Social prevention projects lead to additional benefits (school completion, jobs, paid taxes and so on).

Large scale scientific studies identify the experiences in early childhood, the pre-teen years and adolescence that preceded involvement in offending. Data were collected from doctors, schools, peers and so on before the youth started offending.

Most young persons will commit acts occasionally that are prohibited under criminal codes. They may shoplift, use substances that are prohibited or even joyride in cars without permission. This behaviour is considered a normal even if worrying part of adolescence. Usually, they continue in school, sports and in their peer group in at least average ways.

These studies have shown that a small group of individuals (5 to 10 percent) account for most offences (50 to 70 percent) committed each year. This sub-group is often referred to as persistent offenders. This behaviour gets them in touch with the police frequently. They tend to grow up with negative family and school experiences, such as parents who were inconsistent and uncaring towards them, living in poverty that is worse than those around them, and facing difficulties in completing school. The conclusions are similar to what a police officer or prosecutor would conclude from looking at the bulk of the cases going through their hands.

- 5% of youth account for 55% of offences
 - Longitudinal studies confirm 5% risk factors such as relative poverty, ineffective parenting and dropping out of school
- 4% of victims account for 44% of victimisation
 - Victimization studies confirm 4% risk life routines such as not guarding goods, vulnerable to opportunity, close to offenders
- Hot spot locations for drugs and other offences
 - Police statistics confirm that hotspots concentrate offenders and victims geographically

The studies have been able to conclude that youth exposed to any or all of the following conditions are more likely to commit delinquent acts than those who are not:

- Born into a family in relative poverty and inadequate housing;
- Brought up with inconsistent and uncaring parenting;
- Limited social and cognitive abilities;
- Presenting behavioural problems in primary school;
- Excluded from, or dropping-out of, school;
- A witness or victim of intra-familial violence;
- Frequently unemployed and with relatively limited income;
- Living with a culture of violence on television and in the neighbourhood.

The overall list of established causes should be important for efforts to solve youth offending. It implies that sectors, that can tackle these problems such as housing, social services, schools, police and so on, should be able to reduce youth offending.

Various innovative projects have been established along these lines. A few of them have been evaluated scientifically by comparing children who experienced the programme to similar children who did not. The results provide strong evidence that investing in children to solve these problems is much more effective than court ordered sanctions such as incarceration. It is the results of some of these projects that are the focus of the next part of this paper.

Bonnemaïson provided the vision where crime will be solved through wise partnerships of schools, local government and policing to tackle these multiple causes. These must use systematic analysis, planning, implementation, and evaluation

The various guidelines have been accepted including the UN Guidelines for Crime Prevention, which include:

- Multi-sector partnerships to tackle the multiple social factors associated with crime
- Comprehensive strategies, targeting high risk neighbourhoods and encompassing environmental design

II. INSPIRING EXAMPLES OF PROJECTS

In 1998 the Crime and Disorder Act included sections to create the *Youth Justice Board* (YJB) which is a permanently funded public body mandated to prevent crime and re-organize the youth justice system by using evidence on effective practice. The prevention, intervention, and rehabilitation strategies of the YJB are knowledge-driven, and follow a process of systematic analysis, planning, implementation, and evaluation.

The antecedents to the YJB are important as they show that the government was interested in using its funds carefully and committed to implementing change.

- In 1994, the audit report concludes that paying for police and criminal justice was *Misspent Youth*.
- In 1998, the government passes the trail blazing Crime and Disorder Act which establishes the Youth Justice Board to implement effective pre-crime prevention.
- In 2003, an audit of its flagship youth prevention programme concludes that youth offending is reduced by more than 50% in 70 communities.

Crime prevention is a permanent part of the youth justice structure of the United Kingdom. Resources allocated to prevention are used to identify and promote various strategies that are known to be effective in reducing crime. The YJB sets out to achieve specific short and long-term crime reduction goals, and invests a portion of its funds toward the quality of implementation and the evaluation of its efforts in crime prevention.

The “Youth Inclusion Programme” is a prime example of the YJB’s knowledge-driven practice. For this national programme, the YJB funded an independent group called Crime Concern to focus on the 50 most at-risk youth aged 13-16 in 70 of the most difficult neighbourhoods. The youth are provided with 10 hours a week of activities, including sports training, in information technology, mentoring, and help with literacy and numeracy issues. The Programme also includes assistance in dealing with violence, drugs, gangs and personal health. I mentioned Crime Concern in my first paper and I will have more to say in my section on implementation below.

One of the YJB’s goals is to achieve an overall 30% reduction in youth offending in at least two-thirds of the neighbourhoods with a Youth Inclusion Programme. The YJB set aside 8% of the Youth Inclusion Programme costs to ensure the quality of its implementation, and 6% for the evaluation of the project nationwide.

A preliminary evaluation of the Youth Inclusion Programme reports a 65% reduction in youth arrests, a 27% reduction in youth removed from schools, and a 16% reduction in overall crime. The Youth Inclusion Programme clearly illustrates the reductions in crime and victimization that can result from the leadership of a governmental crime prevention responsibility centre dedicated to effective practice.

The programme costs about \$5,000 per place per year. Coincidentally, this is the cost of taking a young offender through the youth justice system for one offence.

The Youth Justice Board used the results from the evaluation to expand the programme to more than 100 neighbourhoods and start an equivalent programme with youth aged 8-13.
[www.youth-justice-board.gov.uk]

Crime Concern meets the challenges from the Youth Justice Board to reduce youth arrests by 65% and general crime by 16%.

- Locates 50 most at risk youth aged 13-16 in each of 70 of the most difficult neighbourhoods
 - 10 hours a week focused on sports, training in information technology, mentoring, help with literacy and numeracy, and coping with violence, drugs, gangs and personal health
 - cost about \$5,000 per place per year
 - Targets
 - 60% reduction in youth arrests
 - 30% general reduction in crime
 - 30% reduction in youth removed from schools.
- | Targets | Outcome |
|----------------------------------------------|---------|
| 60% reduction in youth arrests | 65% |
| 30% general reduction in crime | 16% |
| 30% reduction in youth removed from schools. | 30% |

The Youth Justice Board used the results from the evaluation to expand the programme to 140 neighbourhoods and start an equivalent programme with youth aged 8-13.

One important primary source used by most of the prestigious reviews is Del Elliott's "Blue Prints" programme at the University of Colorado at Boulder, which has identified eleven of the most effective early childhood and youth programmes for reducing delinquency.

In 1996, the Centre for the Study and Prevention of Violence (CSPV), with funding from the Colorado Division of Criminal Justice and the Centres for Disease Control (and later from the Pennsylvania Commission on Crime and Delinquency), initiated a project to identify ten violence prevention programmes that met a very high scientific standard of *programme effectiveness—programmes that could provide an initial nucleus for a national violence prevention initiative*.

Their objective was to identify truly outstanding programmes, and to describe these interventions in a series of "blueprints". The practical descriptions set out the theoretical rationale, the core components of the programme as implemented, the evaluation designs and results, and the practical experiences programmes encountered while implementing the programme at multiple sites.

The blueprints would allow states, communities, and individual agencies to: (1) determine the appropriateness of this intervention for their state or community; (2) provide a realistic cost estimate for this intervention; (3) provide an assessment of the organizational capacity needed to ensure its successful start-up and operation over time; and (4) give some indication of the potential barriers and obstacles that might be encountered when attempting to implement this type of intervention. (Elliott, 2002)

There are now eleven model programmes which have met these rigorous selection criteria. In addition, a number of programmes met some of the criteria and were designated promising programmes. The Blue Prints web site (Elliott, 2002) contains considerable information on each of the programmes.

The Blue Prints projects at the early childhood and in primary school level include:

- Sending nurses to *visit homes* of new mothers who are at risk, such as young single mothers, of low socio-economic background and weak school achievement. The aim is to improve their parenting skills by assisting with infant health and development problems as well as strengthening the mother's support network and development.
- Developing *emotional skills* for primary school children so that they can understand, express and regulate their emotions. *PATHS* is one model programme. Another is the *Incredible years*.
- Using pre-school and other programmes to increase the cognitive and social abilities of children, particularly in underprivileged socio-economic surroundings.
- Increasing support and respite for parents.

The Blue Prints projects at the teenage - secondary or high school – level include:

- Fostering adult *mentors* who can develop a caring relationship with youth aged 6-18 from single parent families reduces youth crime. Big brothers, big sisters are the best known example of this programme.
- Reducing *dropping out* from school for small groups of disadvantaged teens reduces delinquency and violence. Quantum Opportunities provided education and development coupled as well as a sustained relationship with a peer group and a caring adult over the four years of high school. It focused on youth at risk from poor families and neighbourhoods to graduate from high school and attend college.
- Preventing *bullying* by changing the social climate at the school to increase awareness and make appropriate responses through involving students, teachers, and parents. It enforces rules and assists both victims and bullies.
- Avoiding *drug abuse* from primary to secondary school by training students in *life skills* and providing information and skills to avoid drug use. The *Midwestern Project* tackles parent, school, media, community organization and health policy to reduce adolescent drug use.

A further group of Blue Prints deal with chronic and violent juvenile offenders:

- Helping parents to deal with specific factors in their family life, such as the family, peer, school and neighbourhood, that contribute to poor school performance, deviant peers and crime. *Multi-systemic Therapy* is one model programme. *Function Family Therapy* is another which also emphasises using outside system resources.

- Providing *foster care* as an alternative to incarceration, which provides structured and therapeutic living with foster parents

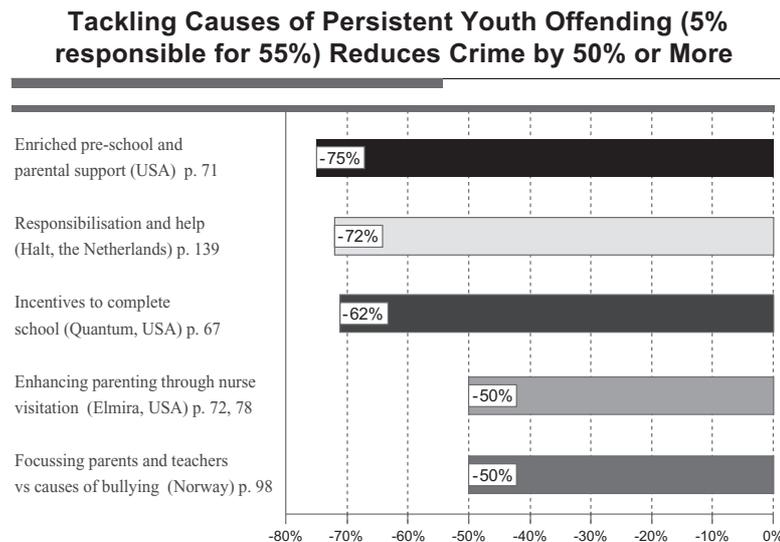
When treating young children and their parents, the following interventions have proved useful:

- Visiting at-risk families at home to improve parenting skills (particularly of young, single, low income mothers with limited schooling).
- Increasing support and assistance for parents.
- Using preschool and after-school programmes to increase the cognitive and social abilities of children, particularly in underprivileged social environments.

The following interventions are used with school-age children:

- Improving cognitive and social skills through at-home visits by teachers and structured recreational and cultural activities.
- Providing incentives to complete secondary studies by offering educational and financial assistance.
- Improving self-esteem and social integration capacity through neighbourhood programmes such as Big Brothers/Big Sisters and Boys & Girls Clubs.
- Offering on-the-job training and opportunities.
- Organizing school and after-school activities to decrease violent behaviour.
- Working with families of first time youthful offenders to decrease domestic dysfunction.

Governments and communities that tackle the established causes of the concentrations of crime achieve reductions such as those demonstrated in the following chart for the social causes.



Promising results for individual prevention projects in the USA, the Netherlands and the UK have been confirmed by thorough evaluations and demonstrate that crime can be reduced. Though the USA has made little use of its research to multiply effective projects, it is a rich source of extensive blue prints for ways to intervene with teenagers, pre-teens and young children to reduce everything from persistent offending to school bullying.

A recent study was completed on the impact of an early childhood project in Chicago on the lives of 989 children born in a disadvantaged suburb of Chicago. The study compared the 989 children with a comparison group of 550 born in the same neighbourhood. 17% of those who attended the child parent centre had been arrested by age 20 compared to 25% of the comparison group. So the Child Parent Centre contributed to a 32% reduction in arrests.

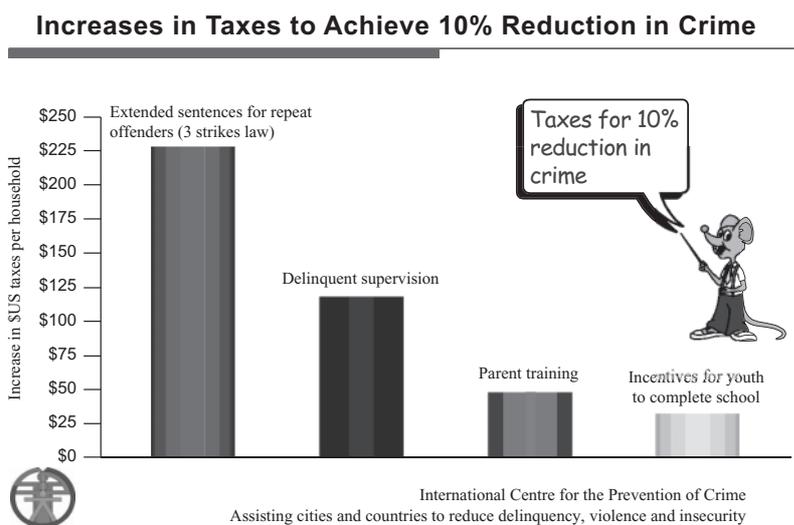
The knowledge available goes beyond what has been shown to reduce crime and victimisation. We also

have some useful information about the comparative costs and benefits of different strategies and some of this information is being used to decide large investments by governments in strategies to reduce crime. Some is being used to avoid litigation as we shall see in the USA in later chapters.

The analysis underlying these conclusions can be illustrated by the cost benefit analysis of the Chicago Child Parent Centre. (Reynolds et al., 2002) The average cost of the programme per child was \$6,730. Benefits were demonstrated of \$25,771 made up of \$4,000 to \$7,000 for each of four sectors. For instance, \$7,200 additional taxes were paid. Similar benefits were identified for the reduction in losses to victims, decreased costs for policing and criminal justice, and less need for remedial services.

When these sectoral benefits are aggregated, they represent a benefit of \$3.83 for every dollar invested. For the 1000 children in the study this is \$26 million which is impressive enough. But for the total of 100,000 children who have passed through this programme, this represents \$2.6 billion in benefits. The taxes are real production, but the benefits to remedial services and criminal justice represent freeing these services for other purposes rather than actual savings to taxpayers.

These savings far exceed those from detention. Rand has already shown that for a 10% reduction in crime, taxes would need to be increased US \$250 per household for incarceration, yet only US \$50 for assistance with school completion and US \$35 for family training (ICPC, 1999a).



In addition, investments in crime prevention through social development provide other social benefits as shown for the Chicago Child Parent Centre.

III. THE ROLE OF LOCAL GOVERNMENT

City wide crime will be solved through joint work of schools, local government and policing to tackle multiple causes.

In France, reports from the Mayors' Commission chaired by Gilbert Bonnemaïson have inspired the creation of over a thousand local government Community Crime Prevention Councils to tackle problems of urban planning and youth delinquency. Headed by the Délégation interministerielle à la ville (DIV; Inter-ministerial secretariat to the city), the Councils receive local safety contracts, which require municipalities to perform safety audits involving resident participation and consultation. The contracts further require the implementation of a rigorous action plan, along with the evaluation of actions taken. [www.ville.gouv.fr]

Bonnemaison Approach in France

- City crime prevention councils

Federation of Canadian Municipalities

- Primer gives an explanation on how to

White Paper on Safety and Security, South Africa

Habitat - Safer Cities

Crime and Disorder Act, UK

- requirement of cities and police services to collaborate in inter-agency strategy with schools, social services □

Neighbourhood renewal unit, UK

In 1998, the UK adopted the landmark Crime and Disorder Act, requiring every local government to establish a permanent committee jointly chaired by a senior manager from the city and the police service. The committee must create a permanent responsibility centre to bring together police services, municipal government, schools, social services, and so on, ensuring a multi-sector approach to community safety. The committee must examine the crime problems faced by the city and prepare an appropriate strategy to respond to them. Cities hire skilled staff to prepare the diagnosis for the committee and implement the plan. Many of these plans are available to the public over the Internet for comment, and all strategies must include some type of evaluation. Agencies such as Crime Concern and NACRO (see first paper), which were established to provide technical assistance and coaching to those implementing crime prevention, assist local governments in ensuring the success of this process.

The city of Brent is one of 350 communities in the UK to provide core funding for crime prevention planning that is separate from policing. With a population of 250 000, Brent receives \$650,000 in core funding, allowing them to plan for crime prevention through systematic crime analysis, community mobilization, and project proposal. Brent receives another \$800,000 in project funds to implement and evaluate community-based efforts. At the municipal level alone, this represents a cost of \$6 per resident. [www.brent.gov.uk/crimezone]

Recognizing the important role that local governments play in ensuring community safety through crime prevention, City leaders across Canada have taken these matters into their own hands. The Federation of Canadian Municipalities has produced a primer that guides municipal leaders on how to implement these strategies. The City of Toronto adopted a *Municipal Community Safety Plan* in 2004 balancing enforcement and prevention to address increases in gun violence and youth crime.

- a *Mayor's Advisory Panel on Community Safety* was created - comprising the Mayor, city councillors, school board officials, provincial and federal representatives, the Attorney General of Ontario, judges, business people, youth, citizens, media - to coordinate a multi-sector strategy to tackle the root causes of crime in Toronto.
- At-risk neighbourhoods will benefit from increased resources and support, and efforts will focus specifically on guns, gangs, and increasing economic opportunities.
- A *Community Safety Secretariat* will co-ordinate, implement, and evaluate the Panel's plans and initiatives.

Since 1982, the City of Montreal annually invests \$1.50 per resident for *Tandem Montreal*, a city agency that integrates, coordinates, and financially supports local crime prevention initiatives based on "what works" to prevent crime.

- With a current budget of around \$1.5 million, Tandem focuses on improving home security and safety for children, youth, women, and the elderly, with particular attention to at-risk neighbourhoods.
 - Tandem's success has been exemplary in Canada, with a 50% drop in home burglary in Montreal since 1982.
 - Tandem funded and supported "Little Burgundy's Neighbourhood Coalition", which reduced overall crime by 46% and violent crime by 45% for that particular high crime neighbourhood.

IV. COUNTRY WIDE INSTITUTIONAL FRAMEWORK TO MAINTAIN CRIME PREVENTION

The UN Guidelines for Crime prevention call for a permanent and funded responsibility centre for prevention. Based on scientific knowledge of "what works" in reducing crime, this entity provides the leadership for creating and co-ordinating crime prevention strategies and partnerships, while also seeking

active public participation.

As a permanent part of crime policy and programming, this centre has a voice that is equal to the other three pillars of crime control (police, courts, and corrections). It has adequate resources to ensure that crime prevention programmes are sustained to produce significant long-term reductions in crime and victimization.

On an international level, examples of government action in Sweden, Australia and the United Kingdom, for example, show how jurisdictions have implemented more developed crime prevention plans through proper legislation, funding, and a dedication to research and evaluation. These strategies benefit from adequate funding, and provide clear accountability for programming, coordinating, and evaluating crime prevention initiatives that are successful in demonstrating the achievement of planned results.

In Sweden, the National Council for Crime Prevention is a permanent agency established by legislation in 1974. It aims to reduce crime through the implementation of crime prevention strategies at both the local and national level. Following a review of its activities, it was re-organized in the 1990's to cover crime response as a whole. The success of this Council is largely attributed to its permanency, and to its strong and well-funded research and evaluation component. [www.bra.se/web/english/]

In Australia, Crime Prevention Victoria is the successor to a series of multi-sector crime prevention strategies that have evolved over the last decade. Responsible for co-ordinating the crime prevention aspect of the Growing Victoria Together policy, this entity ensures that governments and local key players (police, school, public health, etc.) work in partnership to address the underlying causes of crime. Its priorities are to improve safety on the streets and in homes, and to reduce the incidence of crime and violence among youth. Funding is expended towards local professional development, sustaining successful programmes and evaluating experimental strategies. Similar entities exist in South Australia, New South Wales and Queensland. [www.justice.vic.gov.au]

National Crime Prevention Board, Sweden
 National Crime Prevention Centre, South Africa
 Youth Justice Board, UK
 Crime Prevention Victoria, Australia
 National Crime Prevention Strategy, Canada

The funds available to these boards are also critical. Annual budgets of country wide efforts to invest in prevention vary from less than 1% to nearly 5% of expenditures on law enforcement and criminal justice. A good guideline is spend 5% of CJS expenditures on prevention.

In France, the Délégation interministerielle à la ville (DIV; Inter-ministerial secretariat to the city) was established to promote multi-sector approaches to tackle problems of urban planning and youth delinquency. As a result, over a thousand local governments have created a Community Crime Prevention Council to provide leadership in fostering partnerships between school boards, police, social services, community groups, sports agencies, and so on. Typically the local government will have one or more employees to support and co-ordinate the work of the Council. These Councils diagnose the local crime situation and propose appropriate activities to tackle the particular causes of crime. The DIV also funds a number of national programmes such as summer camps, community justice centres and community policing. [www.ville.gouv.fr]

In the United Kingdom, the Prime Minister launched the Social Exclusion Unit (SEU) in 1997, a multi-sector approach to reduce social exclusion by tackling crime and improving housing, education, unemployment and health conditions at the local level. The inter-departmental programme has established Units in some of the most high-risk estates of the UK. Efforts focus on making sure everyone has access to mainstream services while also reintegrating those who have fallen through the cracks. The Units benefit from significant and sustained funding, and SEU evaluations show positive impacts such as a 66% reduction in people sleeping on streets at night, a 33% reduction in children excluded from school, and the successful placement of over 17,000 youth previously not involved in school, training or employment. As part of the SEU, a newly established Children's Fund, with a budget of over \$1 billion, will fund local services to increasingly prevent the social exclusion of children and youth. As a parallel project, the UK Department of

Health has invested significant funds in a programme called Sure Start to specifically help young children and families in difficulty. [www.socialexclusionunit.gov.uk/]

Also parallel to the Social Exclusion Unit of the UK, the federal Neighbourhood Renewal Unit (NRU) was created to narrow the gap between deprived neighbourhoods and the rest of the country. The goals of the NRU are to tackle the many core problems that contribute to deprivation, such as weak economies and poor schools. To this end, around \$4.5 billion was invested over four years in multi-sector Neighbourhood Renewal Teams to improve local services and conditions in 88 of the most deprived estates of the UK. As a comprehensive strategy, the NRU also funds and implements Neighbourhood Warden Teams, who work closely with residents, police and local organizations to reduce individual deprivation and anti-social behaviour. The NRU further funds other national partnership programmes, such as the Neighbourhood Management Pathfinders, who are responsible for testing new ways of effectively delivering multi-sector services at the local level. In its dedication to effective practice, the NRU also has a Research and Development Branch, as well as a Skills and Knowledge Branch. [www.neighbourhood.gov.uk]

Integrating Crime Prevention into Social Development
Interministerial secretariat on the city, France
Neighbourhood Renewal Units, UK
Safer beginnings, safer futures, Canada
Nurse visitation programmes, e.g. Hawaii, USA
Success requires public support

V. CHALLENGE OF IMPLEMENTATION

Among the prerequisites for effective implementation of preventive measures are the following:

Visibility

- Multiply victimisation and longitudinal surveys
- Public awareness – media, “years”, school curricula

Capacity

- Invest massively at all levels in prevention training - handbooks

Ownership

- Promote municipal and school co-ownership with police

Intersectoral action

- Create responsibility centres at all government levels to mobilise schools, social services, police, parents and others

Effective government

- Shift investment from law and custody to prevention
- Require accountability for outcomes (not outputs)

VI. WORLD REPORT ON HEALTH AND VIOLENCE: IMPLEMENTATION STEPS

- Increasing the capacity for collecting data on violence
- Researching violence – its causes, consequences and prevention
- Promoting the primary prevention of interpersonal violence
- Promoting social and gender equality and equity to prevent violence
- Strengthening support and care services for victims
- Bringing it all together – developing a national plan of action

VII. CANADIANS BELIEVE

- The best examples of crime prevention are support for children and parents (31 per cent), recreational activities for youth (20 per cent), community policing (20 per cent) and educating families on avoiding victimization (14 per cent) - Ekos Research Associates, 2000.
- Eighty seven per cent of Canadians believe that police, government and community groups working together are in the best position to successfully implement crime prevention - Ekos Research Associates, 2000.
- Seventy one per cent of Canadians believe that crime prevention is more cost effective than law enforcement - Ekos Research Associates, 2000.

In California, the public belief in prevention was put to the test in proposition 36. With 61% in favour, the proposition was adopted showing that the public is indeed in favour of prevention when given the facts.

- Substance Abuse and Crime Prevention Act (Proposition 36)
- Passed by 61% of California voters on November 7, 2000
- Initiative allows:
 - first- and second-time, non-violent, simple drug possession offenders
 - to receive substance abuse treatment in community instead of incarceration
- Initiative allocates \$120 million annually for five and a half years to pay for treatment services
- Public awareness campaign
 - 70% reduction in violent recidivism
 - \$19,000 per offender less in costs
 - \$7 in collateral benefits for every \$1
 - Avoid \$300 million cost of prison

VIII. CONCLUSIONS

Comprehensive crime prevention strategies – led and organised by crime prevention board at each critical level of government – will lead to a quality of life where rates of crime have been reduced significantly below international norms without any unwarranted increase in taxes and with a better use of present social and criminal justice policy dollars.

This requires legislation to assure the permanency and sustainability of the lead crime prevention entity as well as the investment of 5% of enforcement and criminal justice dollars, so that it can do the diagnosis and planning as well as foster the implementation and evaluation of the measures that are needed.

It will need to use what has been tested and shown to reduce crime and elsewhere as well as capacity development, better data and so on. The following overviews some of the elements discussed above that would form part of the business plan to reduce crime and victimization, avoid considerable annual losses due to crime and improve the quality of life.

Business plan for Prevention that will reduce crime and its costs by 50% in the next ten years

1. Consolidate national, state and local government centres to
 - Spearhead shift to solving crime
 - 5% rule.
2. Main stream well planned crime prevention into policing, schools and local government and set targets.
3. Invest immediately in human skills to implement well planned crime prevention at State and local level.
4. Ensure basic data such as victimisation, longitudinal, offender based and comparative co-benefit.
5. Communicate to public what works and targets will be set
6. Balance efforts to tackle common crime, intra-familial violence and high need communities – start with quick hits.

Results are less crime, less costs and a better future for youth.

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COMPSTAT MANAGEMENT IN THE NYPD: REDUCING CRIME AND IMPROVING QUALITY OF LIFE IN NEW YORK CITY

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I. INTRODUCTION

One of the most remarkable stories and most discussed topics in contemporary American law enforcement and throughout the criminal justice field is the tremendous decline in crime achieved in New York City since 1993. Indeed, the number and rate of major felony crimes in New York City have declined at unprecedented rates for the past thirteen consecutive years, and New York City continues to be the safest large city in the United States (City of New York, Mayor's Office, of Operations, 2005).

According to New York Police Department (NYPD) figures, the total number of reported crimes for the seven major crime categories declined an unprecedented 65.99% in 2003 from the levels reported in 1993¹. Only 146,397 of these major crimes occurred in 2003, as compared to 430,460 in 1993, and the 2003 figures represent the lowest annual number of total complaints for the seven major crimes in well over three decades. The overall level of crime in New York City - both in terms of the actual number of crimes and rate of crime - is now at its lowest point since 1963.

One of the most remarkable declines occurred in the Murder category, which fell 68.9% between 1993 and 2003 — from 1,927 murders in 1993 to 598 murders in 2003. As depicted in Table 1, the 598 murders recorded in New York City in 2003 represented more than a 73% decline from 1990, the year homicides reached their historic peak in New York City with 2,245 murders. Robberies fell 69.8% between 1993 and 2003, felony assaults declined 54.3 percent, grand larcenies declined 45.3%, burglaries declined 71.0%, and grand larceny autos and forcible rapes respectively declined 45.3% and 41.8% (NYPD, 2005).

While final year-end data for 2004 were not available at the time this article was written, NYPD data demonstrate that crime continued to decrease in 2004. Data for 2004 through December 12 (that is, for the first fifty weeks of 2004) was available, and it shows that the number of murders in New York City for that period, as compared to the same fifty-week period in 1993, declined 70.3 percent; the number of reported Rapes declined 45.7% from the same period in 1993, and Robberies fell 72.1% from the comparable 1993 period. Felony Assaults dropped 56.3%. In terms of property crimes, the data shows that Burglaries fell 73.6%; Grand Larcenies declined 44.6%, and Grand larceny-Auto (i.e., motor vehicle thefts) plummeted an astounding 81.8%. The total number of reported crimes for these seven major crime categories fell 67.82% for the first fifty weeks of 2004 as compared to the first fifty weeks of 1993.

According to the FBI's Uniform Crime Report (UCR) data for 2003 (FBI, 2005), New York City's rate of Index Crimes per 100,000 population ranked 211th of the 230 American cities with a population over 100,000 in 2003. This showed a great improvement over the first 6 months of 1996, when New York City

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¹ The seven crimes that collectively comprise the Federal Bureau of Investigation's (FBI) Uniform Crime Reports (UCR) Index are Murder and Non-Negligent Manslaughter, Forcible Rape, Robbery, Aggravated Assault, Burglary, Larceny-Theft, and Motor Vehicle Theft. The total number of reported crimes in these categories comprise the UCR Index; the crimes of Manslaughter and Non-Negligent manslaughter, Forcible Rape, Robbery, and Aggravated Assault comprise the UCR Violent Crime Index subset; and the total number of reported crimes in the Burglary, Larceny-Theft, and Motor Vehicle Theft categories comprise the UCR Property Crimes Index subset. UCR data, which are based on offence categories and definitions collected from police agencies in all fifty of the United States, provide a basis for comparing data across jurisdictions and they are slightly different than the New York State Penal Law crime definitions utilized by the NYPD's Compstat system. Although the UCR definitions and the New York State Penal Law definitions vary slightly, the differences are slight and the two measures are roughly comparable.

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ranked 144th, and a vast improvement over the comparable 1993 period, when it ranked 87th of 181 large cities. By way of comparison, St. Louis's crime rate in 1999 was 240% higher than New York's; Orlando's was 238% higher; Atlanta's was 229% higher; Flint, Michigan's was 164% higher; Salt Lake City's was 151% higher; Washington, D.C.'s was almost 94% higher; and Denver's was almost 30% higher than New York City's 1999 crime rate (City of New York, Mayor's Office, 2000).

Among the ten largest American cities, New York's rate of 4,291.8 total Index crimes per 100,000 population ranked it tenth - the safest. Such 'big ten' cities as San Diego (4,237.6 Index crimes per 100,000), Los Angeles (4,819.2), Philadelphia (5,450.2), Las Vegas (5,783.3), Houston (7,056.5), San Antonio (7,548.7), Phoenix (7,654.8), Detroit (8,683.4) and Dallas (9,244.2) have total Index crime rates exceeding New York's, and it should be noted that five of those cities have Index crime rates more than double New York's (City of New York, Mayor's Office, of Operations, 2005).

It should also be clearly noted how favourably New York City's rate of major offences per 100,000 population compares to that measure of crime in Japan and in other highly industrialized and urbanized nations. While it is notoriously difficult to make fair and objective comparisons using international crime data, figures obtained from a statistical compendium issued by Japan's Ministry of Internal Affairs and Communications (Japan in Figures, 2005) show that Japan as a nation experienced a rate of 2,187 major offences per 100,000 population in 2003. The crime rate for major offences in France is reported at 6,880 per 100,000, the crime rate in Germany is reported at 7,736 per 100,000, the crime rate in the United Kingdom is reported at 10,608 per 100,000, and the rate for the United States as a whole is reported at 4,161 per 100,000 (Ministry of Internal Affairs and Communications, 2005). New York City's crime rate of 4,291.8 total UCR Index crimes per 100,000 population is thus about double the rate for Japan, but considerably lower than the rate for any of the other highly industrialized and urbanized nations cited.

The FBI's UCR statistics show that crime has been falling in large American cities across the nation over the past few years, but New York City's decline in reported crime has been significantly greater - in all crime categories - than the national or major city averages. New York City's crime decline not only has surpassed the national average reduction but actually pulled the national averages down. Between 1993 and 1999, for example, the UCR data show that the number of murders and non-negligent manslaughters occurring in U.S. cities with a population over 100,000 (excluding New York City) fell 37%, whereas these crimes fell 66% in New York City. The 36% drop in New York City's aggravated assaults was nearly twice the national average decline (19%). Robberies in these cities fell 35% between 1993 and 2000, but fell 58% in New York City. New York City's decline in the forcible rape category (40%) was more than double the decline in other cities (17%), and New York City's 59% decline in burglary was also more than twice the national average decline (26%). New York City's 65% reduction in motor vehicle thefts over this period was more than double the 24% national decline, and its 40% drop in larceny theft was almost quadruple the national big-city decline of 11%. While the overall Total Index Crime in cities with a population over 100,000 (excluding New York City) fell 17% between 1993 and 1999, New York City's Total Index Crime reduction was an astounding 50.1% (City of New York, Mayor's Office, 2000).

Murder is often regarded as the bell-wether crime, insofar as its seriousness and the degree of violence associated with it captures the public imagination. Here again, New York has achieved remarkable reductions. Of the ten largest American cities, New York's murder rate of 7.4 murders per 100,000 population ranks third - slightly behind San Antonio (7.1 per 100,000) and San Diego (5.1 per 100,000). The fourth and fifth-ranked cities in this category, Los Angeles and Houston, respectively had 2003 murder rates (13.4 per 100,000 and 13.6 per 100,000) nearly double that of New York. The disparity in 2003 murder rates increases dramatically when we compare New York to the remaining 'big ten' cities of Phoenix (17.2), Dallas (18.2), Chicago (20.4), Philadelphia (22.8), and Detroit (38.0). Thus the actuarial probability of being murdered in the three cities in this category with the highest murder rates are, respectively, 2.75 times, 3.1 times, and 5.1 times that of the probability of being murdered in New York (City of New York, Mayor's Office, of Operations, 2005).

The quality of life enjoyed by those who visit and live in New York City has also improved tremendously over the past decade, and there is a palpable positive change in the sense of safety and civility throughout the city. The vastly improved quality of life, in conjunction with tremendous decline in serious crime, has dramatically improved the city's public image. Although quality-of-life indicators are much more difficult to quantify than reported crimes, it is clear that New Yorkers see less graffiti, encounter fewer hooligans with

loud “boom-box” radios, and are far less frequently accosted by aggressive panhandlers and “squeegee pests” than they were just a few years ago. Not only do New Yorkers have a much lower actuarial likelihood of becoming a crime victim, but they feel safer as well.

One quantifiable indicator of improved quality of life in New York is the steadily-decreasing number and rate of arrests for narcotics offences, since these data typically represent the impact of sustained police attention in reducing the number of narcotics dealers operating on the city’s streets. In Fiscal Year 2000, the NYPD effected a total of 136,647 arrests (39,414 Felonies, 96,050 Misdemeanours, and 1,183 minor Violations) for narcotics offences. These figures declined to 122,253 total narcotics arrests in FY 2001 (36,289 Felonies, 84,683 Misdemeanours, and 1,281 minor Violations), 99,970 total narcotics arrests in FY 2002 (27,745 Felonies, 71,442 Misdemeanours, and 783 minor Violations), and 103,356 total narcotics arrests in FY 2003 (27,725 Felonies, 74,867 Misdemeanours, and 764 minor Violations). In FY 2004, the NYPD effected 96,965 total narcotics arrests, including 26,161 Felonies, 70,140 Misdemeanours, and 664 minor Violations (City of New York, Mayor’s Office, of Operations, 2005).

Another indicator of enhanced public safety and improved quality of life in New York City is the number of crimes taking place within schools, and here again, significant declines have been realized. There were 1,778 reported Index crimes in schools in FY 2000, 1,575 in FY 2001, 1,341 in FY 2002, 1,214 in FY 2004, and 1,365 reported Index crimes in FY 2004. The number of gang-related criminal incidents reported to the police declined by almost two thirds between FY 2000, when 1,763 such incidents were reported, and FY 2004, when only 611 gang-related criminal incidents were reported (City of New York, Mayor’s Office, of Operations, 2005).

A host of empirical data and anecdotal evidence illustrate the remarkable changes that have taken place in New York City over the past decade, and in large measure these remarkable changes are the result of a revolution in the way the NYPD conducts its business. In this relatively brief period the NYPD has transformed itself from a rather passive and reactive agency that lacked energy and focus to an agency that responds quickly and strategically to crime and quality-of-life trends with an unprecedented vigour. Emerging patterns of crime and quality-of-life problems are identified virtually as they occur, and once they are identified the NYPD reacts immediately and aggressively to address them and does not diminish its efforts until the problem is solved. The NYPD uses timely and accurate intelligence to identify emerging problems, swiftly deploys personnel and other resources to bring a comprehensive array of effective tactics to bear on the problem, and relentlessly follows up and assesses results to ensure that the problem is truly solved. This revolution in the way the NYPD conducts its business is the result of a radically new and thoroughly dynamic police management process known as Compstat.

The Compstat process has attracted a great deal of attention in the local, national, and international media as well as the attention of police practitioners and academics in the criminal justice field. Perhaps because of the many misconceptions and misinterpretations that often surround it, Compstat is one of the most talked-about issues in the field of policing today, and many prominent criminal justice academicians and police leaders are convinced that the innovative and strategic problem-solving processes developed and refined in the NYPD over the past several years are primarily responsible for New York City’s falling crime rates (Kelling, 1995; Kelling & Coles, 1996; Silverman, 1998, 1999). This conviction on the part of a growing number of criminal justice academics and police leaders is evident in the rapid development and growth of Compstat-based management systems in American police agencies - especially in the agencies that have seen the greatest decline in crime. This attention and optimism has not been limited to police and academic criminology circles, however. The NYPD’s revolutionary management control and problem-solving processes have been described in feature articles in *Business Week*, *Forbes*, *the Economist*, *the Wall Street Journal*, *Newsweek*, and a host of other electronic and print media outlets that do not typically cover issues related to police management. Compstat and the new style of results-oriented police management it engenders speaks not only to its effectiveness in reducing crime and improving quality of life, but to the applicability of Compstat management principles in organizations and industries beyond policing. Compstat’s influence is also evidenced by the tremendous number of police executives and academicians who have visited the NYPD to study its innovative management methods and problem-solving activities.

Because it is such an effective and successful management tool, Compstat was named one of five recipients of the prestigious Innovations in American Government Awards in 1996. This prestigious award, conferred jointly by the Ford Foundation and Harvard University’s John F. Kennedy School of Government,

selected Compstat from among 1,500 applicant programmes nationwide as one of the five most innovative and successful initiatives at any level of American government. The Innovations in American Government programme's Web site describes how Compstat involves an interplay of technology, communication, and organizational change, noting that Compstat is:

a system that allows police to track crime incidents almost as soon as they occur. Included is information on the crime, the victim, the time of day the crime took place, and other details that enable officials to spot emerging crime patterns. The result is a computer-generated map illustrating where and when crime is occurring citywide. With this high-tech "pin-mapping" approach, the police can quickly identify trouble spots and then target resources to fight crime strategically. (Innovations in American Government, 1996)

Although other police agencies are now using computers to map crime and improve crime-fighting strategies and methods, the NYPD took one other essential step by undertaking a major management overhaul that brought the city's 76 precinct commanders and top departmental management closer together, enhancing and devolving power, authority, accountability and discretion throughout the organization. This process knocked down traditional walls between patrol officers, detectives, and narcotics investigators that inhibited communication, establishing new avenues and new imperatives for sharing crime strategies and criminal intelligence information. In an agency where isolation, 'turf protection,' and the hoarding of information previously reigned, the NYPD now holds weekly management meetings that bring together a broad spectrum of police officials to intensely review the computer-generated crime data and to strategize new ways to cut crime in specific locations. At these meetings, local commanders and middle managers are held highly accountable for their crime-fighting activities by executives who require them to report on steps they have taken to reduce crime as well as their plans to correct specific crime and quality of life conditions. Also essential to the Compstat process are continual follow-up and assessment of results. Finally, building on its Community Policing orientation, a variety of interested parties ranging from school safety officials to prosecutors are invited to attend and participate in order to help fashion a comprehensive and highly focused response in crime-ridden areas.

Despite the many accolades and attention it has received, Compstat has also been greatly misunderstood as a management system. Compstat has been variously portrayed as a high-pressure meeting between executives and middle managers, as a technology system, as a computer programme, and as a system for sharing important management information. The fact that the Compstat management style involves all of these things (and a great deal more) may account for some of the misconceptions that surround it.

It should be clearly understood that Compstat, per se, is a management process through which the NYPD identifies problems and measures the results of its problem-solving activities. Compstat involves meetings between executives and managers and uses computer-based technology and other technology systems, but these elements are simply components in a much larger system or paradigm of management that has taken hold in the NYPD and, more recently, in other law enforcement and criminal justice agencies. Compstat meetings have been a key element in crime reduction, but they are only the tip of the iceberg - a great deal more goes on behind the scenes to achieve these unprecedented crime reductions and improvements in New York's quality of life. Without this fundamental transformation in the NYPD's organizational structure, culture, and mind-set, the crime reductions and quality of life improvements could never have been achieved.

Strong political support and coordination among other Criminal Justice agencies in New York City have also enhanced Compstat's intrinsic effectiveness as a management tool. Compstat meetings and Compstat technology are two facets of a comprehensive and carefully orchestrated array of management strategies and practices that were implemented throughout the NYPD and other criminal justice agencies to achieve these effective and dramatic results.

Agencies of government - especially criminal justice agencies - should never be conceived of as operating independent of other agencies. Within the criminal justice enterprise, police agencies regularly and flexibly interact with prosecutors, courts, corrections, and probation and parole agencies, and to some extent each of these agencies and all of their personnel are interdependent. If a serious breakdown of communications occurs, or if necessary resources and activities in any sphere of the criminal justice enterprise are not forthcoming, the entire system of justice administration could grind to a halt. In this way, criminal justice

must properly be viewed as an enterprise of government involving the coordinated interaction of numerous spheres of interest, function, and responsibility, rather than as a complex of separate and relatively autonomous agencies each independently pursuing its own goals and agendas.

A schematic depiction of all the lines of communication and interaction among these agencies would resemble a web, with multiple interconnecting lines extending from each agency to every other agency. A great deal of the increased efficiency and effectiveness of the criminal justice enterprise in New York City over the past several years can be credited to the coordination and direction provided by the Giuliani and Bloomberg mayoral administrations, which used their influence over agencies to facilitate enhanced interaction and to achieve results. What was once simply a web of interconnecting lines has come to resemble a network of complementary policies, practices, and strategies that combine to make the criminal justice enterprise in New York City reach a new level of effectiveness.

A simple example of the need for cooperation and coordination among agencies might be when a police department plans to conduct a major crackdown on those driving while intoxicated (DWI) over a holiday weekend. If the police agency arrests a large number of violators but the agencies responsible for detaining, prosecuting, arraigning, and arranging for pre-trial release of arrestees do not have sufficient staff on hand, the police department will encounter serious problems that may backlog the entire system for an extended period. Prior coordination, cooperation, and communication ensure that the system operates with greater efficiency and effectiveness.

One of the most important reasons why Compstat has functioned so well to reduce crime and improve the quality of life in New York City - that is, to make the criminal justice enterprise operate as it should - is that it has enjoyed strong political support. Prior to 1994, mayor David Dinkins presided over a city in which record-breaking levels of crime and disorder were seen, despite an intensive effort to introduce a vision of Community Policing as the dominant philosophy within the NYPD. Crime and public disorder were major campaign issues in the 1993 mayoral election campaigns, and at the beginning of 1994 newly elected mayor Rudolph Giuliani's administration accepted as its mandate the public's demand for a reduction in crime and a restoration of order and civility in a city that appeared to be out of control.

II. THE NYPD'S MANDATE FOR CHANGE

Giuliani appointed William Bratton, the highly regarded former chief of the New York City Transit Police² and several police agencies in his native Boston, as police commissioner. Bratton immediately set about rousing the department's executive corps from their bureaucratic malaise, replacing all but one of the NYPD's five top chiefs in the first few weeks of his administration and assembling a top-notch staff of fairly young but well-seasoned executives who were aggressive risk takers (Bratton, 1998b; Krauss, 1994; McQuillan, 1994). Bratton immediately set the tone for the NYPD's new direction and new mission, announcing his intention to achieve significant crime reductions within his first year in office. Conscientious and dedicated officers who had been frustrated with the old management cadre's complacency and passivity toward increasing crime welcomed new leadership that sought to join them in an aggressive struggle to reduce crime and improve the quality of life throughout New York City.

Bratton and the new executive cadre he assembled immediately made it clear that middle managers - particularly precinct commanders - would be given greater authority, discretion, and organizational power at the same time they would be held more highly accountable for these and other resources they were given. Empowering middle managers and an emphasis on quality-of-life enforcement proved to be essential factors in the NYPD's transformation. Just two weeks after the new administration took office in January 1994, a senior police planning officer commented in the *New York Times* that the new administration would give precinct commanders "direct control over resources to carry out enforcement operations, to address chronic crime locations and suppress the low-level irritants to their communities" (Krauss, 1994, p. B3).

When weekly Crime Control and Quality of Life Strategy Meetings - which became known informally as Compstat meetings - were introduced in January 2004, they were used to identify individual managers'

² At that time, the Transit Police was a separate agency under the jurisdiction of the Metropolitan Transportation Authority rather than the City of New York. Similarly, the Housing Police Department operated under the aegis of the New York City Housing Authority. The Transit and Housing Police Departments were merged with the NYPD in 1995.

strengths and weaknesses, and how effectively they managed their personnel and other resources to reduce crime. These Crime Control and Quality of Life Strategy Meetings evolved quickly into highly refined management accountability sessions as new technology, new forms of statistical analysis, and new crime mapping technology were introduced. The quantity and quality of accountability achieved at these weekly Compstat meetings permitted executives to identify which managers were performing poorly and should be replaced, just as it identified the high performers who should be promoted and given additional responsibility. Within the new administration's first year, more than two thirds of the department's 76 precinct commanders were replaced - either by moving them to positions more suited to their less assertive management style or by promoting them to more challenging positions (Bratton, 1998b; Silverman, 1996). The strategy was to match up particular positions with the commanders who had the requisite skills, experience, expertise, and personality to manage them proficiently.

The shake-up was calculated to reverse the lethargy, passivity, and drift that had previously characterized the NYPD's executives and middle managers, and the new management team immediately began to articulate and demonstrate that the NYPD could achieve unprecedented levels of performance (Buntin, 1999; Chetkovitch, 2000a, 2000b, 2000c).

One of the first substantive steps toward reducing crime was to develop a system for rapidly collecting, analyzing, and disseminating information about the incidence and spatial distribution of crime, and this effort resulted in the development of the Compstat management system. Until the advent of Compstat, the NYPD had no functional system in place to rapidly and accurately capture crime statistics or use them for strategic planning. Crime statistics were often three to six months old by the time they were compiled and analyzed, and the methods used to analyze them were rudimentary at best. Six-month-old crime data are of little use to any police executive because they say nothing about when and where crimes are occurring today, and they cannot be used to develop strategies and tactics that will have immediate impact. Crime patterns and problems had months to take hold before they could be identified and addressed. The fact that NYPD executives in previous administrations never bothered or never saw a compelling need to get accurate and timely crime intelligence is emblematic of the overall lassitude and lack of concern that characterized many of the agency's managers (Henry, 2002).

This is not to say that every member of the NYPD's management cadre was timid, indecisive, or unconcerned with effectively addressing the kind of crime and quality-of-life issues that plagued the city. Indeed, the agency had many fine and highly skilled managers, but it was only when a sufficient number of these less-effective managers were weeded out or marginalized that an important shift could take place within the agency's management culture. Once the indecisive, unimaginative, and ineffective managers were identified and removed or neutralized - largely through the interactions and accountability for performance taking place at the weekly Crime Control and Quality of Life Strategy meetings that began to take place in January 2004 - the number and percentage of the strong managers who were most capable of leading the department reached a critical mass, and the inept managers no longer impeded the agency's progress.

Substantive change required a new management coalition dedicated to reducing crime as well as substantial empowerment of middle managers. Earlier attempts at implementing Community Policing sought to empower beat officers - the individuals at the very bottom of the organizational hierarchy who had the lowest rank and the least legitimate power in the organization - but the failure of that particular Community Policing vision to achieve significant measurable results, to reduce crime, or to enhance the agency's overall effectiveness illuminated the need to expand the power of middle managers. In the new regime, power, discretion, and authority were decentralized and pushed down the organizational pyramid from headquarters executives to precinct and operational commanders in the field. Bratton (1996) explained his rationale for devolving power from top executives to those at the middle of the organization and rank structures:

I gave away many of my powers not — as my predecessors wanted — to the cop on the beat, but rather to the precinct commander. I did not want to give more power to the cops on the beat. They were, on the average, only 22 years of age. Most of them never held a job before becoming New York City police officers, and had only high school or GED qualification. These kids, after six months of training, were not prepared to solve the problems of New York City; sorry, but it just was not going to work that way. However, my precinct commanders typically had an average of 15 years of service, and they were some of the best and the brightest on the police force. All of them were

college educated; all were very sophisticated; and they were at the appropriate level in the organization to which power should be decentralized.

My form of Community Policing, therefore . . . put less emphasis on the cop on the beat and much more emphasis on the precinct commanders, the same precinct commanders who met with community councils and with neighbourhood groups. They were empowered to decide how many plain clothes officers to assign, how many to put in Community Policing, on bicycle patrols, and in robbery squads. They were empowered to assign officers as they saw fit — in uniform or in plain clothes — to focus on the priorities of that neighbourhood. . . . Whatever was generating the fear in their precinct, they were empowered to address it by prioritizing their responses. We decentralized the organization, and I eliminated a few levels in the organization of the force and in the hierarchy as well.

Achieving a critical mass of dedicated, decisive, and innovative managers revitalized the agency's management culture, and was akin to what Malcolm Gladwell (1995, 2000) has called a "tipping point." This concept of "tipping points," a term Gladwell borrowed from epidemiology, also helps explain why the NYPD's strategic and highly focused use of quality-of-life enforcement led so quickly to such dramatic crime declines. The tipping point concept involves the idea that some social phenomena (including, according to Gladwell, some forms of crime and social disorder) behave like infectious agents: the frequency of these phenomena increases in a gradual and linear fashion until they reach a certain critical mass or threshold (a "tipping point"), when they explode in an epidemic. Gladwell noted (Lester, 2000) that James Q. Wilson and George Kelling's (1982) "broken windows" theory is fundamentally a tipping point argument, and he pointed out that the key to controlling crime is to reduce the frequency of quality of life offences to within manageable limits—below the tipping point that made crime explode (Gladwell, 1995, 2000). This is essentially what the NYPD did in its strategic and highly focused enforcement efforts—efforts that were largely based in the Compstat process and in its capacity to develop timely and accurate crime intelligence as well as to direct the rapid deployment of personnel to address emerging crime and quality-of-life issues.

This new mandate to assertively address crime and disorder was the impetus for the revolutionary Compstat process, and within a few weeks the first affirmative steps were taken to develop appropriate technology systems, policies, and practices that would ultimately and permanently transform the way the NYPD looked at and responded to crime and disorder problems (Buntin, 1999; Chetkovitch, 2000a, 2000b, 2000c).

Eli Silverman (1996) succinctly summarized and described the Compstat process, its emphasis on rapidly compiling, analyzing, and using crime statistics to manage crime problems, and its impact on the NYPD's operational mind-set. He notes that

the most significant aspect of the department's organizational changes within the past few years has been the process known as Compstat. . . . Compstat was originally a document, referred to as the Compstat book, which included current year-to-date statistics for criminal complaints, arrests for major felony categories and gun violations, compiled on a citywide, patrol borough and precinct basis. The initial versions of the Compstat book, which improved steadily over time with regard to overall sophistication and degree of detail, developed from a computer file called "Compare Stats," hence Compstat. . . .

Compstat, through the weekly headquarters meetings, provides the dynamics for precinct and borough accountability, and an arena for testing the mettle of field commanders. As a management tool, Compstat melds upgraded quantitative information on crime locations and times with police deployment arrangements and qualitative quality-of-life information. Precinct problem-solving can be weighed against available resources, and the responsibilities, information-sharing and interaction of different department units can be gauged.

According to Silverman, the establishment of Compstat meant that "for the first time in the agency's long history, key members of the organization began gathering each week to examine various sources of crime information at a meeting devoted solely to the issue of reducing crime and improving the quality of life enjoyed by New York City's residents".

III. COMPSTAT: A NEW MANAGEMENT PARADIGM

Compstat meetings and Compstat technology are management tools that an increasing number of American police agencies are employing to great effect within a radically new and potentially revolutionary management paradigm. Compstat is a revolutionary method of police management because it involves a fundamental shift in an agency's management paradigm and because, after its origination in the NYPD and implementation in several other municipal police agencies, it began to spread rapidly across the landscape of American police management (Henry, 2002).

The terms *revolution and paradigm* are used here in the same sense that scientific historian Thomas Kuhn (1970) applied them when he addressed the idea of revolutions in science and scientific thought. Paradigms are a sort of mind-set or a collection of organizing principles and fundamental viewpoints around which we organize our basic understanding of the world. Paradigms can be compared to ideologies, belief systems, philosophical principles, or cognitive models that shape our understanding of something, and because they determine the kind of problems and issues we consider important as well as the way we approach the problems, they influence our behaviour as well. In terms of management, a paradigm is a sort of general point of view about human nature and human behaviour and about how human organizations operate. It also prescribes the management issues we deem most important and the way we approach their resolution. Our paradigm or outlook on management determines the kind of results we seek to achieve as well as the methods and tools we use to achieve them.

Kuhn (1970) pointed out that under ordinary conditions, new technological innovations, new knowledge, and new insights increase gradually within the prevailing paradigm's limiting boundaries. In the case of policing, most police executives and managers were guided by one or both of the paradigms prescribed by what have been referred to as the Professional Model and the Community Policing Model. Like scientists, police executives are generally guided by the paradigms they follow, and because they accept the paradigm's basic assumptions and propositions they seldom venture far from them to intellectually consider or experiment with dramatically new ideas. Scientific revolutions occur, Kuhn explained, when paradigms shift radically or when a new paradigm emerges and more effectively explains some scientific phenomenon. As other scientists begin to operate within the new paradigm, they stretch the boundaries of knowledge and develop new theories and new technology based on the paradigm.

As evidenced by the continual increase in crime across American jurisdictions from the late 1950s and early 1960s until the advent of the Compstat paradigm in New York in the mid-1990s, the Professional Model and Community Policing Model paradigms that approach police managers and executives adopted to fight crime were not highly effective. Generally speaking, in the agencies that subscribe to the traditional Professional Model or the more recently evolved Community Policing paradigms, police executives and managers continue to take approaches that are not very different from what they and others have done in the past. Because they continue to operate within narrow management paradigms that generally do not encourage innovation and generally do not strive to stretch the potential boundaries of performance, many of these police executives must be satisfied with what are at best incremental improvements. It can be argued that neither the Professional Model nor the Community Policing Model, as practiced in the United States today, generally do not truly embrace one of the Compstat paradigm's most important underlying principles and beliefs: that police officers and police agencies can really have a substantial positive impact on the crime and quality-of-life problems facing the communities they serve.

Scientific (and management) revolutions occur when a radical paradigm shift takes place - when there emerges a new set of ideas, ideologies, or controlling principles around which we organize our understanding of a phenomenon. In turn, the new understanding points up new insights and better practices. The new paradigm takes hold and gains acceptance when it proves effective - when its methods achieve more positive and more effective results than the paradigm preceding it.

The Compstat paradigm presents police managers and executives with a radically different way of looking at police organizations and police activities, and it points to new methods and strategies police can use to pursue their goals (Henry, 2002). As illustrated in the examples and statistics cited at the beginning of this article, the Compstat paradigm's effectiveness in achieving results can scarcely be denied.

IV. THE COMPSTAT MEETING: TECHNOLOGY, INFORMATION AND COMMUNICATION

To many casual observers, Compstat appears to be simply a meeting at which executives and managers discuss the latest information about emerging crime trends, develop specific tactical plans to address them, and monitor the results of the actions previously undertaken. In one sense, Compstat is a meeting. Each week, the commanders of all precincts and operational units in a given geographic area of New York City gather in the NYPD's Command and Control Centre at Police Headquarters to give an accounting of themselves and their officers' activities for the past month (Bratton, 1998b; Kelling, 1995; Maple & Mitchell, 1999; Silverman, 1996).³ The Command and Control Centre is a high-tech conference facility equipped with numerous computer systems, video monitors, video projection screens, and communications equipment, but this level of technological sophistication is not absolutely essential for a Compstat management process to be effective. Indeed, the early Compstat meetings were conducted in a small room equipped only with easels and flip charts, and they nevertheless produced startling and immediate results.

During the Crime Control and Quality of Life Strategy Meeting, each precinct commander takes his or her turn at the podium to present his or her activities and accomplishments and to be closely questioned by the police commissioner, several deputy commissioners, various chiefs, and other top executives. Precinct commanders are accompanied by detective squad supervisors, narcotics and vice squad commanders, and ranking personnel from just about every operational and investigative unit within their geographic area of responsibility. Because of the intensity of the questioning, the quantity of statistical performance data, and the nature of the technology involved (including computerized pin mapping, comprehensive crime trend analyses, and other graphic presentations of data), Compstat meetings permit the agency's executives to have an unprecedented level of in-depth knowledge about the specific crime and quality-of-life problems occurring at specific locations in each of the NYPD's 76 precincts. Both the executives and the commanders are provided with this crime intelligence data in advance of the actual meeting in order to permit them the opportunity to review and analyze it, to identify emerging crime patterns and trends, and to develop cogent strategies based on the information. With this wealth of highly specific knowledge, executives can ask commanders and managers probing and intensive questions about the particular activities and tactics they are using to address specific crime and quality of life problems at specific locations. Crime and quality-of-life trends and patterns can be more easily discerned through the discussions, and connections between seemingly disparate events and issues are more easily identified. Commanders are expected to have an intimate knowledge of the crime incidents and the quality of life problems occurring within their area of responsibility, just as they are expected to have answers and to demonstrate results. In line with the Compstat paradigm's emphasis on cooperation and coordination throughout the agency, precinct and specialized squad commanders must show how they cooperate and coordinate their activities with other operational entities. The focus is on performance and results at Compstat meetings (Bratton, 1998b; Henry, 2002; Kelling, 1995; Kelling & Coles, 1996; Silverman, 1999; Witkin, 1998).

Compstat meetings provide executives with an in-depth knowledge of the crime and quality of life conditions with which middle managers must contend, and the meetings also provide in-depth knowledge of other management performance data beyond enforcement and productivity information related to crime and quality-of-life. Executives focus on each commander's efforts to ensure that officers in his or her command interact with citizens and with other members of the department in a courteous, professional, and respectful manner. Executives can effectively gauge the morale in each command by examining sick rates, the number and type of disciplinary actions taken, the number of civilian complaints made against officers, and a host of other statistical data. Each commander's performance in managing such important functions as overtime expense, traffic safety, and even the number of automobile accidents involving department vehicles can be evaluated at Compstat meetings. Executives can (and do) focus on virtually any area of management responsibility, comparing each commander's performance to that of his or her peers. Changes over time can be calculated and charted for graphical presentation on practically any crime, quality of life, or other management performance criteria within the commander's scope of responsibility (Bratton, 1998b; Kelling, 1995; Silverman, 1999). In essence, the Compstat meetings amount to intensive monthly performance evaluations for every commander of practically every operational unit in the agency.

³ For administrative purposes, the NYPD divides the five boroughs of the city into eight patrol boroughs. The 76 precincts, 12 transit division districts, and nine Housing Bureau Police Service Areas are about equally apportioned among the eight geographic patrol boroughs.

Commanders who fail to achieve results or who otherwise do not make the grade may find that they are no longer commanders, but those who excel and achieve results find promotion and advancement. Compstat meetings have introduced a unique element of competition among the department's management cadre, and they are a stimulus to achieve results. Because commanders of support units, local prosecutors, and representatives of other criminal justice agencies attend the Compstat meetings, information is widely disseminated among appropriate parties. Although the support unit commanders and other attendees may not be asked to make presentations, their presence allows them to participate in the immediate 'real-time' development of highly integrated plans and strategies. A precinct commander who intends to commence a major enforcement effort, for example, can get on-the-spot commitments for the resources and assistance he or she needs from ancillary and operational units (Kelling, 1995; Witkin, 1998). Details of the plan can be worked out without crossing bureaucratic lines or scheduling a prolonged series of meetings. Compstat meetings, then, are also about supporting and empowering commanders, sharing information and crime intelligence, communicating top management's values and objectives, and ensuring accountability. But again, Compstat meetings are just a part of the story behind the NYPD's transformation and its performance, and the meetings are simply one of the tools used within the larger Compstat paradigm.

V. SUPPORTING COMPSTAT THROUGH SYSTEMIC AND PHILOSOPHICAL CHANGES

The NYPD implemented a host of other organizational, structural, and philosophical changes to support its crime reduction and quality-of-life improvement mission, making the tremendous crime reductions and quality-of-life improvements possible by enhancing discretion and changing the dimensions of power, responsibility, authority, and accountability throughout the agency. Without these fundamental systemic and philosophical changes in the department and without the support and direction provided by the administration to the police and other criminal justice agencies, the transformation would not have been possible and the dramatic results would never have been achieved. One can scarcely overstate the importance of these structural and philosophical transformations to the agency's overall success. By themselves and without adoption of other elements of the overall Compstat paradigm, Compstat meetings are unlikely to achieve more than temporary results. They may also potentially incur long-term damage and possibly undermine the organization's viability as an effective law enforcement agency. The organizational, structural, and philosophical changes are as much a part of the Compstat paradigm and the NYPD's transformation as the Compstat meetings themselves.

Compstat meetings permit executives and managers to monitor virtually every aspect of the agency's activities—from fulfilling the primary mission of reducing crime and making the city's streets safer to closely observing and controlling virtually every systemic change instituted in the agency's systems, practices, structures, and culture. Compstat meetings are, in a sense, a window through which the department's executives and managers can glimpse every aspect of its operations as well as the progress and directions of every change taking place. They are also a mechanism by which the agency's operations and practices can be continually assessed and fine-tuned to ensure their continued success, and through which important messages can be subtly or overtly transmitted and reinforced.

The Compstat meetings present the unique opportunity for executives to temporarily (and, in a sense, artificially) free the agency from the constraints typically imposed by bureaucracy and by rigid hierarchical organizational structures. Instead of operating within a hierarchical framework where lines of communication, authority, and responsibility are precisely defined by straight horizontal and vertical lines on an organizational chart, for the duration of the Compstat meeting the organizational structure changes to one resembling what Bratton called a "seamless web" (see Henry, 2000). This seamless web facilitates brainstorming, innovative problem solving, and the development of effective strategies and plans, since every individual, every unit, and every function can communicate immediately and directly with every other individual, unit, or function. Once the meeting concludes and strategic decisions and plans have been formulated, the structure reverts to one resembling a hierarchical bureaucratic organization - the kind of structure that is particularly well tailored to carrying plans through to fruition.

The Compstat management style permeates every level of the agency. To remain prepared for the weekly Compstat meetings at Headquarters, most commanders convene their own in-house Compstat-style meetings with key personnel. Thus, accountability and responsibility for achieving results is not just placed on managers by executives, but by managers upon supervisors and to some extent by supervisors upon

rank-and-file officers. These formal or informal meetings and interactions have had a profound influence, to the extent that a high degree of communication and a sharp focus on achieving results pervades the organization.

VI. A HYBRID MANAGEMENT STYLE

The Compstat paradigm is a hybrid management style that combines the best and most effective elements of several organizational models as well as the philosophies supporting them. Compstat retains the best practices of traditional Professional Model policing, for example, but also incorporates insights and practices from Community Policing and Problem-Solving Policing styles. It also utilizes the kind of strategic management approaches used by successful corporate entities that thrive in highly competitive industries. Because the Compstat paradigm is so flexible and because it emphasizes the rapid identification and creative solution of problems, it can be applied in virtually any goal-driven human organization.

Although Compstat management draws on the strengths of the traditional Professional Model as well as the Community Policing and Problem-Solving Policing models, it also differs from each in important ways. The NYPD has based its approach to crime reduction and quality-of-life improvement on the "Broken Windows" theory articulated by Wilson and Kelling (1982) - an approach that many Community Policing theorists have also championed. This important theory takes the position that quality-of-life problems such as graffiti, public intoxication, loud radios, urban decay, and a host of other petty annoyances of modern urban life are in themselves criminogenic - when left untended, they subtly convey a message that disorder and incivility prevail, that social controls have broken down, and that no one really cares about the neighbourhood in which they occur. This message often translates to the idea that such conditions are somehow acceptable and that because minor offences are acceptable, more serious ones must be as well. Ultimately, if minor offences are left unchecked they lead to more serious crime (Kelling, 1987, 1991, 1992, 1995; Kelling & Coles, 1996, 1997; Wilson, 1983; Wilson & Kelling, 1982, 1989).

The postulates of the Broken Windows theory are central to many Community Policing ideologies and practices, although many leading Community Policing theorists and practitioners place the burden for identifying and remedying a neighbourhood's crime and quality-of-life problems on the beat officer. To empower the beat officer and support effective Community Policing, many advocates say, the agency must be thoroughly decentralized so that power can be almost completely devolved to those at the bottom of the organizational pyramid. In the NYPD, though, the Compstat paradigm has placed the burden of identifying and solving problems squarely on the shoulders of middle managers. On the basis of its experience during the late 1980s and early 1990s in implementing a version of Community Policing that emphasized the primacy of the beat officer, the NYPD recognized that it is unfair and unreasonable to expect beat cops to disentangle and successfully address entrenched social problems whose solutions have confounded police executives, social scientists, and criminal theorists for years. Despite their best efforts and, in many cases, their skills and expertise, beat-level police officers simply cannot muster the organizational resources needed to attack these problems.

VII. REALIGNING ORGANIZATIONAL POWER, MOBILIZING EXPERTISE

Closely related to the NYPD's decentralization was the redistribution of power in the agency. The five bases of power operating within a police organization - coercive, legitimate, expert, reward, and referent power - need to be realigned if the agency and its members are to achieve their full potential. In traditionally managed agencies, most power is concentrated among the executive cadre, and because others have almost no access to coercive, legitimate, or reward power, they cannot easily obtain or apply the agency's resources to address problems (see, generally, French & Raven, 1959).

The Compstat paradigm's effectiveness also derives from its emphasis on mobilizing expertise and good practice - especially the expertise and good practices of experienced patrol officers - and making them the norm throughout the agency. This, too, is a tenet of Problem-Solving Policing, but as an organizational reality it has often proven to be an illusory goal in American policing. The NYPD's executives gathered together experts from throughout the agency as well as from outside it and drew upon their knowledge and experience to develop a series of crime control and quality-of-life strategies. The strategies, specifically crafted to be flexible and adaptable to the local community's particular needs and conditions, addressed specific types of crime and disorder problems and were promulgated throughout the department. Every precinct commander was mandated to adapt and implement them, and Compstat meetings are one way to

ensure that they have been implemented effectively.

As a practical matter, the crime control and quality-of-life strategies all proceeded from the broken windows theory's basic position that many serious crimes will be prevented and serious problems avoided if we attend to minor offences as they occur or soon afterward. The strategies also primarily use enforcement tactics to suppress these lower-level offences and quality-of-life problems. Some Community Policing adherents eschew enforcement as a means to reduce crime and disorder, or at best they express ambivalence about how effectively enforcement tactics work to reduce crime. Their position, in a nutshell, is that the police should become agents of change who empower and build communities to police themselves. Other Community Policing advocates rarely deal with the idea of *actually* reducing crime, preferring instead to emphasize that the perceived *fear* of crime in a community can be reduced through more positive police-community interactions. These Community Policing theorists have been criticized by more traditional thinkers for placing more emphasis on the *appearance* of public safety than upon substantive crime reduction. Highly focused enforcement activities were always a goal of the professional model that dominated American policing for most of this century, but they were nevertheless a rarely achieved goal. Through the Compstat paradigm and the Compstat meetings, the NYPD has had great success with the use of highly focused enforcement strategies in the Broken Windows context (Henry, 2002).

It is important to recognize that although the results achieved by the NYPD depended greatly on enforcement activities, the Compstat management paradigm can be used equally well to manage an agency in which enforcement has a lower priority. Another agency may or may not achieve the magnitude of crime reduction accomplished in New York City - indeed, some agencies may not face the compelling crime problems the NYPD did - but the agency will improve its performance on any criteria it deems important if it implements the paradigm cogently. If the agency's prevailing philosophy is that the number and quality of police-citizen encounters are of primary importance and that enforcement has little value, Compstat paradigm management can be adapted and used to tremendously improve the quality and number of those positive encounters. Regardless of the agency's specific goals and objectives, implementing the basic principles of the Compstat paradigm will dramatically increase the likelihood that they will be attained (Henry, 2002).

As practiced in New York City, the Compstat paradigm also articulated a bold new philosophy - an unwavering belief in the capacity of police officers to make a difference and to reduce crime. Police officials in the NYPD and elsewhere have, of course, spoken to this philosophy for years, but in fact their words often amounted to mere platitudes and in many cases were betrayed by their actions. This perceived or real insincerity combines with other factors to foment cynicism, to drive a divisive wedge between street cops and management cops, and to undermine the legitimacy of managers as well as their capacity to effectively manage and direct their department's affairs (Henry, 2002).

At the heart of the Compstat paradigm is a realistic appreciation of the wealth of expertise and experience held by effective police officers. Expert officers of every rank worked together to create and implement the crime and quality-of-life strategies that helped reinvigorate the NYPD, and they worked together in the reengineering committees that restructured 12 important functional areas. In far too many agencies, including the NYPD, managers and executives have subtly or overtly devalued operational officers and their contribution to the agency. Good and effective officers exist in every agency, and the Compstat management paradigm insists that managers and executives capitalize on that expertise and use this essential resource effectively. Quite frankly, this often demands that executives and middle managers put aside their own egos to acknowledge that in many instances street cops may have greater expertise and greater knowledge than they (Henry, 2002).

The Compstat paradigm demands that managers and executives take risks - even the kind of risks that might compromise their own careers. Risk-averse executives have often foolishly spent a disproportionate share of their energies on restraining and controlling operational officers, promulgating broad policies and practices that place unnecessary and burdensome restrictions on officers without regard to their capabilities. Compstat management not only demands that these obstacles to performance be removed in order to let good officers flourish and influence others around them to do the same but helps identify and reward the officers who perform best (Henry, 2002).

Another central tenet of this management philosophy is an unwavering belief in the idea that police *can*

make a difference and that police *can* reduce crime. When it comes to crime, a great many criminologists, politicians, and police executives equivocate about whether the police really make a difference. When a police officer performs a creditable act or when the agency performs well, executives laud it as an example of the kind of difference police can make, and certainly few police executives are reluctant to take credit when crime declines. When crime rises, though, many are unwilling to acknowledge their own managerial inadequacies or failures, and they begin looking about for other explanations. They may never directly articulate a *disbelief* in the capacity of police officers to make a difference by reducing crime and improving the quality of life enjoyed in their communities, but their failure to maintain a consistent approach often casts them as self-serving and undermines their legitimacy in the eyes of officers. In the world of policing, the disjunction between words and actions often breeds suspicion and distrust, and such subtleties rarely go unnoticed by officers. The Compstat paradigm rejects this pessimistic and cynical management view and optimistically asserts without question that conscientious police officers in a well-managed police organization can make a remarkable difference.

VIII. POSSIBILITIES AND OBSTACLES: THE FUTURE OF THE COMPSTAT PARADIGM

Paradoxically, the tremendous success of the Compstat paradigm raises some potential problems that may complicate its continued growth and future success as more and more agencies attempt to implement it. One of the primary difficulties might be called “cookie-cutter management.” That is, there is a distinct tendency throughout American policing to find some policy or practice that another agency has put to good use and to appropriate it. Agencies borrow these policies from another agency composed of different people with a different organizational culture and structure and a different set of environmental and political forces working upon them, and then they press the borrowed policy down on their own agency as if it were a cookie cutter or template. Unimaginative managers wind up trying to make the agency fit the policy or practice rather than the other way around. Experience and close observation of police agencies and systems in the United States and overseas show that in the vast majority of cases, a home-grown policy or practice will work much better than an imported policy or practice precisely because it was developed in conformance with the reality of the department. Such policies and practices also work better because they are developed by people who are intimately familiar with the agency, its history and culture, and the capabilities of its personnel. The same is true of the Compstat paradigm’s adoption: Its general principles must be carefully tailored to the specific conditions, situations, and realities faced by other agencies in other contexts (Henry, 2002).

A related management practice that seems to affect American police management is what we might call “cargo cult management”. The notion of “cargo cult management” derives from the millennial cults that developed in Melanesia and the South Pacific islands during and after the Second World War and continue to exist today. In essence, members of these primitive cultures had no exposure to the outside world, and as a function of their insularity the cultures were permeated with a deep strain of magical thinking and a propensity to attribute results to rituals and magic rather than to their actual causes. These cultures had their first real exposure to outsiders during the war, when foreigners (military personnel) arrived and began to carve out long flat strips of jungle. The foreigners engaged in such rituals as marching around in formation with unusual devices made of wood and metal over their shoulders. The foreigners built towers and spoke odd words into strange boxes, and shortly thereafter large birdlike flying machines came out of the sky laden with all sorts of good stuff the foreigners called “cargo”. The foreigners eventually departed but left behind some of the cargo - various ingenious machines and building materials that were far superior to anything the tribes had known before. To this day, cargo cultists continue to carve out strips of jungle, march around with tree limbs over their shoulders, build bamboo towers or climb trees and speak into coconuts as they await the return of the cargo-bearing magical flying machines.

The analogy of “cookie cutter management” and “cargo cult management” to the expanding use of Compstat-like programmes is clear. Gootman (2000), for example, noted that 235 police agency representatives visited NYPD Compstat meetings in the first 10 months of 2000, while 221 visited in 1999 and 219 visited in 1998. There is no doubt that many of these representatives are highly experienced practitioners and fine managers, but on the basis of their too-brief exposure to the Compstat meetings, we can expect that many will return to their agencies with only a rudimentary and very superficial understanding of the Compstat process and even less knowledge of the Compstat paradigm as a whole. There is a distinct possibility that some proportion of these representatives will not fully grasp how and why the process works in terms of motivation, strategy development, the dissemination of knowledge and expertise, or organizational and cultural transformation, nor will they comprehend the important activities

(such as reengineering and training) that were undertaken to support it. They may convene Compstat-type meetings where executives apply a heavy hand where a gentle touch is required, and in many cases they will not go beyond the statistical data to identify important qualitative issues that should be of concern to competent police executives.

Some police executives who see the wonderful things Compstat can bring to the organization (and to their careers) may engage in ritualistic repetition of the overt behaviours they've witnessed while the larger picture eludes them. This certainly may not be the case in all situations, but the overall pervasiveness of "cookie cutter management" and "cargo cult management" in American police management certainly illuminates the potential harm that Compstat can do when unenlightened executives wield such a powerful management tool. Perhaps the greatest danger lies in the possibility that the organizational and cultural damage they do will remain submerged, creating a host of concealed difficulties with which future generations of police officers and executives will have to grapple. Wittingly or unwittingly, far too many police chief executives seem willing to enter into the Faustian bargain of selling their souls to achieve immediate results without regard for the long-term organizational and social consequences or the management burdens that others will have to assume when they've moved on (Henry, 2002).

Compstat principles are eminently adaptable and applicable to any police agency's particular needs and objectives. As a management paradigm, Compstat has proven its applicability throughout the public and private sectors. It has been successfully adapted, for example, to manage New York City's jail system (O'Connell & Straub, 1999), and the city of Baltimore has implemented a "Citistat" programme based on the Compstat paradigm for managing the entire city and all its agencies (Clines, 2001; Swope, 2001).

Compstat continues to evolve and find broader application in other spheres of public sector administration, but its roots are firmly planted in policing. Compstat continues to evolve and to bring about remarkable changes in other spheres, but its most tangible, quantifiable, and dramatic impact continues to be in the area of crime reduction and quality-of-life improvement. American policing faces an array of unprecedented challenges in the coming years, and the Compstat paradigm represents an important opportunity for the kind of flexible and effective management style these challenges require.

APPENDIX

Major Felony Crime in New York City, 1993 to 2003 By Number and Percentage (NYPD Data)					
Crime	1993	1997	% Change v. 1993	2003	% Change v. 1993
Murder	1,927	767	- 60.2	598	- 68.9
Rape	3,225	2,783	- 13.7	1,875	- 41.8
Robbery	85,892	44,335	- 48.3	25,919	- 68.8
Felony Assault	41,121	30,259	- 26.4	18,774	- 54.3
Burglary	100,936	54,866	- 45.6	29,215	- 71.0
Grand Larceny	85,737	55,686	- 35.0	46,877	- 45.3
Motor Vehicle Theft	111,662	51,312	- 54.0	23,139	- 79.2
<i>TOTAL</i>	<i>430,460</i>	<i>240,008</i>	<i>- 44.24</i>	<i>146,397</i>	<i>- 65.99</i>

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MANAGING CRIME AND QUALITY OF LIFE USING COMPSTAT: SPECIFIC ISSUES IN IMPLEMENTATION AND PRACTICE

*By Dr. Vincent E. Henry**

I. INTRODUCTION

The highly effective management model or paradigm that has come to be known as Compstat was first developed within the New York Police Department in 1994 as a process for managing crime and quality of life in New York City. Compstat was developed in response to a very specific set of immediate needs confronting the NYPD at that time: the compelling need to bring spiralling rates of crime and disorder to within manageable bounds and to refocus the NYPD on its primary mission of effectively ensuring public safety by reducing crime and violence.

Since its introduction in early 1994, Compstat has proven to be highly effective in achieving the goals for which it was initially intended. Over time it has also evolved and grown from a basic and fairly rudimentary process involving the collection and analysis of crime data as well as a mechanism for ensuring accountability and information-sharing into a more complex, more nuanced, and eminently more effective management paradigm. As Compstat grew and changed over time, so too did the issues and problems challenging the NYPD. As crime and public disorder offences declined to within more manageable limits, the agency had the luxury of turning its attention to a range of other management problems and issues.

While reducing crime and disorder and increasing public safety have never lost their prominence or their importance on the NYPD's set of post-1994 priorities, the relative ease with which Compstat has permitted the agency to fulfil its primary mission has concomitantly resulted in the capacity to identify and address a host of other new, emerging, or longstanding management issues. The Compstat management model has become a fairly complex yet eminently adaptable paradigm that can be (and has been) applied to resolve a range of problems and to manage a range of police functions.

This paper addresses a number of specific issues that may be encountered in the implementation and practices of a Compstat-based management model, and in large measure it focuses upon the way the practical and implementation issues were manifest in the early NYPD experience. Because Compstat is, concomitantly and perhaps paradoxically, a management model that is simple to grasp and use yet at the same time somewhat difficult to explain in detail, this paper does not provide tremendous background on the basics of Compstat. Indeed, this paper should properly be regarded as the second (and more narrowly focused) phase or instalment of a two-part paper — the first part being the paper presented at the UNAFEI Public Lecture. That paper provided a more general overview of Compstat suitable to a diverse public audience, and this paper focuses on four specific issues I have been asked to address for the practitioner audience of participants at the 129th UNAFEI International Senior Seminar. Those four issues are: the details and actual situation of Compstat; details about technology; difficulties with the utilization of Compstat, and the future prospects of Compstat and Community Policing in the NYPD.

II. DETAILS AND ACTUAL SITUATION OF COMPSTAT

As detailed more extensively in the first phase or instalment of this two-part paper, Compstat is a remarkably effective, adaptable and flexible management model or paradigm developed in the NYPD and applied with great success in controlling crime and disorder. Many have credited the tremendous reductions in crime and disorder in New York City over the past decade to the implementation of the Compstat process and the principles of Compstat management in the NYPD, and this management model has undeniably refocused that agency and revitalized its management cadre.

While Compstat has gained renown as a method used by police for reducing crime, its overall flexibility and adaptability make it a suitable tool for managing virtually any organizational function in many types of organizations. Compstat is a multifaceted approach to management that derives many of its guiding principles from sound business practice, including its emphasis on collecting and analyzing data that is used

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for strategic decision-making. Compstat management emphasizes and establishes exceptionally high levels of performance accountability at every level of the organization, and this is largely accomplished through interactions between executives, managers, and other key agency personnel that take place at the Compstat meetings.

The Compstat paradigm may be best explained or understood through a review of its basic principles or premises.

The first principle of the Compstat paradigm is that police can and do make a difference. While some may reflexively accept this proposition as true, others are less receptive to it: they are willing to accept poor results and attribute them to the idea that external forces (such as economics, unemployment, social conditions, poor education, etc.) are the engines that drives crime, and that police can really do little to influence crime. Clearly, the police manager who does not wholeheartedly believe in the capacity of the police organization and the individual officer to make a difference is in the wrong line of work. A lack of faith in this basic premise also undermines the respect and legitimacy he or she needs from rank-and-file officers.

The second principle of the Compstat paradigm is that four principles underlie effective crime reduction and quality of life problem abatement. Those principles (timely and accurate intelligence; effective tactics; rapid deployment of personnel and resources; and relentless follow-up and assessment to ensure that the problem has been solved) have been discussed at length in the first part of this paper.

Third, the Compstat paradigm recognizes that in the majority of instances, middle managers are in a far better position to make everyday operational decisions than headquarters executives. Middle managers are (or should be) far better acquainted with the crime and quality of life problems within their jurisdiction, and they are better acquainted with the strengths and abilities of the individual officers working for them. In order to make cogent operational decisions, middle managers need crime intelligence, practical police experience and problem-solving skills. Middle managers also make more accurate and effective decisions when they incorporate the wealth of information, tactical knowledge and experience residing within members of their commands. To operationalize this precept, Middle managers must be given the authority to make important decisions without prior review by administrative higher-ups. Careful selection and assignment processes and a viable accountability system will tend to ensure that middle managers make appropriate decisions.

The fourth precept of the Compstat management model is recognition that the police occupation's culture is not a singular, unchanging and monolithic entity. The occupational culture is the heart and soul of the police organization, the glue that often holds the agency together, and one of its greatest strengths. The executive who understands how to manage culture can achieve tremendous results. If the executive does not manage the organizational culture, it will manage him or her. In many dysfunctional police organizations, two distinct cultures can be discerned: a 'street-cop' culture and a 'management-cop' culture. When the ideas, attitudes, belief systems, values and goals that characterize these cultures are disparate or contradictory, the agency's executives and managers face formidable challenges and the agency is unlikely to approach its full potential. There occurs, in essence, an internal culture clash with a host of attendant conflicts and animosities. Compstat also recognizes that in many or most cases, the values, belief systems and goals espoused by the 'street cop culture' are more in line with effective policing and crime reduction than those of 'management cop' culture. Especially in larger agencies, executives are often accurately characterized as out of touch with the culture of rank-and-file officers and the world they inhabit. Effective management demands that the differences between cultures be diminished, usually in favour of the 'street cop' culture's best attributes. Police executives must manage the organization's culture as they would manage any other valuable resource, but few police executives pay adequate attention to nurturing and developing the organization's culture.

The fifth principle is that accountability is the key to performance. Transparent accountability systems — systems in which performance objectives are clear and objectively measurable and in which accountability processes take place in public - must be used to identify and either reward or discipline the organization's members.

Sixth, the Compstat model recognizes that in a high-performance police organization (and many or most other organizations), the lines and boxes on an organizational chart are largely irrelevant. They are most

useful for budget and administrative purposes — a tiny portion of the agency's overall activities — and have less bearing on the important operational aspects of police work. Typically, strict adherence to the communications systems prescribed by a hierarchical organizational chart impede effective communications and information sharing.

If executives are to be successful, the Compstat paradigm holds, they must engage in measured risk-taking and reward it within the middle and upper-management ranks. Operational officers are, by temperament and by the nature of their work, generally risk-takers, and middle managers who take reasonable and measured risks will gain the respect of the rank-and-file. In practice, encouraging risk-taking means that executives must be highly tolerant of well-intentioned and sensible experiments that nevertheless fail. These well-intentioned failures must be seen as opportunities to develop a tactical and operational knowledge base, and they should be carefully analyzed to identify the reasons why they failed to achieve the expected results. Repeated failures, however, indicate poor judgment or poor management skills and point to the need for accountability systems. Managers and executives must recognize that the entire organization can learn as much from experiments that fail as from experiments that succeed.

Finally, there is little room in an organization run according to the Compstat model for managers or executives who are timid or indecisive, or who are afraid to honestly seek out and assess the work-related attitudes prevailing in the organization. They probably will not like to hear what the rank-and-file have to say. On the other hand, the manager or executive who consults with subordinates and with the rank-and-file - honestly seeking input and opinions as to how the agency could be better managed - does not in any way compromise his or her power or authority. The executive who consults with the rank-and-file in developing policies, strategies and organizational goals but does not follow through on implementing a significant number of those recommendations will engender cynicism, suffer a loss of legitimacy and respect, and undermine his or her own power within the agency.

III. DETAILS ABOUT COMPSTAT TECHNOLOGY

A. The Basic Compstat Technology Package: Collecting the Data

The primary data component of Compstat is a database that contains daily crime counts, by precinct, for each of the seven major crimes (murder, rape, robbery, felonious assault, burglary, grand larceny and grand larceny-auto) that comprise the FBI's UCR Index.¹ In addition, the database contains daily counts of such statistics as the number of shooting incidents and the number of shooting victims (again, by precinct) as well as daily summons tallies. The databases the NYPD and other Compstat-driven agencies use are not proprietary software developed entirely by in-house programmers or special consultants. Instead, they are off-the-shelf software packages any agency can purchase and use. Similarly, Compstat technology does not require highly sophisticated hardware. A couple of basic stand-alone PCs or a small networked LAN system can generally run even the largest agency's Compstat initiative.

Prior to the development of Compstat, NYPD's executives and managers had no quick access to crime data. Under the crime and arrest reporting system that existed, officers prepared handwritten copies of crime complaint reports that were then typed by precinct clerical personnel and reviewed by supervisors. They were then distributed, with one copy forwarded to headquarters for manual keypunch entry into a mainframe computer database. Importantly, not every item listed on the complaint report was entered into the database - the precise address or location of the crime, for example, was not entered into the computer. Eventually, the resulting dataset would be audited for keypunch errors and necessary revisions would be made, and eventually it would be statistically analyzed.

This prolonged process resulted in statistical reports and analyses prepared several months after the crimes had occurred, making them virtually useless as deployment and strategy tools. The structure of the

¹ It should be noted that the NYPD's Compstat system does not use the FBI's UCR definitions per se, but rather each offence's associated definition from the New York State Penal Law. Because the New York State Penal Law applies in New York City, and because any criminal charges that will ultimately be filed will be based on the Penal Law, NYPD crime complaint reports (known as UF 61s) capture the Penal Law offence that was violated. Although there are slight differences between the UCR definitions and the NYSPL definitions of the seven major crimes, the differences are negligible. For example, in practice the UCR offence of 'Murder and Non-Negligent Manslaughter' conforms very closely to the NYSPL definition of "Murder," and the UCR's "Vehicle Theft" is practically the same as the NYSPL category of Grand Larceny - Auto.

database and the limited number of data fields it contained allowed only a very rudimentary statistical analysis. It told managers how many offences occurred within a given precinct during a given month, but not the precise time or location these offences were occurring. They certainly could not use the months-old analyses to predict or respond to immediate crime trends.

To make Compstat effective - to utilize real-time data - required a new approach. The NYPD did not have the time to completely redesign and implement an entirely new crime data collection system, so it utilized existing resources in new ways. Because most precincts had old and very poor computers, a simple database programme was written to allow each command to enter a daily tally of the seven major crimes and corresponding arrests occurring within its jurisdiction. During Compstat's first year, each precinct was also directed to research its paper files to determine the number of Index offences (and arrests for those offences) reported during the previous year's corresponding period. This created a dataset that would enable immediate comparison of the current period's crime and arrest figures to those of the same period in the previous year. Each week, every precinct copied the current week's data onto a floppy disk and delivered it to the Compstat Unit at Headquarters, where the individual precinct files were appended to a city-wide database. In just a few weeks, sufficient data was collected to begin printing a simple report comparing the weekly, monthly and year-to-date changes in crime rates on a precinct-by-precinct and a city-wide basis.

The numbers included in the Compstat report are preliminary counts that are intended to give managers and executives a close approximation of actual crime statistics as quickly as possible. The Compstat report is an early warning system that alerts police managers and executives to rapidly changing conditions and allows them to deploy and re-allocate resources, and for this reason the report does not require extremely precise statistics. As an early warning system, it matters little whether an apparent five percent increase in robberies from one week to the next is in actuality a four-point-eight percent increase or a five-point-two percent increase: managers and executives still know they have an emerging spike in crime that requires immediate attention.

Although the Compstat data collection process has undergone many refinements and improvement over time, the basic concept of collecting daily tallies of reported crimes and arrests and submitting them each week remains the same. These data are still compiled into a city-wide database each Monday morning, subjected to computer analysis, and used to prepare the Compstat Report. Sufficient copies of the Compstat Report are printed and delivered to all recipients by Tuesday morning, and the data this report contains is current through Sunday midnight. By the time the first Compstat meeting of the week is convened (usually on Wednesday morning at 7:00 A.M.), all the participants have had time to review the report and to learn how well each precinct is performing.

B. The Compstat Report

The weekly Compstat Report is printed on legal-sized paper and is about an inch thick. It contains a page for each precinct, Housing PSA and Transit District, as well as a page for each Patrol Borough and a City-wide page. The pages follow a standard format with columns detailing the crime and arrest statistics (both the actual number in each category and the percentage increase or decrease) for the past week, the past month, and the year-to-date period. Currently, NYPD Compstat Reports recapitulate these statistics from 1993 to the present and thus permit analysis of short and long-term trends. Examples of modified Compstat Report pages (albeit with arrest, shooting and summons activity figures redacted) can be found on the NYPD website (www.nyc.gov/html/pct/cspdf.html).

The report was designed to be simple, straightforward, and user-friendly, so it does not contain sophisticated statistics or difficult formulas. The good reasons to keep the Compstat Report pages as simple as possible include the fact that the more complicated the report, the fewer the people who will actually read and understand it. Second, although the report is an essential part of New York's crime-fighting efforts, most police executives simply do not have a great deal of time on their hands to spend deciphering complicated statistical reports. Third, the basic statistics provided in the Compstat Report are easily interpreted and sufficient to understand whether a trend is taking place, while more complex statistical analyses are often beyond the average police manager's level of comprehension.

The weekly Compstat Report also includes pages that rank, in descending order, all precinct commands by the number of crimes committed and arrests effected. Separate pages are prepared for each of the seven major crimes as well as for overall crime, and they permit users to easily determine which precinct

commands lead the city in reported crimes and arrests. Every commander therefore knows exactly where his or her precinct stands in relation to all others, and as importantly every executive knows where commands stand in relation to each other. By ranking commands in this way, everyone knows precisely which precincts have the highest levels of crime.

The important point is that a Compstat database permits an agency to develop simple statistical reports that suit their particular needs. In other jurisdictions, police agencies might want to rank different geographic areas according to the number of crimes committed, the number of arrests made, the average response time to calls for service, the number of summonses issued, or any other type of performance indicator. It is important that executives, managers and supervisors know who is doing the most work so that high performers can be identified and rewarded and so that low performers can be identified and motivated. The number and type of performance indicators in the database should be determined by the specific needs of the individual agency.

The NYPD Compstat Report provides executives with data in a variety of formats, including pie charts, bar charts and tables that summarize and visually depict performance data. The simplicity and versatility of many off-the-shelf software packages available today make data-basing and report generating a simple matter that does not require exceptional computer skills. These software programmes make the basic concept of the Compstat process - collecting data that is important to manage the agency and achieve its goals, statistically analyzing the data in a way that will quickly identify new trends and patterns, and presenting this data in a format managers and executives can easily understand - a relatively simple task.

C. The Commander Profile Report

An important adjunct to the weekly Compstat Report is the Commander Profile. This report provides detailed information on patrol and investigative units as well as their Commanding Officers. In smaller agencies, it might provide data on shift supervisors or specialized units. By consolidating data in a single report, the Commander Profile permits top executives as well as other middle managers to be generally familiar with conditions and issues in every unit and command, and it also serves as a kind of 'report card' for the way commanders manage non-crime management issues. Because it is widely circulated within the NYPD, the monthly Commander Profile (like the weekly Compstat Report) enhances the transparency of the agency's management: almost everyone knows exactly how well they are performing in relation to others.

The concise Commander Profile report contains a page for each precinct command as well as for each detective squad and specialized investigative unit. The data include population and demographics, the number and ranks of personnel assigned the number and categorized type of civilian complaints made against officers, the number of vehicle accidents involving Department vehicles, and a host of other information by which the commander can be assessed. These include sick rates, the number of line-of-duty injuries suffered by officers, response time to various types of calls for service, overtime expenditures, and the number of calls for domestic violence. These data give executives important insights into the state of a command, and because commanders are expected to manage each of these issues the statistics are important indicators of the manager's abilities. While the NYPD uses its own specific criteria in assessing managers, other agencies should substitute variables appropriate to managing their agency and achieving its overall goals.

D. Crime Mapping

The Compstat Report's statistical summaries provide considerable information about the number of crimes, arrests and other enforcement actions taking place within a given geographic area (i.e., a precinct, Patrol Borough or the city as a whole), but it says nothing about *where* or *when* those crimes are taking place. This kind of aggregated information is important, but it is also insufficient if we are to strategically deploy resources to address crime. As in any strategic intelligence system, we certainly need to know our opponent's strength, but we also need to know where our opponent will be and what he will be doing at a given time. Compstat uses crime mapping technology to determine the time and location crimes are most likely to take place.

Like many police agencies, the NYPD had long employed simple pin maps to ascertain where crime had taken place. These traditional maps required constant attention to ensure they were up-to-date and accurate, there was no standardization of mapping or updating throughout the department, and they provided a fairly

limited view of crime's temporal dimension. That is, a pin map of robberies might depict the spatial distribution of these crimes over the previous month, but gave no insight into robberies occurring the previous month or over the course of the previous year. One precinct might update its maps each month, while another updated the maps every six weeks. The lack of standardization meant that every precinct might not have a separate map for each crime — robberies, burglaries and car thefts could conceivably be depicted on the same map. Different coloured pins were typically used to denote different types of crime (or, if separate maps were prepared for each of the major crimes, for different times of day), but especially in high crime precincts the range of colours could be confusing. The traditional push-pin maps were rarely used for any strategic purpose, and they did not permit sophisticated analysis of multiple variables or relationships between causative factors in the crime equation.

The first crime maps used at the early Compstat meetings were the conventional kind: commanders were instructed to bring large precinct maps with clear acetate overlays depicting the distribution of major crimes. Colour-coded dots on the acetates indicated the location of individual crimes and by placing several acetates atop the precinct map the areas of highest crime could be identified and some spatial relationships between crimes could be discerned. These crude maps did not permit the analysis of temporal relationships, though.

These problems were largely overcome when, in the summer of 1994, the Compstat Unit began using an off-the-shelf mapping programme that generated computer-based maps of every precinct in the city. These computerized maps, which could be viewed on a computer screen or printed out on paper, were capable of interfacing with the Compstat database and generating layers to depict each of the seven major crimes. They could also depict those crimes by time of day or day of the week — all that was required was expanding the existing Compstat database to include information fields for the address, time of occurrence and day of the week. All this information was readily available to the precinct personnel who compiled the weekly crime recapitulation from paper crime reports.

Eventually, computerized layers were developed to include a wide range of related map information such as the locations of schools, parks or playgrounds, transit facilities, houses of worship, banks, automated teller machines (ATMs), and past and current drug arrests - all locations or facilities that could conceivably impact the crime equation. These maps and layers permitted an exploration of the relationships between crime, time and place, immediately identifying 'hot-spot' crime clusters and the times those crimes were most likely to occur. This information helped predict when and where crimes were likely to occur next, and it therefore helped to determine deployment decisions.

The flexibility and ease of analysis afforded by mapping software facilitated an in-depth examination of the causes of crime: the kind of exploratory analysis of the relationship between shootings, robberies and drug sale locations mentioned above, for example, - an analysis that was scarcely possible with conventional push-pin maps - became a simple matter through technology. Commanders could also explore whether certain locations or facilities were attracting crime at particular times and develop effective strategies to prevent the offences. A precinct map that depicted the locations of schools as well as robberies, for example, might not reveal crime clusters unless the robberies were filtered to include only those robberies taking place during school hours. In this example, it would be worth exploring whether many of the robbery victims and/or robbery perpetrators were teens - information (age of victim, age of suspect) that is also now contained in the Compstat database and can therefore be immediately analyzed. If they were in fact teens, the appropriate way to address the robbery problem might be through enhanced truancy enforcement that would reduce the number of victims and perpetrators on the street.

The mapping technology also made it a relatively simple matter to focus enforcement efforts when and where crime was actually taking place. By plotting the locations where crimes were being committed and superimposing the locations where arrests for the same crimes were being effected, commanders can ensure that their personnel are properly deployed and working effectively to have the greatest immediate impact. The specific strategy is often less important than the fact that something is being done to remedy the problem, and no effective remedy can be prescribed unless the specific symptoms are known.

E. Summary: The Compstat Technology Package

The technology that makes Compstat possible is not very complicated, but its impact has been formidable. The ability to quickly gather, process and analyze large amounts of crime information creates many new opportunities for examining crime and crime trends, for developing effective strategies to reduce crime and improve quality of life, and for focusing personnel deployment and enforcement activities. Commanders have the technological capacity to analyze events on practically a real-time basis, and a wealth of crime intelligence can be rapidly communicated. These technological advancements dramatically altered the way the NYPD deals with crime. Deployment strategies have been refined and carefully focused, and members of the department learned how detailed crime pattern analysis can point to appropriate strategies to reduce crime. Personnel at every level of the organization also saw how detailed analysis could be used to test the effectiveness of crime reduction strategies worked under specific conditions. In other words, the technology utilized in Compstat revolutionized the way members of the NYPD think about crime, crime control, and strategic policing.

F. The Compstat Meeting — Also known as the Crime Control Strategy Meeting

Like all the other technological and organizational elements of the Compstat process and the Compstat paradigm, the Compstat meetings developed and changed as part of a rapid evolutionary process. Because the NYPD faced a serious problem of information flow, a clear need existed for a method that would ensure more timely communication of ideas, information, policies and directives throughout the agency.

Prior to Compstat, the NYPD's only institutionalized crime meetings were the relatively small monthly robbery meetings chaired by Patrol Borough commanders and attended by precinct commanders and the separate monthly meeting attended by each of the seven Borough commanders and chaired by the Chief of Patrol. None of the other high-ranking executives usually attended the meetings, and they rarely, if ever, met formally with precinct commanders to discuss crime statistics or crime control issues. As a result they had little interaction to help determine their leadership and crime-fighting skills.

The problems that plagued the robbery meetings began to change with the first Crime Control Strategy Meetings — the formal name for what have come to be known as Compstat Meetings. Unlike the vague and subjective assessment standards of leadership and crime-fighting ability that previously existed, Compstat put extremely objective standards in place, basing them on clear goals that effective and energetic managers could reasonably achieve.

The first Compstat meetings were rather simple but they were a tremendous improvement over the earlier robbery meetings insofar as they brought high-ranking executives and precinct commanders together in the same room at the same time. Everyone at the meeting is armed with the same basic information and statistics (i.e., the Compstat Report) and specific questions regarding crime can be directed to the person with the immediate responsibility for controlling crime in the precinct - its commander. The commander can respond directly and publicly to the executive asking the question, and an atmosphere of transparency and fairness is created because everyone in the room is privy to the same information and everyone is held to the same standard. The system of hierarchical communication (that is, communication up and down the established linear channels of a traditional organizational chart) was transformed into a communications model that resembled what Bratton has called a "seamless web" (Henry, 2000): every individual (or node in the network) can communicate immediately and directly with every other individual. As commanders respond to questions they also have the opportunity to educate executives about the specific crime and quality of life conditions existing at particular locations or within particular neighbourhoods; executives thus gain a deeper knowledge of the precinct as well as of the city and all its neighbourhoods.

The communication methods employed at the early Compstat meetings were unusual for a police agency, and they immediately attracted attention within the department as well as outside it. A *New York Times* article noted that

such meetings, which are much like those regularly held by major corporations, may seem a little thing, but they are new to the New York City Police Department and they are rare among departments around the country ... Perhaps more than any other single thing the department is doing, the meetings reflect the Commissioner's intent to mobilize the tools of corporate management as he searches for "creative ways to reduce crime and the fear of crime" (Treaster, 1994, p. B3).

The early Crime Control Strategy meetings were held in a small room that did not offer any of the amenities or technology that would later be associated with Compstat meetings, but it still offered the opportunity for an unprecedented level of interaction between the agency's top leadership and its middle managers. From the beginning, the meetings permitted executives to communicate ideas and objectives directly to the people responsible for implementing them. Similarly, precinct commanders had a forum to communicate the crime and quality of life conditions they faced and the organizational obstacles and problems they encountered, directly to the executives who had the resources to help them resolve these issues. By introducing a transparent peer-to-peer (or, in other terms, competitor-to-competitor) system of transmitting information, Compstat meetings put additional pressure to perform on commanders. Some precinct commanders were initially reluctant to speak candidly to the top brass or in front of their peers and competitors, but in time they took the opportunity to communicate openly.

The executive staff also benefited from the new arrangement, since it was able to formally and informally assess each middle manager's knowledge and leadership ability on a monthly basis and to monitor the individual's career progress as additional challenges and responsibilities were taken on. As each precinct commander responded to questions or addressed the group, it became apparent which ones had natural leadership talent, who showed promise as motivators and problem solvers, and who presented himself or herself as a competent manager capable of moving the department forward to achieve its goals. In this sense, the meetings served as a showcase for managerial talent.

The Crime Control Strategy meetings are convened twice each week from 7 A.M. to 10 A.M. As the meetings grew and the technology evolved, they were soon moved to the Command and Control Centre, a high tech conference room. The meetings are attended by practically all the NYPD's top executives, as well as Borough Commanders and precinct commanders within a particular geographic area that is determined on a rotating basis — usually about six or seven precinct commanders in adjoining precincts attend each meeting. In addition, the heads of the investigative and enforcement units working within these precincts also attend.

The Compstat meeting's primary participants are seated around conference tables set up in a horseshoe arrangement, with microphones placed every few feet. At the top of the table, executives sit at a kind of dais, while precinct and investigative unit commanders sit along the sides of the horseshoe. Facing the executives at the open end is a podium, and mounted high on the wall behind the podium is a large video projection screen measuring perhaps ten feet by thirty feet. Additional video monitors and projection screens are arranged nearby. Other meeting participants - including visitors and representatives from support and ancillary units - sit on folding chairs in a gallery behind the executives.

One by one, precinct commanders and the heads of investigative units operating within the precinct's jurisdiction are called to step up to the podium and brief the assembled group on current crime and quality of life conditions as well as the activities and strategies being used to address those conditions. Commanders are expected to present a candid and fairly detailed overview of the state of the command, the priority crime and quality of life conditions it faces, and the strategies and tactics being employed to manage those conditions. Commanders typically review the changes in crime and quality of life conditions as well as arrest and enforcement statistics since their last Compstat appearance, and they usually brief the group on current major cases and initiatives. Commanders can have statistical data from the Compstat Report (as well as prepared charts and tables depicting various crime analyses) projected on the screens. The briefing is a comprehensive and informative recapitulation of criminal activity and police activity within the command, showcasing what the commander is doing to identify and solve problems. Executives may interrupt and direct the presenter to focus more closely on a particular issue, or they may interrupt to focus on a particular case. The overall process of interaction is fluid and flexible, with few fixed rules.

Commanders draw attention to emerging crime and quality of life problems, explain what strategies and tactics they are pursuing to address them, demonstrate a thorough grasp of the issues facing the command, and communicate the overall state of the command's management. Following this state-of-command briefing, executives begin questioning the commander. Although virtually any issue related to the command's management is fair game for the executives' inquiries, crime reduction and quality of life improvement issues are usually given the highest priority. Based on their earlier review of the Compstat Report, the Chiefs and Deputy Commissioners are likely to have questions about statistical increases in any crime category.

G. Interactions at the Compstat Meeting

The give-and-take between Precinct Commanders and executives at Compstat meetings can at times become adversarial, but they also emphasize executive approval and public commendation for high-performers. Astute executives are as generous in lavishing praise as they are in censure. George Kelling (1995) described the type of interaction that takes place at the sessions when they are conducted properly:

Another commander steps to the podium. "You had eight rapes this month, four above last year," Maple says, "What's going on?" The commander begins disaggregating: "Four rapes involved friends and family, one was a date rape, and three were stranger rapes two of those appear to be the work of one person." Maple turns to the detective lieutenant assigned to the precinct and standing beside the commander. "Tell me about the investigation." The lieutenant moves to the podium and describes the investigation. Maple interrupts and addresses another precinct commander seated at the table: "You had a similar problem a couple of months ago, didn't you? How did you handle it?" Later in the presentation, while discussing auto theft, the commander asks if it's legal to stop tow trucks towing cars (a common method of theft). Several people call out a jumble of opinions. Maple cuts them off. Nodding to the head of the legal department, he guarantees the captain a quick response: "We're not sure. Legal will get back to you with an answer by the end of the day." (Kelling, 1995, p. 44)

Kelling goes on to note how the precinct commander finishes his presentation by introducing two patrol officers brought with him to the meeting. He describes how the officers' initiative led to the solution of a series of robberies occurring across two patrol boroughs as well as within the jurisdiction of a suburban police agency outside the city. "Along with the rest of the participants and the audience, chiefs, *super-chiefs*, rise and applaud - applaud patrol officers. The officers have been assigned to a month of special duty in the detective unit, a career-enhancing honour (Kelling, 1995, p. 44; emphasis in original)."

H. Summary and Conclusion

The weekly Compstat Crime Control Strategy Meetings are one facet of the Department's comprehensive system by which the NYPD monitors and evaluates the performance of individual commanders and the agency as a whole. As the Compstat meetings developed and achieved results, similar or related evaluation systems and processes were instituted at all levels of the organization. These systems and processes include the pre-Compstat briefings at which precinct commanders make their presentations to their Patrol Borough Commander in preparation for the Headquarters meeting and the precinct-based Compstat meetings convened by precinct commanders to ensure the performance and accountability of the line supervisors who report to them. Each of these structures follows the general outline and process of the Compstat Crime Control Strategy Meetings.

The Compstat process is a radical departure from the management and problem-solving processes that have traditionally been used in American police agencies, and perhaps the principal difference lies in its intensity and the extent to which it focuses upon the uncompromising fulfilment of the agency's core mission. The process truly represents a revolution in the way police agencies are managed. Although this has become a revolutionary process, it continues to evolve insofar as it is sufficiently flexible to permit continual adjustment, refinement and enhancement in order to effectively respond to changing demands.

IV. DIFFICULTIES WITH THE UTILIZATION OF COMPSTAT

Overall, there have been few difficulties encountered with the implementation of Compstat. Most of the difficulties, in fact, occurred during the early days before the majority of members of the NYPD (the critical 'tipping point' referenced in the first part of this paper) became convinced that this new system for holding personnel accountable and for reducing crime and disorder would actually be effective. As its effectiveness became apparent, members of the NYPD accepted it and incorporated Compstat-style systems throughout the organization.

Admittedly, there was some initial fear about Compstat and the accountability it brought, but that fear was largely confined to those timid supervisors, managers and executives who also feared being held accountable themselves. Many of these individuals had good reason to be fearful, since they had risen through the bureaucracy to positions of rank and authority but had few real skills in the area of managing crime. Because they lacked the skills to manage crime, they were unsuitable for the commanding officers assignments they held. Compstat soon revealed their inadequacies, and they were reassigned to units (typically lower-status

positions) better suited to their particular skill set. In many cases, these individuals chose to retire from the NYPD rather than take a transfer. The particulars of NYPD's generous retirement system permitted many managers and executives to exit the agency without incurring a significant personal financial impact.

In line with this fear of accountability, Compstat encountered fairly significant early resistance from managers and executives who were locked into an established and anachronistic management mindset. A particular management style known as the Professional Model had been the prevailing management model in the United States from at least the 1940s through the 1980s, when the Community Policing Model began to take hold — particularly among the more progressive managers. Nevertheless, many of the NYPD's executives and managers remained rooted in the concepts and principles of the rigid Professional Model, which emphasized bureaucracy, limited discretion for those in lower ranks, strict adherence to written rules and procedures, and the centralization of power, authority and discretion among the top ranks. These ideologies were, of course, at odds with Compstat principles, and proponents of the Professional Model had great difficulty accepting Compstat and adjusting to it. Again, many of the 'old dogs' chose to retire rather than to adjust their thinking and points of view, and some of those who remained subtly or overtly resisted Compstat's implementation. They too, were identified as lacking the management skills, insights, and flexibility required under a Compstat system, and for the most part were reassigned to less influential positions where they could not create substantial interference.

Another related problem during the early phases of implementation was also related to the previous management mindset. Compstat required rapid action, and speedy response has never been a characteristic of highly bureaucratized organizations. Those individuals involved in developing Compstat were often in conflict with the entrenched bureaucrats who were set in their ways and who required that all personnel follow procedures without exception. An example was the experience of Sergeant John Yohe, one of the prime architects of Compstat and the man who put together its computer technology systems.

Yohe needed a particular database software that the NYPD did not use as well as some GIS mapping software, and he needed it quickly. He prepared a purchase order for the products and brought the purchase order to the purchasing office in order to acquire the software as quickly as possible. The bureaucrats told him that because the department had never purchased this particular product before, procedures required several additional reviews and approvals. Accountants would have to review his request and decide if he really needed the products he wanted. In addition, they said, Sergeant Yohe did not have sufficient rank to authorize the purchase: he would have to prepare a new purchase order and receive endorsements from higher-ranking officers. Finally, the purchase would have to wait until the next time the purchasing office was buying software, since it bought in bulk and would not purchase individual items. The bottom line was that several months would elapse before Sergeant Yohe got the software he needed to help reduce crime. Although he argued with the bureaucrats, they held firm.

Instead of arguing further, John Yohe left Police Headquarters and walked down the street to a computer shop where he bought the software and paid for it with his personal credit card. He began using the software that day — using it for the purpose of fighting crime. When he tried to submit his credit card receipt for reimbursement, the bureaucrats were outraged: not only was there no procedure in place to reimburse emergency purchases on personal credit cards, but Yohe had offended the bureaucrats and their sense of authority by ignoring the procedures they told him he must follow. In their view, he had been impertinent and possibly insubordinate because he did not follow procedures, and they refused to reimburse him. The fact that in this case the procedures were absurd did not matter to the bureaucrats; they were concerned with only with procedures and did not perceive that these procedures were insignificant in comparison to the overall mission of fighting crime. Only when a ranking chief intervened did John Yohe receive reimbursement, but the chief's intervention also identified the offending bureaucrats as obstructionists.

This anecdote is one of many that effected the implementation of Compstat, and it illustrates a common problem in rapidly changing organizations: the reluctance or inability of some personnel to change the way they think and act in response to a changing environment.

V. FUTURE PROSPECTS OF COMPSTAT AND COMMUNITY POLICING IN NYPD

So far, we've seen the Compstat paradigm's impact on the agency as well as the fundamental changes it effected and the powerful results it achieved. As evidenced by the number of police and other public service agencies that continue to adapt and/or adopt the paradigm and implement its methods and principles, it is clear that Compstat has made its mark and that it is fairly well entrenched across the broad landscape of public sector management. But because the Compstat paradigm continues to evolve, to adapt, and to find new areas of application, it would be premature to end our exploration without some speculation about its future.

There is a great deal to be optimistic about concerning Compstat and the Compstat paradigm, since the paradigm's greatest strength lies in its capacity for flexible response to new and emerging trends. Just as Compstat has proven its effectiveness in rapidly responding to new crime trends and rapidly changing crime conditions, it is likely to be effective in overcoming any other complicated exigencies the future may hold.

We will briefly explore some of the directions Compstat has taken and some of the directions it may take as it continues to evolve.

Variations on the Compstat Theme

It was noted earlier that over the past several years hundreds of police agencies across the United States and throughout the world have visited the NYPD to learn about Compstat (Gootman, 2000). Many of these visitors returned to their agencies and implemented some variant of what they learned and observed, and it was suggested that the rapid wholesale importation of unfamiliar management methods and strategies might ultimately damage their organizations and organizational cultures. We should also recognize the potential societal damage this powerful management tool could do in the hands of inept or unethical executives. Compstat management empowers executives, managers, supervisors and line officers, and that power could easily be subverted - especially by unethical or self-serving executives - to corruptly suppress the ideals of democratic policing, to intimidate or harass personnel, or to diminish human rights and democratic freedoms.

Despite a wealth of superficially descriptive material about Compstat in the academic sphere and in the general news media, there have been few real research studies about Compstat and its impact on the police agency and its culture. We simply do not know how many police departments are currently practicing a variant of Compstat. We do not know how thoroughly the paradigm has infiltrated the management mindset or how significant its impact has been on police operations and strategies, and we do not know how its implementation has affected the agencies' organizational cultures. There have been many success stories, however, and these examples provide an optimistic picture of Compstat's future. What many of these positive examples have in common is that the Compstat management processes and techniques were introduced to the agencies by individuals who were part of its development in New York - by individuals who thoroughly understood the subtleties of its philosophy and practice.

One of the most notable and most ambitious variations on the Compstat theme is Baltimore's Citistat. In Baltimore, every city agency was re-tooled to operate according to Compstat paradigm principles, and every agency developed statistical measurement and reporting systems for key performance data. Every city agency gathers performance data and conducts a weekly in-house management meeting modelled after the NYPD's Compstat Crime Control Strategy meetings, and every agency head attends a citywide meeting chaired by Mayor Martin O'Malley every two weeks.

While Compstat in police agencies usually focuses on the seven major crimes as well as other indicators of violence, disorder and quality of life, agencies operating under Citistat focus on issues of concern to their particular mandate. Baltimore's Department of Health, for example, includes statistical measures of the number of food establishments inspected and the number of violations found, the number of HIV tests conducted and the number of positive results, the number of active clients in methadone treatment programmes, and even the number of animal carcasses removed from city streets. Among the data items Baltimore's Housing Authority collects are the number and percentage of vacant public housing units, the number of work orders issued for apartment repairs, and the number of apartments inspected, as well as overtime earned by staff at each housing project. The Bureau of Recreation and Parks captures data on attendance and revenues generated at public swimming pools as well as skating rinks and golf courses, the number of youths participating in various city-sponsored sports leagues, and the number of senior citizens

participating in sponsored bus trips, as well as numerous other performance indicators.

In line with the Compstat paradigm's emphasis on public accountability through transparency, Baltimore's municipal agencies make these and other key performance data available on the city's web site - www.Baltimorecity.gov/news/citistat/index.html. The web site also contains an excellent description of the Citistat process and a number of links to related news articles and press releases. In addition, the Baltimore Police Department's website (www.Baltimorepdonline.org) has a searchable database of reported crime - users can enter an address or neighbourhood and call up a detailed pin map showing the spatial distribution of various crimes. The Philadelphia and New Orleans Police Departments also have extensive crime and quality of life data available on their websites (www.Ppdonline.org/ppd_compstat.htm). Although the NYPD makes some data (including modified Compstat reports for each precinct and for the city as a whole) available on its website (www.Nyc.gov/html/nypd/pct/cspdf.html), the site currently has no mapping capability.

Baltimore realized substantial declines in crime since implementing Citistat, and Citistat has paid off in other ways as well: by monitoring overtime, sick leave and other expenses Baltimore saved more than \$13 million in its first year of operation. Citistat's technology is inexpensive and highly cost-effective, according to the city of Baltimore: the computers and construction of a special conference room for Citistat meetings cost about \$20,000 (www.Baltimorecity.gov/news/citistat/index.html).

A host of other municipalities have followed the Compstat model. Houston, for example, has implemented ServiceStat. In an August 2001 press release, Mayor Lee Brown - the NYPD's former Police Commissioner - noted that the initiative was based on the NYPD Compstat model and described it in this familiar way:

"The ServiceStat module is built on a four-block foundation," Mayor Brown added, "First, accurate and timely intelligence to ensure the most complete analysis possible; second, rapid deployment of resources to quickly address City problems; third, effective tactics and strategies to ensure proactive solutions; and fourth, relentless follow-up and assessment to ensure that problems do not reoccur."

Although it is based on Compstat and is quite similar to Citistat's inclusion of multiple agencies, ServiceStat is linked to Houston's 3-1-1 Service Hotline, a kind of central hotline system for non-emergency matters. By tying the 3-1-1 Service Hotline to a Compstat accountability system, every citizen complaint about service can be tracked and monitored to ensure that the complaint is resolved to the caller's satisfaction. Aggregated and categorized statistics can also help identify the issues of greatest public concern - have the overall number of inquiries about trash pickups increased, or have complaints about potholes tapered off? And permit executives to identify emerging trends. Once these trends are identified, agency heads can be held accountable for resolving the issues.

The Compstat model was successfully adapted to manage New York City's jail system. Bernard Kerik, who was at that time New York's Corrections Commissioner and was later appointed Police Commissioner, developed the Total Efficiency Accountability Management System (TEAMS) initiative to measure, track and control incidents of inmate violence as well as other critical management problems. Once again, the results were remarkable: in the initiative's first four years, inmate violence was reduced by an astounding ninety percent, overtime expenses were reduced by half, sick time among corrections officers declined by 25 percent, and morale improved tremendously (O'Connell & Straub, 1999).

In 2001 Compstat was brought to bear in managing New York City's highly bureaucratized Board of Education. Given the nature and scope of the Board of Education's extensive management problems, its long history of institutionalized resistance to accountability, and overall lack of internal motivation for change, this initiative continues to present a significant challenge. Since practically every other effort in recent history to rein in the Board of Education bureaucrats, to break up fiefdoms of power and influence, and to hold educators accountable for the performance of students has largely failed, Compstat's success or failure will depend greatly upon the commitment and perseverance of the Schools Chancellor and middle management superintendents.

Clearly, the Compstat paradigm is beginning to take hold in municipal government. New applications for the paradigm are being developed, and it is a fairly safe prediction that the paradigm will continue to develop

and grow. It is also a safe prediction that it will continue to achieve outstanding results in agencies headed by committed executives who properly implement it and wisely use its transformational power.

VI. COMPSTAT AND TERRORISM

One of the most significant impediments to effective law enforcement response to terrorism is the problem of competing interests between and among law enforcement agencies - in other words, 'turf wars' based on the control of crime intelligence information. This is an issue for coordinating a strategy against terrorism, as well as a problem for any sort of multi-agency strategy against practically any crime or social problem. The American system of law enforcement is incredibly complicated and incredibly decentralized: there are more than 19,000 separate local, state and federal law enforcement agencies in the United States (Bureau of Justice Statistics, 2001; Reeves, 2001), and for the most part there is little real interaction or sharing of crime intelligence between and among them. In the United States, there is no centralized authority that establishes and enforces standardized policies and practices for these agencies. No central authority holds these agencies accountable for cooperation or for sharing information.

This decentralization and the autonomy of the 17,000 agencies has always been an important and ultimately desirable feature of American law enforcement - decentralization and independence tends to ensure that police power will not be consolidated and amassed under the control of a few people who might abuse that power. Totalitarian regimes tend to have highly centralized and very powerful national police forces (as well as a tendency to use these police forces to coerce and control the public and to suppress human rights), but with a few notable exceptions democracies tend to have decentralized and fairly weak systems of law enforcement.

Along with this decentralization, though, is the tendency toward competition and the withholding of information. Turf wars over information occur between and among (as well as within) law enforcement agencies for a variety of reasons, but primarily because the control of organizational information translates into the control of organizational power. If one agency (or one unit or even an individual within an agency) withholds critical information from others, it impedes others' ability to perform their functions and, ultimately diminishes others' opportunities to be recognized for performing their function well. In the long run, withholding intelligence information diminishes the likelihood that crimes will ever be solved.

There has always been a kind of tension or rivalry between federal, state, and local law enforcement agencies, as well as reluctance to share information. This historic reluctance has caused many conflicts and has been the subject of much debate over the years, but the issue reached an unprecedented level of public awareness in the immediate aftermath of the 2001 World Trade Center attack. The American public demanded to know how and why the nation's vaunted intelligence community - including the CIA, the FBI and the NSA - had failed to uncover and prevent the terrorist plot. Significant media attention was devoted to the fact that not only did the various federal law enforcement agencies fail to share information among themselves, but they failed to share it with state and local law enforcement.

As Heather MacDonald (2001) notes, Joint Terrorist Task Forces (JTTFs), comprised of federal, state and local officers and overseen by the FBI, exist in New York City and several other large municipalities. The idea behind the JTTFs is simple: use the resources of local law enforcement, which typically has significantly more investigative personnel and often more or better sources of information than the federal agencies, to cooperatively gather terrorist intelligence. By agreement, the JTTFs have exclusive jurisdiction over terrorism investigations, a situation that gives the FBI *de facto* control over the collection and dissemination of intelligence. As MacDonald described, however, the FBI has not shared that intelligence - at least not to the satisfaction of local police officials. Interagency turf wars - not unlike the internal turf wars that once prevented the NYPD from effectively fighting crime - were inhibiting the investigation and prevention of terrorism.

The solution Macdonald (2001) proposes is Fedstat - regularly scheduled meetings of agency heads to monitor ongoing terrorist investigations and other intelligence-gathering operations, to share intelligence information, and to better utilize the resources each agency brings to the table.

The FBI's anti-terrorism efforts should be Compstated in every city where the bureau operates. Where a Joint Terrorist Task Force exists, the commanders of the agencies represented should meet

on a bi-weekly basis to interrogate taskforce members about the progress of their investigations. Where JTTFs don't exist, the FBI should assemble cooperative meetings with all relevant agency heads. The new Fedstat meetings would have two purposes: to ensure that each ongoing investigation is competently pursued, and to share intelligence. The only fail-safe defense against terrorism is information, but it must be made available to those who can best use it. In many cases, that will be local law enforcement (MacDonald, 2001, p. 42).

Can Compstat principles be applied in the fight against terrorism? MacDonald (2001) makes a persuasive case that it can, but once again Compstat's effectiveness in managing terrorism will be a test of the skill, commitment and philosophy of those who apply it. Based upon Compstat's previous track record as well as its inherent capability to disseminate information and to serve as an early warning system, it is a fairly safe prediction that a series of Fedstat processes would be effective in preventing or responding to terrorist acts. If properly implemented, Fedstats would not only help share critical intelligence data, they would empower the various agencies involved just as Compstat has empowered middle managers in the NYPD. Agencies could better utilize and better coordinate their resources, and they could focus their investigative and enforcement activities in the most productive areas. The same strengths that make Compstat work to reduce crime or to manage an entire city can easily be brought to bear on the threat of terrorism, with the same potential for success.

VII. A FINAL NOTE

In December 2001, the Manhattan Institute's Centre for Civic Innovation released a comprehensive study by George Kelling and William Sousa that addresses one of the primary tenets of the Compstat paradigm. The study, entitled "Do Police Matter? An Analysis of the Impact of New York's Police Reforms," addresses the question of whether the sharp crime declines that occurred in New York City during the 1990s were the result of economic factors, demographic factors, a reduction in drug abuse, police activities, or some combination of these factors. After reviewing and statistically analyzing a host of empirical data the authors concluded that police activities - in particular, the NYPD's operationalization of 'Broken Windows' policing strategies - played a major role in reducing crime.

More specifically, Kelling and Sousa (2001) conclude that 'Broken Windows' policing is significantly and consistently linked to declines in violent crime and that 'Broken Windows' policing prevented over 60,000 violent crimes between 1989 and 1998. In terms of demographic arguments about crime causation, they determined there was no statistical association between changes in the number of young men of high-school age, and neither was the decrease in the use of crack cocaine associated with a decline in violence. Case studies conducted in six NYPD precincts showed that the new tactics and strategies the department employed had an impact in reducing crime: Compstat, which the authors describe as "perhaps the single most important organizational/administrative innovation in policing during the latter half of the 20th century (p. 2), permitted commanders to identify and address specific crime patterns, and the statistical frequency of these crimes declined when commanders employed carefully devised strategies and tactics.

Is Compstat, along with the timely and accurate intelligence, effective tactics, rapid deployment and relentless follow-up it entails solely responsible for the decline in crime? No, say Kelling and Sousa (2001), but Compstat and the cops who use it make a critical difference. In an Op-Ed piece in the *New York Post*, Kelling and Sousa (2001a) wrote:

Make no mistake, we did not find that police did it all. New York City's drop in crime was also the result of the actions of community groups, business improvement districts (BIDs), the faith community, the evolution of community courts and prosecution - and, yes, in some neighbourhoods, changing demography, economics or drug-use patterns. But police remain a critical factor. The strength and direction of crime rates is always dependent upon their local context, and police activities help shape that context.

Kelling and Sousa's (2001) study is a thorough and comprehensive analysis of crime's decline in New York — far too thorough and comprehensive to completely analyze here. The study's findings are important, though, because they dispel many criminological suppositions about crime and disorder and advance the ideas - central to the Compstat paradigm - that police *do* matter and police *do* make a difference. Further, the study suggests that the difference police make is substantial.

In their conclusion, Kelling and Sousa (2001) make the following observations:

First, despite the root-cause theories that have dominated criminological, criminal justice and much popular thinking about crime control, police can have a significant impact on crime levels in neighbourhoods and communities. One singularly important way of doing this is by restoring and maintaining order, through 'broken windows' policing. While this may come as a shock to many criminologists and media elites, it is nothing new to citizens and residents of neighbourhoods... (p. 18)

Second, basic shifts in policing strategies - especially the decentralization of problem analysis and problem solving - have had a significant impact. Because crime has been increasingly deemed a local phenomenon that requires localized analysis, considerable organizational pressure now exists to move away from stock and "cookie cutter" responses... (p. 18)

All of which argues, of course, for establishing a baseline expectation of public order through "broken windows" policing, and for the kind of planning and accountability that is entailed in Compstat when it is rigorously conducted (p. 19).

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THE CURRENT SITUATION OF CRIME ASSOCIATED WITH URBANIZATION: PROBLEMS EXPERIENCED AND COUNTERMEASURES INITIATED IN THE PHILIPPINES

By *Celia V. Sanidad-Leones**



I. INTRODUCTION

In the Philippines, urbanity is viewed with the combined concept of size, density and the presence of certain institutions associated with an urban lifestyle like a town hall, church or chapel, public plaza, park or cemetery, market place, buildings for trade activities and public buildings like schools, *puericulture* and a health centre and library.

Demographic studies reveal some common characteristics of urban communities: (1) a heterogeneity of cultures with concomitant differences in beliefs and behaviours; (2) differences among group members, with relationships between persons restricted to specific needs; (3) increased mobility, impersonality and anonymity; and (4) people who vary in age, race, ethnicity, norms and values. These are predisposing factors that breed urban criminality.

Comparatively, crime rates are higher in poorer neighbourhoods and in areas with higher population density, deteriorated living conditions and many unemployed members of the labour force.

Following the pattern of other countries, rapid urbanization, industrialization and migration to the cities are major factors that contribute to higher crime rates in Philippine urban centres. Urban blight in the country is essentially a result of the sudden unprecedented exodus of people from rural to urban areas. Progressively increasing difficulties in rural areas, exacerbated by the natural and man-made calamities that the country continues to experience have resulted in massive migration to the cities. In-migration, alongside natural population increase, accounts for the burgeoning urban population and the disparate rise of primate cities like Metro Manila.

This unplanned urbanization likewise heightens the observable rural-urban disparities in growth. This strains resources and creates problems in the internal city and metropolitan area. With the development of the economy through industrial investments and with infrastructure support concentrated in big cities like Manila, Cebu and Davao, labour, capital and entrepreneurial talents from the peripheries have been attracted to the centres.

These inequalities in resources, opportunities, power and access to social status rewards create alienation and frustration, and develop into pockets or subcultures of violence, which lead to crime. Most criminologists, rightly or wrongly, also attribute urban crimes to the lack of sound crime prevention planning and the apathy of the community towards involvement in anti-crime campaigns.

Urbanization in the country has affected the structure and functions of the various social institutions - the family, economy, polity, religion and education. Industrialization and modernization have led to the diminished functions of the family. Economically, urbanization has worsened poverty. This is further aggravated by unemployment, underemployment, a decrease in real wages due to persistent inflation and uncontrolled migration. The labour market remains unable to fully absorb fresh graduates and migrants. The lack of job opportunities have forced many to work abroad, leaving many children and youths under the care and guidance of a single parent or a relative.

Uncontrolled migration has led to the proliferation of slums, squatter areas and sidewalk shops. It is

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estimated that in Metro Manila alone, 5.48 million or 61.2% of the eight million population are squatters. The urban poor are also beset with high cost of living, financial difficulties, unstable jobs, lack of capital, limited educational opportunities, inadequate health and sanitation, and shortage of housing. National and local government planners and implementers therefore face increasing demands for urban services like public transportation, garbage collection, piped water, electricity, schools and health facilities.

Deterioration of living conditions in urban areas has produced its share of juvenile delinquency, drug dependency, prostitution, mental illness, physical disability, suicides, family and personal disorganization, environmental degradation, pollution, garbage and sewerage disposals, traffic jams and congestion, conditions that create fertile breeding grounds for crime.

It is also interesting to mention the nature and pattern of urban crimes in the Philippines culled from statistics and victimization studies. The most recent of which is the 1996 International Crime (Victim) Survey conducted by the United Nations International Crime and Justice Research Institute (UNICRI) and the Crime Prevention and Coordination Service of the National Police Commission in Manila from February 1996 to May 1996. The study shows that the bulk of urban crimes are crimes against property. Crime statistics from 1990 to 1995 showed that among index crimes, crimes against property or econogenic crimes (e.g. robbery and theft) were most common.

Noteworthy, too is the fact that the recent victimization survey reveals crimes against property have the highest rate of victimization. Victimization rates for the last five years yielded that the most number of victimization is recorded under personal theft, followed by robbery, then by burglary. Most of the thefts were committed elsewhere in the city or within the local community. The majority of robbery cases were committed in the homes of the victim's and several near their residences. About half of the victims do not know the offender(s). The most common items taken by burglars are cash, cell phones, appliances (audio and video equipment), pieces of jewellery, wristwatches, and clothing.

II. PHILIPPINE CRIME SITUATION

Before governments are able to respond fully to threats of crime, they must first have a firm grasp of the situation. Government, particularly crime prevention planners, must be informed of concomitant factors in the commission of crimes and other important data for them to responsively address the problem.

A. National Crime Situation

Crime volume is the number of crime incidents per 100,000 population. Total Crime volume for the last four years has been fluctuating. It registered 80,108 in 2000, 76,991 in 2001, 85,776 in 2002 and 83,704 in 2003. For the period January to November 2004, the total crime volume registered is 8.5% lower compared with the same period last year. Out of the total crime volume, 55% are index crimes and the rest are non-index crimes.

In terms of crime rate, the 7.84 crime rate per 100,000 population for January to November 2004 reflected a decrease of 10.2% compared with the 8.73 crime rate for the same period in 2003. There is also a decrease of 1.3% in the overall crime solution efficiency, from 91.19% in January to November 2003 to 90% in January to November of 2004. Total crime volume was highest in the National Capital Region (NCR) comprising 23.2% of the total crime volume nationwide. Crimes in the metropolitan area were prevalent in the highly urbanized cities of Quezon, Manila and Caloocan.

Index crime volume from January to November of 2004 was recorded at 39,400. This year it is 39,126 which shows a 0.70% reduction. Among the classification of index crimes, 57% are crimes against persons and 43% are crimes against property. Among the 17 regions, NCR registered the highest index crime volume. Index crimes (murder, homicide, physical injuries, rape, robbery and theft) were widespread in Quezon City, Manila and Caloocan City.

The theft volume last year was figured at 9,033, while this year it exhibited an upsurge to 9,892 incidents of an increase of 9.5%. For the same period, non-index crimes reduced by 16.5% compared with last year. Among the regions NCR registered the highest in Quezon City, Caloocan and Manila.

B. Crimes Associated with Urbanization

In the Philippines, there are a number of crimes directly related to urbanization that pose serious concern for the government and civil society, foremost of these are street crimes, illegal drug trafficking, robbery and theft, violent crimes against women and children, and terrorism.

1. Street Crimes

The phenomenon of street crimes seem to include almost all acts punishable by law that are committed on the streets. These seem to cover all types of crimes such as a person gunned down due to a traffic altercation, which constitutes murder; peddling of illicit drugs on the streets or using them as in the case of wayward youth sniffing solvents in open view of people; rape in vacant lots or dark alleys; kidnapping while walking or travelling by car; highway robbery of armoured vans and similar vehicles; theft of parked cars; assault/threat; swindling; vagrancy; and prostitution.

From March to November 2004, street crime volume declined by 32.12% as it registered a total of 11,336 against 16,699 of the previous year. The NCR remained the highest nationwide with 3,979 or 35.10%.

In Metropolitan Manila, illegal drugs incidents were highest in Caloocan City, Ermita and Pasay City. Physical injury cases were notable in Manila particularly in the commercial areas of Raxa Bago and Ermita. Robbery cases were rampant in Pasay, Ermita and Tondo. Theft incidents were widespread in Manila and Quezon City.

For CY 2003, a total of 17,337 crimes against property were recorded. This figure decreased by 4% compared with 18,054 incidents in the previous year. Crimes against property account for 40.5% of the index crime volume nationwide and 20.7% of the total crime volume. Theft cases comprise 57% of the total crime against property for the 4th quarter of 2003 while robbery incidents account for 43%. For 2003, NCR recorded the highest number of crimes against property with 6,580 followed by Region 7 then by Region 4-A.

Statistical reports gathered from police stations show that Robbery cases recorded in CY 2003 decreased by 2.2% from 7,708 cases in CY 2002 to 7,536 cases in CY 2003. Robbery comprises 17.7% of the index crime volume nationwide and 9% of the total crime volume. The highest number of robbery cases was reported in the National Capital Region with 2,978 cases, with Region 7 coming in next with 1,562 and Region 13 with 68 cases.

There were 9,801 theft cases recorded. The figure reflects a decrease of 5.3% compared with the previous year. Theft constitutes 23% of the index crime volume nationwide and 11.7% of the total crime volume. Among the regions NCR recorded the highest number of incidents followed by Regions 7 then 10.

Countermeasures

The Philippine National Police (PNP) is exerting every effort to reduce the incidence of street crimes such as robbery, hold-ups and theft, particularly in Metro Manila and other highly urbanized areas, through heightened police visibility and patrols, vigilance activities in cooperation with the community including increased community relations activities. The Police presence on the ground was intensified through the implementation of the Community-Oriented Policing System (COPS).

The concept of the Community Oriented Policing System was launched in 1993 by the National Police Commission (NAPOLCOM) and the Philippine National Police through the project Police-Patrol Lingkod Bayan. It was institutionalized in 1994 through a PNP Memorandum by making it one of the key result areas of their National Strategic Action Plan. The passage of Republic Act 8551, otherwise known as the PNP Reform and Reorganization Act of 1998 further strengthened the COPS as it mandates the PNP to be a community and service-oriented agency.

In order to ensure uniform appreciation and implementation of COPS the Law Enforcement Pillar of the NAPOLCOM Technical Committee on Crime Prevention and Criminal Justice formulated a Manual of Operation. Also, a series of training sessions and dialogue for COPS implementors were conducted at the regional level in all of the regions nationwide from the years 2000-2003. At the end of 2003, there were more than 4,310 COPS-Kababayan Centres established nationwide.

Through the COPS, police conduct day and night mobile and foot patrols especially in crime prone areas

like shopping malls, market places, public utility vehicles including the Light Railway Transit (LRT) and the Metropolitan Railway Transit (MRT), banks and parks.

In the last semester of 2004, the NAPOLCOM through the Law Enforcement Pillar conducted a Monitoring and Evaluation Survey/Study on the Implementation of COPS and randomly selected 1st class cities and municipalities in the NCR and in the representative regions of Luzon, Visayas and Mindanao. The survey/study will attempt to find out the efficiency, effectiveness and equity of the COPS.

Police action has also been targeted at crimes of priority concern through the creation of elite Task Forces. The National Anti-Kidnap-for-Ransom Task Force (NAKTF) was activated to combat kidnap-for-ransom gangs with the Police Anti-Criminality Emergency Response (PACER) providing main operational support. The drive against car-napping was quite successful with the implementation of LOI SANTUGIS along with the combined operations of the Traffic Management Group (TMG) and other regional and operating units. Meanwhile, LOI ROULETTE Milenyo and OPLAN JERICHO were implemented to fight illegal gambling.

Oplan PAGLALANSAG was implemented to address the problems of loose/unregistered firearms. At the same time, there is a proposal to create the Inter-Agency Task Force on Small Arms and Light Weapons (TF-SAWL) to respond to crimes of arms smuggling. Bank robberies decreased with the implementation of LOI ABR-SOTF (Anti-Bank Robbery Special Operations Task Force) and the strengthening of the Joint Anti-Bank Robbery Action Committee (JABRAC).

The Department of Interior and Local Government, the NAPOLCOM and the PNP, through the assistance of the Foundation for Crime Prevention, an NGO, established a national police hotline for emergency calls. *Emergency 117* is a centrally managed and secured telephone central monitoring station provided by the Philippine Long Distance Telephone Company (PLDT) and operated by qualified well-trained personnel from the PNP, Bureau of Fire (BFP), Bureau of Jail Management and Penology (BJMP) and PLDT. Telephones used by EMERGENCY HOTLINE 117 are equipped with the caller ID system to prevent prank calls and ensure quick confirmation and response to emergency calls.

All emergency calls are reported by dialling 117. An *emergency call* is a call that refers to an incident or a situation where a person's life or property is in danger or threatened. *In-progress calls* are where crimes are being committed at the time of the report. Incidents to be reported include accidents with injuries; attempted suicides; rescue calls; ambulance calls; persons injured or bleeding; fire calls; strangers forcibly entering a house; strangers carrying household articles; someone trying to gain entrance to homes; a group of persons with weapons preparing to fight; vehicles stopping to pick up a person under protest, especially children; shooting incidents; stabbing incidents; armed robberies; and rape.

The *PNP SMS (Text) Hotline* makes use of the penchant of the Filipino to use the technology of the short message sending (SMS) or text messaging. The PNP text Hotline was initially focused on marketing itself as an avenue for citizens to report erring police personnel. Presently, people can also report through SMS any police, fire and public safety emergency.

Likewise, as part of the PNP's forward thinking, the *Satellite Police Stations* were introduced in 2003. There are a total of 395 Satellite Police Stations established nationwide which serve as flexible tactical units for responding to calls for assistance. The most number of SPS are activated in highly urban areas like Region 7 with 218, Region 1 with 45 and Region 8 (Tacloban) with 43. A total of 9,830 police officers and personnel have been trained and deployed for these quick-response units.

2. Illegal Drug Trafficking

The illicit drug trade now poses a grave threat to national security. The Philippines has become a manufacturing centre, processing *shabu* in clandestine and not-so-clandestine drug laboratories, even in Metro Manila. Not only have illegal drugs been linked to the commission of violent crimes, but they have also been strongly connected to the continued existence of threat groups in the country today. Illegal drugs have spawned other big-time crimes such as money laundering and kidnapping-for-ransom.

It was observed that foreign nationals are involved in almost all the big-volume seizures of illegal drugs

by government law enforcement authorities. For the first quarter of 2004, seventeen foreign nationals were arrested. Confiscated from them were 297.53 kilograms of Methamphetamine hydrochloride or shabu, 7.60 grams of marijuana resin, 7.21 grams of marijuana fruiting tops, 4 pieces of ecstasy tablets and 392 capsules of Bangkok pills. Nine transnational and 164 local drugs groups were identified to be operating in the country. Out of the 164 local drug groups identified, 16 groups were already neutralized thus, 148 local drug groups and 9 transnational drug groups remain as a target for neutralization.

Countermeasures

Republic Act No. 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002, was signed into law on June 7, 2002 and took effect on July 4, 2002. The new law signals an intensive and unrelenting campaign against the trafficking and use of dangerous drugs and other similar substances through an integrated system of planning, implementation, and enforcement of anti-drug policies, programmes and projects. It defines more concrete courses of action for the anti-drug campaign and imposes heavier penalties on offenders. It likewise reorganized the Philippine drug law enforcement system, with the Dangerous Drugs Board as the policy-making and strategy-formulating body on drug prevention and control and the Philippine Drug Enforcement Agency (PDEA) as the implementing arm of the Board.

To complement such structural reforms in the area of drug law enforcement, equal focus was given to the effective prosecution and disposition of cases, rehabilitation of drug offenders, and the mobilization of the community as active partners of the four pillars of the Criminal Justice System in the prevention and control of illegal drugs. Pursuant to the Presidential Directive to consolidate the nation behind the war against illegal drugs, a series of Conference-Workshops on Coordinating and Integrating the Criminal Justice System Towards Effective Drug Prevention and Control was conducted to coordinate and integrate the efforts of government, especially practitioners of agencies under the newly enacted Comprehensive Drug Law of 2002, in the criminal justice system including law enforcers, prosecutors, members of the judiciary, correctional officers and the private sector, for a more effective anti-drug campaign.

Problems relating to the government's campaign against illegal drugs include, among others, the increasing number of drug and drug-related cases at the level of the prosecution and the courts and the resultant further clogging of dockets, the congested jails due to the growing intake or admission rate of drug offenders, and the growing pressure on the part of the rehabilitation centres to provide treatment and after-care programmes and services were discussed during the conference.

The DDB prepared a "*National Drug Abuse and Control Strategy*". The plan presented a diagnosis of the problem and discussed the chain linking production, processing, trafficking, financing, retailing and consumption of drugs. It also recommended government strategic concepts which focused on supply reduction and demand reduction.

3. Violent Crimes against Women and Children

Women and children are vulnerable segments of the population in almost all parts of the world. Incidences of violence committed against these sectors of the population impede the achievement of objectives of development and peace. Violations committed against women and children both infringe the enjoyment of basic human rights and fundamental freedom. The most pervasive form of gender-based violence against women is reported to be abuse by husbands or intimate partners. Sexual assault is also common, but only a small fraction of rapes are reported to the police.

Based on police records physical abuse is the most common violation committed against women. Incidences of sexual abuse and emotional abuse likewise are increasing. Statistics also showed that sexual abuse, specifically attempted rape, constituted the bulk of cases of violence against children that were reported to the PNP. Physical injuries came in second.

Meanwhile, children in especially difficult circumstances or those needing special protection are estimated at 2.9 million. Children in this situation are either physically, sexually or emotionally abused; exploited sexually and in hazardous labour conditions; in conflict with the law; and victims of other forms of abuse like drug abuse, drug sales, child trafficking and abduction. A total of 5,692 incidents were reported to the WCCD categorized as crimes committed against children in 2004.

Countermeasures

The Philippine government is a signatory to all United Nations declarations and conventions that pertain to women, particularly violence against women, and has gone much ahead of other countries in coming up with very specific measures to address it. Since 1986, it has been actively and consciously promoting issues concerning women including gender equality, a policy that aims to eradicate gender-based inequalities and enable women and men to equally contribute to and benefit from development.

On the legislative front, the passage of laws relating to violence against women, the Anti-Rape Law of 1997 or R. A. No. 8353, and the Anti-Sexual Harassment Act of 1995 or R. A. No. 7877, and most recently, the law against violence inflicted on women in intimate relations, constitute some of the landmark achievements in the advancement of women rights in the Philippines. To some extent, this legislation redefined the view of the justice system on gender-based violence thereby freeing women and children from the fear of injustice. There are still other pending bills in Congress against trafficking in human beings, particularly women and children, domestic violence and prostitution.

In addition to legal reforms, institutional reforms and new programmes were undertaken by the government to prevent violence against women and children. An Inter-Agency Committee (IAC) on Violence against Women has been organized by the National Commission on the Role of Filipino Women (NCRFW) to better protect the rights of women especially the most vulnerable, such as women in detention, women in situations of trafficking and prostitution, women workers, as well as victims and survivors of violent incidences. Aside from the NCRFW, agencies included in the IAC are the Commission on Human Rights (CHR), Civil Service Commission (CSC), Department of Budget Management (DBM), Department of Education (DepEd), DILG, Bureau of Jail Management and Penology (BJMP), NAPOLCOM, PNP, Department of Health (DOH), Department of Justice (DOJ), Department of Labor and Employment (DOLE), Department of National Defence (DND), Department of Social Welfare and Development (DSWD), National Bureau of Investigation (NBI), National Statistics Coordinating Board (NSCB), and the Philippine Information Agency (PIA).

The PNP has also established the Women and Children Concerns Desks in police stations nationwide to provide specialized services to victims of Violence Against Women and Children (VAWC). The Department of Health has 44 hospitals with Women's and Children's Protection Units. The DSWD created Crisis Intervention Units and implemented regular programmes for women and children in especially difficult circumstances in all regions in the country. The NBI has set up one-stop-shop VAW desks. Community-based programmes have been strengthened to respond to the needs of the victims and their families. These include providing psychosocial interventions and various forms of educational, legal, and medical assistance, as well as extending support services including livelihood programmes to families, and strengthening the family system and values education.

Despite these initiatives, violence against women and children continues unabated because of the weakness in addressing the root causes, as well as lapses in the response mechanism. A more concerted effort and a sustained campaign and advocacy programme on women and children's rights should be organized. There is a need to exercise more political will to enforce and implement existing laws on women and children and for the government to build up stronger cases against their abusers. Likewise, there is the urgency of training law enforcers, judges, prosecutors and media practitioners in handling cases of women and children.

4. Terrorism

Prior to the September 11, 2001 terrorist attacks in the US, the Philippines has been actively involved in various moves to combat terrorism. As early as 1996, when the country hosted an international anti-terrorism conference, the Philippines had already emphasized the importance of information exchange as well as the need for enhancing legislation against terrorism. In a subsequent policy statement on terrorism made on September 26, 2001, President Gloria Macapagal-Arroyo declared the Philippine government's intention to work closely with the US on intelligence and security matters concerning terrorism and prevent the flow of funds to terrorist groups through the Philippines.

The President likewise directed the National Security Council (NSC) to undertake a special intelligence coordinating project to consolidate all overt and covert, domestic and international, sources of information

relevant to the country's response in the war against terrorism. Currently, there is no specific law on terrorism in the country. While there are, at present, two pending bills on terrorism in the Philippine Congress, the immediate passage of a law on terrorism is the most urgent concern at the moment.

Countermeasures

The *Three-Tiered Defence System* is the PNP's basic action framework against terrorism, with three distinct phases or components: *Intelligence*, *Target Hardening* and *Incident Management*. This Three-Tiered Defence System rests solidly on community partnership and the involvement of the entire society. Local Government Executives (Mayors, Governors) take the lead role. A *Legal Offensive* boosts the three-tiered defence system, wherein the Department of National Defence/Armed Forces of the Philippines, Department of Justice and the Commission on Human Rights shall assist in the investigation, documentation and prosecution of all terrorism-related cases. Terrorism is a criminal act in all its stages and during its life. As such a legal offensive cuts across the entire Three-Tiered Defence System. Aside from preventing the incident from happening and arresting suspects, putting the terrorist behind bars requires more elaborate profiling, documentation, scientific examination, and building a criminal case that can withstand judicial scrutiny and pass the standards of due observance of human rights. The Three-Tiered Defence System utilizes the synergy of partnerships involving people, police, local government leaders and all other concerned sectors.

C. Causes of Crimes Associated with Urbanity

The phenomenon of urban crimes could be attributed to a host of factors that are economic, social, political and even moral or spiritual in nature. Among these are:

1. Poverty

Many authorities in the field of criminal justice say that poverty is a major cause of crime. This is not of course to say that it follows that a person who wallows in wealth cannot be a criminal. Many crimes are committed even by the rich. Furthermore, many people mired in poverty, have remained respectable and exemplary citizens. It is evident that poverty *Per Se* is not the only reason or cause but it is a major predispositive factor.

Nonetheless, the problem of massive poverty is the primary breeding ground or root cause of crime in countries similarly situated as the Philippines. Its concomitant deprivations and hardships are unemployment, underemployment, low income and productivity, malnutrition, big families, rapid population growth rates, and low standard of living. Crime rate appears to be notably higher in poorer neighbourhoods and in areas with high population density, deteriorated living conditions and unemployment problems. People resort to crimes on the street to alleviate or escape from their miseries and frustrations or to answer a need. Illustrative examples are parents who sell their children to paedophiles or a father who resorts to robbery just so he could buy medicine for his sick son.

The urban poor are also plagued by among others, the high cost of living, financial difficulties, unstable jobs, lack of capital, limited educational opportunities, inadequate health and sanitation, and inadequate housing. National and local government planners and implementers therefore face increasing demands for urban services like public transportation, garbage collection, piped water, electricity, schools, health and transportation. A deterioration of living conditions in urban areas has produced its share of crime, juvenile delinquency, drug addiction, prostitution, mental illness, physical disability, suicides, family and personal disorganization, environmental degradation, pollution, garbage and sewerage disposals, and traffic jams and congestion.

2. Lost Family Values

Today as the country becomes more and more industrialized, there is an evident loosening of family ties - the family gets together less and less as a group, with all members present, except during special events. Each member of the family has his own schedule of activities, his own interests, his own friends. All these factors prevent family members from having opportunities for cooperative activity, preventing the development of strong personal relationships.

Several family values that promote and nurture solidarity and love within the family, such as respect for and obedience to parents, have been eroded and polluted by modernization. The Western culture is making

widespread and deep-seated inroads into Philippine society through modern communications and the mass media. These lost family values result in many broken homes or families. As children are separated from their parents or reared by single parents, they go wayward and become misguided. Many become addicted to prohibited drugs, unwed and/or separated parents and eventually become criminals or victims of crime.

3. Working Mothers

The employment and exodus of women from the home where mothers like me have to be employed, some out of necessity others to augment the family income, have somehow contributed directly or indirectly to the commission of crimes.

At times, the frequent absence of the mother weakens the fundamental relationship with children resulting sometimes in feelings of insecurity and rejection that lead to maladjustments.

4. Ignorance

The majority of our population do not know many of our laws and the repercussions they face once they commit violations thereof. They do not know many of their rights, the due process of law and many other related matters. In fact, many of our hapless folks do not know what democracy is all about and how they can make it work. This results in a "crisis" of citizenship characterized by widespread apathy, indifference, "spoon-feeding" syndrome, or lack of discipline and self-restraint. This affects both the criminals and victims alike in many ways. Because of their scanty legal knowledge and lack of awareness of its repercussions, many criminals, especially first offenders, readily perpetrate crimes based on a mistaken notion and false belief.

Many become victims of crime because they are not aware of the modus operandi of crime syndicates and are not crime prevention-conscious. Often times, instances of miscarriage of justice on the part of either the offender or the victim, could be blamed on their ignorance.

5. Injustices/Abuses

These constitute the powerful motives for most of the crime against persons perpetrated either by the victims or their loved ones as cases of revenge or vendetta. Worse yet, these could serve also as the reason for the same criminals to yet perform some more crime as a way of pre-empting a vendetta or silencing the victims and/or their witnesses. The high propensity to avenge injustices/abuses among Filipinos makes this factor abet crime in a very potent and violent manner.

6. Soft State

Non-enforcement of several laws and ordinances, massive graft and corruption, absenteeism on the part of government officials or lack of basic services give rise to the lack of discipline and low regard for the laws by the citizenry, which spawn lawlessness and crime.

For monetary considerations or plain laziness, traffic laws and ordinances are not enforced by traffic policemen or aides. Consequently, drivers, passengers and pedestrians alike violate traffic rules and regulations left and right. From minor violations, gradually these offenders commit more and more serious infractions of the laws, thereby abetting crime.

7. Fear

This problem is so pervasive that it affects practically the entire society, whether rich or poor. People are afraid, not only while they are on the streets; but also right inside their homes. Kidnapping for ransom, bank robberies/hold ups, murders, homicides, crime against chastity and other heinous crimes instil so much fear among the citizenry.

Fear is an unseen force that breeds crime in many ways. Victims of kidnap for ransom are easily paralyzed into inaction by the kidnapers; such that they will give in to the demands of kidnapers, including that of not reporting the incident to the police. Victims of crime and their witnesses are easily threatened to keep silent and not to file charges and testify in court. Even when not actually threatened, many victims and witnesses refuse to cooperate with the police in solving and prosecuting crimes. As a result, many criminals go scot-free and are emboldened to perpetrate more crimes. As aptly stated by Edmund Burke, "For evil to

triumph, it needs only good men to do nothing"; like victims and witnesses keeping quiet about crime.

8. Others

There are many other breeding grounds of crime.

- (i) Movies that glorify criminals and show a lot of violence and tabloids that depict lewd scenes contribute to the rise in crime;
- (ii) Modern technology that tends to increase the capabilities of crime syndicates to perpetrate more crimes that are becoming more difficult to bust and/or solve; and
- (iii) Lack of sound crime prevention planning and the apathy of the community towards involvement in anti-crime campaigns.

III. URBAN CRIME PREVENTION

To effectively combat crime, it is imperative to look first into it and understand its nature and dynamics. For any crime to happen, there are three elements that are always present. These are: *Motive*, which refers to the reason or cause why a person or group of persons perpetuate a crime; *Instrumentality*, which is the means or implement used in the commission of a crime; and *Opportunity*, which consists of the acts of omission and/or commission by a person (the victim) which enables another (criminal/s) to perpetrate the crime.

Influencing and interacting with these three elements of crime are the environmental factors. For purposes of crime prevention and control, there are two elements in the environment to consider. The first element is the situation or circumstance that is inherent or beyond the control of man such as weather, time, season, terrain, etc. The second element is the situation which can be influenced by man such as poverty, ignorance, injustices, fear, etc. With these elements to consider, crime is therefore everybody's business. Prevention and control of crime need the cooperation of the community with the law enforcers.

Admittedly, crime prevention means different things to different people. For the police, crime prevention has to do with deterrent roles like roadblocks, and visible policing through active patrolling both on foot and vehicle. For a social worker, it might mean setting up projects to re-integrate a young offender back to society. These are very different activities, but they all contribute towards preventing crime. In effect, crime prevention means stopping crime from happening rather than waiting to respond once offences have been committed. Crime prevention is the anticipation, recognition and appraisal of a crime risk and the initiation of action to remove or reduce it.

Criminologists consider prevention in two senses. The first concerns the ability of criminal law enforcement to make citizens law-abiding by deterring potential offenders and preventing further law-breaking by apprehending criminals. The second refers to the efforts to correct fundamental social conditions and personal maladjustments which are assumed to be the "seed bed" of crime.

As distinguished from crime suppression which is the traditional approach in crime control that deals with the apprehension, investigation, trial, correction and/or punishment of the criminal, crime prevention is the modern approach applied through the reduction of criminal opportunity and criminal victimization. It is the prevention of both the existence of crime and the criminal using social and situational prevention measures by the community at large and by all sectors of society.

Basically, crime prevention measures can be divided into two, namely social crime prevention and situational crime prevention. *Social Crime Prevention* measures are that intended to deal with the fundamental causes of crime or the criminogenic factors of crime like unemployment, poor education, extreme poverty, inadequate job skills, lack of recreational activities, lack of appropriate role models for the youth and diminishing effectiveness, of the traditional system of social control. *Situational Crime Prevention* measures which are sometimes called defensive prevention are those intended to reduce the opportunities for committing crime. It operates by attempting to increase the risk and difficulties of crime through environmental design and management like putting more locks on doors and iron grills on windows.

A. Characteristics of a Good Crime Prevention Programme

A good crime prevention programme has several distinct characteristics. It must be set in motion before the crime is committed and not after. It must focus on direct controls over behaviour, and not on indirect

controls. It must focus on the environment in which crimes are committed, and on the interaction of the people with their environment and not on the individual offender. It must be an interdisciplinary effort, based on all disciplines dealing with human behaviour. It must be less costly and more effective than punishment or treatment. This means that crime prevention is a more just and humane system.

B. Levels of Crime Prevention

It should be noted that prevention replaces treatment and punishment as goals of the criminal justice system. In the realm of criminal justice, primary crime prevention identifies conditions of the physical and social environment that provide opportunities for deviant behaviour. Included here are crime prevention techniques which are aimed at making crime more difficult for the offender, surveillance easier for residents, and feelings of safety more widespread. It is the use of environmental design like building plans that are conducive to visibility, locks, lights, marking of property for ease of identification, neighbourhood watch, ronda, etc.

The activities of the criminal justice system also fall within the realm of primary prevention - visibility of the police, increasing the perceived risk of getting apprehended, and getting swift justice. Primary prevention behaviours are implemented with the intent of avoiding initial/continued victimization or lowering fear of crime. Secondary prevention engages in early identification of potential offenders with criminally deviant behaviour and seeks to intervene prior to the commission of illegal activity. A secondary approach entails the identification of high crime areas and other areas predisposed to fostering criminal activity.

The distinction rests on whether the programmes are aimed at keeping problems that lead to criminal activity from arising (primary prevention) or if efforts are focused on problems that already exist and are fostering deviant behaviour (secondary prevention). Tertiary prevention is directed towards the offenders themselves.

IV. COST OF URBANIZATION

Urbanization in the Philippines, whether planned or unplanned, is a reality which has to be faced and lived with. True, it has given rise to the influx of newer and more advanced technology which is valuable for the economy. But as with anything, it also has its advantages and disadvantages. One of the negative effects of urbanization, is the proliferation of crimes, particularly, crimes against property. The rapid development of technology and with the higher cost of living in urban areas, theft or robbery has become the fastest and easiest way to obtain these new gadgets or accessories in order to sustain one's living conditions. This is a sad reality which the country has to deal with. Moreover, it is also imperative that the country has to come up with measures to counter or prevent these occurrences. As the old adage goes, "An ounce of prevention is worth a pound of cure". There really is no better way to minimize crime than to prevent it at the first instance or, better yet, eliminate the conditions where it can flourish.

It is a Herculean task, but it has to be done. As long as there are people willing to help, there is hope. This is very similar to the man who was seen picking something up from the seashore and throwing it back to the sea. Another man approached the first man and asked what he was doing. It appears that the starfish had been washed across the seashore. The first man replied that he was putting the starfish back into the sea. The second man exclaimed: "but there are millions of starfish there, how can you make any difference?" The first man bent to pick up a starfish and threw it into the sea, looked at the second man and said: "Made a difference to that one".

And that is what we endeavour to do - to make a difference to the life of even just one person.

**TOPIC 2: EFFECTIVE MEASURES FOR PREVENTION OF CRIME
ASSOCIATED WITH URBANIZATION IN THE PHILIPPINES**

**V. THE PHILIPPINE CRIME PREVENTION POLICIES,
APPROACHES AND STRATEGIES**

As a Member State of the United Nations, the Philippines has fairly aligned its system of criminal justice and social defence with UN criminal policies. UN Member States have been encouraged to develop and pursue crime prevention and criminal justice programmes and strategies within the broad context of economic development, political systems, social and cultural values, and social changes, as well as in accordance with the Millennium Development Goals. The Milan Guiding Principles, on the other hand, advocated the promotion of economic growth, social progress and justice through a comprehensive and integrated approach.

The Philippines has chosen the path to peace as the cornerstone of the government's programme for the attainment of economic growth and development. The strategy is necessary for the country to realize its vision of being a strong republic adhering to the rule of law.

Due to the combined effect of the Asian financial crisis and poor weather conditions, GDP growth in 1998 fell to about -0.5% from 5% in 1997, but recovered to about 3% in 1999 and 3.6% in 2000. From 2001 to 2002 GNP growth rate was at 6.5 and from 2002 to 2003 pegged at 6.9.

President Gloria Macapagal-Arroyo emphasized that her government would focus on building a "Strong Republic". She emphasized that good and effective governance is vital to winning the battle against crime. She detailed two essential features that will mark out a strong republic. The first is independence from class and sectoral interest so that it stands for the interests of the people rather than of a powerful minority. The second is the capacity, represented through strong institutions and a strong bureaucracy, to execute good policy and deliver essential services.

The results of these two features, good policies and empowered institutions, is faster economic development and social reform. According to the President, a strong republic takes care of the people and takes care of their future. A strong republic is the bedrock of victory against poverty.

In view of this, crime prevention policies have been incorporated in national economic development plans. The Medium Term Philippine Development Plan embodies as one of its policy frameworks the improvement of law and order, law enforcement administration of justice. It emphasises the government's role to guarantee public safety and national security, while ensuring that the rule of law prevails. Thus ensuring peace and order rests primarily on the ability of the government to curb criminal activities. In this regard, it is vital to strengthen the five pillars of the criminal justice system. The Plan enumerates the following as strategies for action:

- Professionalizing and modernizing the military and the police
- Pursuing peace agreements using the holistic approach
- Mobilizing the citizenry for peace and order through various citizens' organizations against crime and the instrumentality of the local Peace and Order Councils
- Promoting respect for human rights
- Improving the administration of justice and
- Intensifying anti-crime initiatives

A. National Approach - The Holistic System Approach of the Philippine Criminal Justice System

The Philippine criminal justice system has four formally organized components namely: law enforcement, prosecution, courts and corrections and one outside the formal organization made up of the mobilized community. The formal components are the traditional series of agencies that have been given formal responsibility to control crime. The fifth component is made up of public entities, private groups, and individuals and local officials who are performing functions related to the prevention and reduction of crime and help in the processes of the administration of justice.

Emphasis and recognition is placed on the mobilized community which is composed of those who are tasked to assume a leading role not only in law enforcement, but in the endeavour to fashion the values and

attitudes that make the criminal justice system work. The mobilized community has the responsibility to participate in activities by being partners of peace officers in reporting crime incidents, and helping arrest offenders. They can also participate in the promotion of peace and order through crime prevention deterrence, and in the rehabilitation of convicts, and their reintegration to society. As a component of the criminal justice system, the community is the most critical and useful component in view of its massive and pervasive composition. Enlightened and cognizant of their roles in the maintenance of peace and order as well as in the dispensation of justice, members of the community get involved in providing assistance and support to crime prevention activities, particularly in improving the police, detection and prosecution of crimes and the re-integration of offenders into the mainstream of society.

1. NAPOLCOM's Technical Committee on Crime Prevention and Criminal Justice and the National Crime Prevention Programme

In its effort to institutionalize a systems approach to crime control, the National Police Commission (NAPOLCOM), through the Crime Prevention and Coordination Service, established the Technical Committee on Crime Prevention and Criminal Justice (TCCPCJ). This *ad-hoc* interdisciplinary body is under the auspices and functional supervision of the Commission. This Committee, composed of acknowledged experts representing the five pillars of the Criminal Justice System - law enforcement, prosecution, courts, corrections, and community - meet monthly to consult each other and coordinate the plans and projects of the various pillars they represent.

The Commission, through the Technical Committee, formulates an annual National Crime Prevention Plan (NCPP) which is submitted to the President sixty days before the ensuing year. It contains appropriate policy recommendations from experts representing the five pillars of the CJS. The Plan is a multi-sectoral and inter-disciplinary strategy involving all agencies of the CJS. The programme is a compendium of action programmes and strategies for implementation by the five components.

The NCPP major thrusts are geared towards the improvement of the internal capability of the individual pillars, and the maintenance of close interagency coordination toward the effective reduction of criminality, and the attainment of peace and order. The ultimate goals of the NCPP are the improvement of peace and order through enforcement of law, administration of justice and elimination of graft and corruption. The immediate effects that can be expected from the attainment of the above goals of the five pillars of the CJS are a reduction in the crime rate, speedy and efficient prosecution of cases in court, speedy disposition of court cases, jail decongestion, and effective and efficient rehabilitation of offenders and awareness and participation of community members in CJS activities.

2. The Peace and Order Council

Several years ago, a centralized coordinating mechanism to carry out a national programme addressed not only to criminality but to all forces that threaten national security was established with the promulgation of Executive Order 309, as amended by EOs 317 and 320, and recently EO 366. This national council, more popularly known as the Peace and Order Council, and which draws its membership from government agencies and non-governmental organizations (NGOs), underwent reorganization and revitalization at all levels - national, regional, provincial, city/municipal and recently barangay.

The Peace and Order Council (POC) is a unified and strongly coordinated body tasked to carry out a national programme addressing the current problems of criminality, terrorism, drugs, insurgency, rebellion, or disruption of public order which threaten our national unity and security. Further, Section 51 of RA 6975 mandates all provincial, city and municipal Peace and Order Councils to develop and oversee the implementation of their respective Integrated Area/Community Public Safety Plan (IA/CPSP).

An important part of the plan is the assessment of the peace and order situation in the locality. A comprehensive assessment should contain a narrative and qualitative description taking into consideration the magnitude or extent of the crime problem, as well as the rate of change, seriousness, locality and identifying causes of the problem. Therefore if there is no IA/CPSP, there is no structured plan for peace and order and the community will have no direction. The IA/CPSP is the blueprint for the protection of life and property in the locality. It is not solely the concern of law enforcement but is a product of collective responsibility that serves to harmonize the efforts of the local government, law enforcement and other

agencies of government, and the community.

The organization of peace and order bodies in the barangay is consistent with Senate Resolution No. 145, series of 1992, urging the establishment of Barangay Crime Watch Centres (BCWCs) nationwide to serve as an effective community-based crime prevention monitoring and coordinating mechanism. The Barangay Peace and Order Committees being established in all barangays are composed of the Punong Barangay as Chairman, and as members - the chairman of the Sangguniang Kabataan, a member of the Lupong Tagapamayapa, a Barangay Tanod, a public school teacher, a representative of the Interfaith group, a senior citizen, at least three members of the existing barangay-based anti-crime or Neighbourhood Watch Groups or an NGO representative well-known in his community and a PNP officer.

3. Partnerships with Citizens' Groups and Non-Government Organizations

Greater involvement of the community towards effective social defence in the local setting is being mobilized by government by encouraging formation of various citizen groups. The Crusade Against Violence (CAV), the Citizen's Action Against Crime (CAAC), the Volunteers Against Crime and Corruption (VACC), Federation of Police-Accredited NGOs (FPAN), Foundation for Crime Prevention (FCP) and the Movement for the Restoration of Peace and Order (MRPO) and KillDroga were formed by citizens to help counter criminality in the country. These anti-crime movements undertake activities to monitor and ensure that the wheels of justice grind effectively and fairly. Some of these activities include advocacy campaigns to increase consciousness of the victims and their families on the need to cooperate with authorities, monitoring cases pending with the police, prosecution and courts, providing legal assistance to victims and witnesses, and conducting public education campaigns on crime prevention to encourage vigilance among the citizenry.

A nationwide Citizens' Crime Watch Network has been organized to provide assistance to the police in information gathering, reportage of suspicious persons and places, service of subpoena and other court processes, and monitoring the progress of investigation, prosecution, and disposition of heinous offences.

The PNP has established a Directorate for Police Community Relations to spearhead coordination with the various groups interested in taking part in the campaign against criminality.

B. Community-Based Strategies

In searching for ways to prevent or control urban crimes, the police invariably look into the major or precipitating causes of these crimes. Although examining the "root causes of crimes will be useful (e.g., social injustice, unequal economic opportunity, poor schooling, weak family structures, or mental illness), such factors are relatively unimportant from a traditional police *operational* standpoint since the police exercises little influence over them".

Based on available police data and from the experience of a cross-section of police officers, there are four precipitating causes of crimes: 1) criminogenic situations; 2) dangerous people; 3) alcohol and drug use; and 4) frustrating relationships.

Recidivists must be a continuing focus of police attention. Criminologists note that most crimes are perpetrated by persons with known criminal records. Likewise, there are places, conditions or situations that bring individuals or groups together that increase the probability of the commission of crimes.

Most crimes in the Philippines, especially those associated with crimes against persons and crimes against chastity (e.g. rape-slays, kidnapping with murder, serious physical injuries) are perpetrated by persons associated with alcohol or drug use. There are also crimes committed in the context of ongoing relationships that turn out to be criminogenic. Relationships can cause crime because they create expectations. If they are not met, the resulting disappointment produces anger. Anger may lead to vengeance and thereafter, retaliation.

The traditional police mindset, that of a reactive, incident-triggered concept of policing, needs to be realigned with the evolving new philosophy of policing. Heretofore, the police fight serious crimes basically by "being at the right place at the right time or by responding quickly to calls for police assistance". They stay in their barracks or stations, cruise aboard mobile cars, or pound their beat waiting for crime incidents to happen.

Research findings revealed serious limitations to this reactive type of policing. One study showed that doubling the number of cars patrolling the streets did not significantly reduce the number of crimes. The probability of arresting the perpetrators of serious crimes was not affected by the quickness of the response, for the calls are usually made after the offence. A study of the investigative process indicates that the factor in solving crimes was still the quality of information received by investigators and the timeliness and extent of cooperation extended by witnesses.

Part of the conclusion from research conducted by the PNP stated that crime prevention and control can be achieved by: a) looking at the root causes of crimes and joining the community in handling problems that produce serious crimes; b) improving police-community relations as part of confidence-building measures in crime prevention; and c) strengthening the community's social defence against crime.

1. Community Oriented Policing System

The National Police Commission and the Philippine National Police agreed that there should be a specific operational programme initiated by the government to counter criminality, even if some of the more successful models are those initiated by the community. The two agencies agreed to implement and institutionalize a particular community-based crime prevention programme nationwide. This programme is dubbed as "Community-Oriented Policing System or COPS". In fact, the NAPOLCOM has issued a resolution approving COPS Operations Manual for the PNP.

The "Community-Oriented Policing System" (COPS) is based on the notion that the police can provide better services to the community through the development of an effective partnership between and among them. Such partnership must be based on trust and goodwill in order to facilitate community support and cooperation to law enforcement/crime prevention and control activities, thus enhance police effectiveness and efficiency given the same police resources. The police, admittedly, cannot single-handedly solve the manifold problems of criminality considering the deficiencies in manpower, mobility, communication and firepower. Only the people can fill the gap. If the police demonstrate the concomitant sincerity and transparency, support and cooperation comes easy and is worthwhile on the part of the community.

COPS aims to cultivate the citizen-police partnership to serve the cause of peace and order in the community. It seeks the cooperation and active support of NGOs, the local government officials, and the entire community for crime prevention and control. It also ensures immediate police response to situations, thereby fostering a sense of security among the residents in the community. In the long term, it aims to facilitate the transition from the traditional reactive incident-driven model of policing to a proactive style of operation which seeks to identify and resolve community problems and actively engage members of the community in the process.

It is very encouraging that several points have been revealed out of the findings of the two victimization surveys commissioned by UNICRI (The 1990 Victimization Survey and the 1996 International Crime Survey). It was noted that in the previous survey the public evaluated crime prevention efforts as "not good job" but the more recent survey, showed that the citizens assessed government's crime prevention effort as "good job". The change in attitude can be aptly attributed to the implementation of community-based projects like the COPS because at the centre of community policing are those essential and complementary core components: community partnership, problems solving and change management. Effective community policing has a positive impact on reducing neighbourhood crime, helping to reduce fear of crime and enhancing the quality of life in the community. It accomplishes these things by combining the efforts and resources of the police, the local governments and community members.

2. The Barangay System

In the Philippine setting the activated community is spearheaded by the BARANGAY, the grassroots political unit which is primarily envisioned to strengthen the popular voice of political decision making, and at the same time augment law enforcement efforts in coordination with police forces. This latter role is indeed highly responsive to the imperatives of criminal justice in view of two advantages. Firstly, the community is afforded a self-policing mechanism which revolves towards the promotion of popular vigilance and self-reliance; and secondly, there is now a community-based grievance/conciliation mechanism - the barangay or village courts locally called "Lupong Tagapamayapa" which exist in each of the barangay throughout the country to provide for a community-based mechanism by which petty quarrels and

complaints are arbitrated at the grassroots level, thereby leaving the larger task of enforcement to the other components of the system. Certain cases are referred to the Barangay Lupong Tagapamayapa (village Justice System) for amicable settlement. Through these interventions, the filing of complaints is prevented.

(i) *The Barangay justice system*

Presidential Decree No. 1508, otherwise known as the Katarungang Pambarangay Law, established a system of amicably settling disputes at the barangay level. The system aims to strengthen the family as a basic social institution, preserve and develop Filipino culture and promote the speedy administration of justice and enhance the quality thereof being dispensed by the courts. The essence of Katarungang Pambarangay is embodied in two salient features of the law. One is that it makes the barangay settlement compulsory and a pre-requisite to bringing suits in regular courts of justice or before any governmental office exercising adjudicative functions.

As a community-based, conflict resolution mechanism, the KP has proven its effectiveness in perpetuating the time-honoured Filipino tradition of settling interpersonal disputes amicably without resorting to confrontational social behaviour. Moreover, while central to the concerns of the KP is the speedy administration of justice, what appears to be of primordial significance over time is people empowerment and, therefore, highly supportive of the notions of social ordering and human development.

The principal feature of the KP is the Lupong Tagapamayapa. For about 20 years of conflict resolution experiences, there is the view that successes have been largely attributed to the commitment and dedication of Lupon members in the performance of their duties and responsibilities.

Cognizant of the significant contributions of the Lupons in the furtherance of KP objectives through the years, the DILG launched in 1982 the First Gawad Tagapamayapa Award. The Award illustrates official recognition of the services of KP mediators and conciliators, and as part of the deliberate efforts to acknowledge Lupons that have excelled in KP implementation.

(ii) *Neighbourhood surveillance system*

The village Ronda system - surveillance groups composed of volunteers - patrol, especially at night-time, in shifts of four or more members around the community. The Barangay Tanod or the Barangay Security and Defence Officer (BSDO) and the Barangay officers actively participate in this programme.

The system is operationalized by teams of volunteers who take turns making rounds (Ronda) around the barangay during critical periods (late at night or early dawn). For operational purposes, the barangay is divided into "Puroks" and each purok has an appointed "Purok Leader". There are various methods of conducting the Ronda and each barangay improvises according to their resources and needs. There are generally two systems of Ronda.

a. *Type A (System A) Purok Ronda System* - All Purok Leaders organize their own volunteers and the group conducts the Ronda within their area of jurisdiction which may cover about two to three blocks. These small groups (purok ronda) is augmented by a larger group, headed by the Punong Barangay (Captain), who roams around the whole barangay.

b. *Type B (System B) Purok Ronda Scheduling* - Some barangays, those that have less volunteers, also divide the barangay into puroks. Each purok has a designated schedule to conduct the Ronda all throughout the barangay.

3. Establishment of Local Community Centres of Excellence for Public Safety (Gawad Kapayapaan)

Developing and maintaining safe and peaceful communities is central to the issue of crime prevention. Efforts aimed at maintaining safe communities will not prosper without empowering the citizenry and rousing them to commit to the ideals of inclusion and solidarity. As the primary catalyst for excellence in local governance, the DILG is mandated to promote peace, ensure public safety, and further strengthen local government capabilities aimed towards the effective delivery of basic services. The project is being implemented in recognition of the crucial role of local governments in maintaining peace and order, to attain full development as self-reliant communities and become active partners in the attainment of national goals. Under the Building Safe Communities and Developing a Culture of Peace Programme, the Safe Local

Communities Award is established to galvanize local governments and the citizenry to take the lead role in the development of solidarity practices and in the creation of safe communities that are free from fear and insecurities. The Gawad Kapayapaan Award is aimed at building safe communities in the country, rallying the local chief executives, their constituents, the private sector and the police for a concerted effort towards improvement of peace and order in their communities and to recognize outstanding performances and significant contributions in building safe communities.

C. International Technical Cooperation Projects

1. UN Global Programme against Trafficking in Human Beings

On March 28, 2000, the Philippine government entered into agreement with the United Nations Centre for International Crime Prevention, Office of Drug Control and Crime Prevention to implement the pilot demonstration project of the Global Programme Against Trafficking in Human Beings named "*Coalitions Against Trafficking in Human Beings in the Philippines*". The DILG-PNP-National Police Commission with the assistance of the Department of Foreign Affairs were tasked to implement the projects of the programme in the country.

This pilot project was envisioned to strengthen crime prevention strategies against trafficking, improve the effectiveness of law enforcement and criminal justice responses and improving victim and witness protection and assistance in the country. Some of the activities lined up in the project include assistance in setting up specialized databases, compiling relevant legislation and bilateral and multilateral agreements, conducting training for law enforcers, prosecutors, social workers, and frontline officers, and conducting a comprehensive public awareness campaign on the subject.

The objectives of the programme were to enhance government agencies' knowledge of trafficking and improve agency coordination particularly as it relates to combating organized crime, strengthen the institutional capability of the criminal justice system to prevent, investigate and prosecute cases of trafficking in human beings, and improve international cooperation in cases of trafficking in human beings, particularly as it relates to transnational organized crime.

The Programme aimed to bring to the forefront the involvement of organized crime groups in human smuggling and trafficking, and promote the development of effective criminal justice responses to these problems. The Global Programme, consisting of policy-oriented research and targeted technical cooperation, has been developed by the Centre for International Crime Prevention (CICP) and the United Nations Interregional Crime and Justice Research Institute (UNICRI). CICP is in charge of technical cooperation activities, UNICRI is in charge of developing standardized research methodology and of coordinating research in the various projects to be carried out under the Global Programme.

The Global Programme collected data on different routes for smuggling and trafficking human beings, and the structures and modalities used for transporting and subsequently exploiting them. A global inventory of best practices used in addressing organized crime involvement in smuggling and trafficking, including special legislation and institutional arrangements, were also made.

2. The Safer Cities Programme - UN Habitat

The Philippine government became part of the Safer Cities Programme of the United Nations Centre for Human Settlement - UN-Habitat with the Philippine launch of the Global Campaign for Good Governance and Secure Tenure on July and October 2002 respectively. These campaigns are part of the major thrusts of UN-Habitat.

Aside from the campaigns, representatives from both the government and non-government were invited to participate in international conferences such as the conferences organized in Singapore in 2002 and Durban, South Africa in 2003. Some representatives were even asked to present papers detailing best practices in the Philippine setting. (In fact, this author briefed the conferees on the effectiveness of community-based crime prevention projects of the country. The paper detailed the neighbourhood surveillance systems of the various local government units.)

Aside from the conferences, a UN-Habitat mission visited the Philippines to discuss some areas of concern in the field of urban security and governance as they emerge from the City Development Strategies (CDS) and as they are perceived among the urban stakeholders. The UN consultants came to identify areas where the Safer Cities Programme can assist specifically in development of local crime prevention strategies which are primarily based on partnership and local needs identification. They assisted in the development of a survey instrument which is now being utilized to determine the level of community safety of residents.

3. Action Research - “Nationwide Public Perception on Community Safety”

Research and evaluation are key activities in crime control and prevention. Being the criminological research arm of the criminal justice system, the National Police Commission conducts studies and research on crime and crime prevention. Presently, the Commission is undertaking the National Peace and Order Council research project entitled “*Nationwide Public Perception on Community Safety*”. The survey aims to determine the level of safety in selected cities of the country. It specifically aims to assess the crime prevention programmes in the community and its effects on the maintenance of peace and order.

The research instrument was jointly prepared by the Napolcom research team and the UN Habitat consultants on safe cities. The survey includes questions on the police and soliciting comments on how to improve safety in the community. More particularly, the survey tackles questions on the efficiency of police service, legislation and ordinances on peace and order and support programmes of the government that are being implemented in the area. The activity likewise involves a determination of local strategies being implemented to control and suppress crimes. Structured Face-to-face interviews and document analysis are being done by the team. The survey questionnaire will be administered in fifty randomly selected households while the other fifty respondents will come from the various sectors of the community, to include members of the academe, religious, business, labour, youth, media, non-government/civic organizations and local government units/barangay officials.

VI. CONCLUDING STATEMENT

Developing and maintaining safe communities, be they urban or rural, is central to the issue of good governance. An indicator of success of crime prevention programmes are their perceived effects on peace and order. It is important therefore that the public must have a feeling of safety in their community where they can walk the streets anytime of the day, enjoy their family and social environment, and participate in community activities without fear for their life and property.

Considering the varied problems confronting Philippine society today, we must realize that much is left to be done. The Government has continuously strived and is earnestly exerting efforts to implement a unified approach involving all sectors and spheres of Philippine society to effectively deter crime. A holistic approach, with particular emphasis on an active and empowered citizenry where society gives importance to its capacity to create justice and human growth, should be carried out vigorously to curb criminality. To emphasize, crime prevention and urban safety then becomes one of the activities devoted to increasing the relevance of the community as a socio-cultural organization making each and every citizen both the “server” and “served.” Society must face the challenge and be willing to do its part as a stakeholder of a crime-free society.

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EFFECTIVE PREVENTIVE MEASURES FOR YOUTH AT RISK IN THE PHILIPPINES

*By Celia V. Sanidad-Leones**

I. INTRODUCTION

In 1985, the United Nations (UN) declared the year as the International Youth Year. Since then, youth welfare and other concerns for the young came to the fore thus grasping the world's attention which led to benchmark reforms in global and national policies. It is undeniable that any nation must consider that the youth populace plays a vital role in the quest for peace and progress.

The increased concern is understandable not only because of the size of the youth population but because the development of the youth is critical in nation-building. The transition from youth to adulthood must be regarded with much concern. The UN ESCAP review on the situation of youth in Asia and the Pacific states that "it is important to recognize youth as a unique group in society due to the many aspects of vulnerability they face while passing through a major stage in their lives...In addition to a recognition of the vulnerability associated with the transitional nature of the identity of the youth, it is equally important to recognize youth as a positive force, as a human resource with enormous potentials for contribution to development".

Thus, it is important for any country to view the youth with much concern since it is a major resource of strength and development for any nation, at the same time, to pursue strategies/programmes for them to be a positive force in our society.

II. SITUATION

The Philippines has a relatively young population. The youth 15-24 years old comprise 16.1 million out of the 76.5 million Filipinos enumerated in the 2000 Census of the Philippine population. The number is expected to double in 33 years. Their proportionate share of the total population remains at 20 percent with an annual growth rate of 2.1 percent. There are more males than females. The median age of the youth population remained the same from 1980 to 2000 at 20 years. This means that half of the youth population were between 15 to 19 years old, the other half between 20 to 24.

A total of 5,825,425 children and youth are at risk, composed of 3,000,000 children with disabilities, 246,011 street children, 64,000 victims of armed conflict, 2,400,000 who are exposed to hazardous working conditions, 4,097 sexually abused, 11,317 children in conflict with the law, 3,694 abandoned and neglected and 100,000 commercial sexually exploited.

Latest statistics of street and working children, for example, show that there are approximately four million street and working children and youths in the country which accounted for 20 percent of the total number of employed persons. Out of this, there are 2.2 M children and youth that are stopped or forced to stop schooling who are working in hazardous conditions. These children are vulnerable to abuse and exploitation.

About 37 percent of the children work from 5-8 hours a day while approximately nine percent worked for more than eight hours and about one-fourth worked even in the evenings.

They suffer from exhaustion, stress, risks, danger, illness and fall hazards. They are exposed to heat, noise, radiation, and pressures. About 23 percent of working children suffer from work related injuries. Only 22 percent of them continue to attend school but their work reportedly had adverse effects on school performance since they are prone to absenteeism and tardiness thus, got low grades. Many are working in the informal sector that are beyond the reach or difficult to detect by authorities.

The worst kind of child labour is commercial sexual exploited children. Since it is a highly illegal activity, it is hard to obtain data as to the number of prostituted children. As of 2002, there were 284 reported cases.

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The study entitled, “Commercial Sexual Exploitation of Children in the Philippines: A Situation Analysis” which was commissioned by the Department of Social Welfare and Development (DSWD) and UNICEF, showed that children-victims were mostly females aged 13-18 years old. Most of the children were out-of-school and belonged to large families. They were lured or deceived into the sex trade. The respondents cited poverty, lack of parental care, history of abuse as well as community factors as vices, lack of youth programmes, presence of gangs, and propensity for materialistic or consumerist behaviour as the major factors that force the children into commercial sex.

In urban areas, children who are forced to work to augment their family income usually spend a substantial part of their time in the streets near entertainment areas, bus terminals, ports, parks, and any other area where they can find work. They engage in vending, shoe-shining, begging, watching/washing cars, making deliveries and other odd jobs. Some other children were forced in the streets because of family problems and/or peer influence.

It is difficult to get a headcount of street children since they are usually mobile or transient. A recent study revealed that there are about 246,011 street children in 22 major cities in the country. About 80 percent are boys and 95 percent still have parents. Street children are susceptible to malnutrition, vehicular accidents, injuries, illnesses, drug or substance abuse, sexual exploitation, gambling and harassment. They also tend to join gangs as a form of protection.

III. THE YOUTH AND THE CRIMINAL JUSTICE SYSTEM

No less than the President, Her Excellency Gloria Macapagal-Arroyo has declared in her Ten Point Agenda that there should be opportunities for the youth. This is in consonance with the Constitutional provision that: “The state recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being...” (Article II, Section 13).

Moreover, as a Member State of the United Nations, the Philippines has fairly aligned its system of criminal justice and social defence with UN criminal policies. In the field of juvenile justice, the Philippines is one of the early signatories to the Convention on the Rights of the Child (CRC). One of the fundamental guarantees afforded children under the CRC is a set of protective rights relating to juvenile justice to include rights against torture and deprivation of liberty, the right to rehabilitative care and the right to administration of juvenile justice.

A child in conflict with the law has the right to treatment which promotes the child’s sense of dignity and worth, takes the child’s age into account and aims at his or her reintegration into society. Children are entitled to basic guarantees as well as legal or other assistance for their defence. Judicial proceedings and institutional placements shall be avoided whenever possible.

A. Definition of Juvenile Crime

Presidential Decree No. 603 (Child and Youth Welfare Code) defines youthful offences as those committed by a child, minor or youth, including one who is emancipated in accordance with the law, who is over nine but under 18 years old at the time of the commission of the offence. Under the Revised Penal Code, a child under nine years of age at the time the offence was committed is exempt from criminal liability. This is also called the “age of absolute irresponsibility”. However, when a youthful offender, at the time of the commission of the offence, is over nine years and over fifteen years, the law makes a distinction. If the minor acted without discernment, he or she is exempt from criminal liability. On the contrary, if one acted with discernment, he or she is criminally liable. “Discernment” refers to the mental capacity of the minor to understand the difference between right and wrong.

B. National Statistics of Children in Conflict with the Law and Treatment Institutions

The crimes committed by Filipino youth offenders include both index and non-index crimes. Statistics from the Department of Social Welfare and Development (DSWD) on youth served in centre-based rehabilitation programmes showed that crimes against property, including theft, robbery, qualified theft and car-napping, represent the majority of the cases.

In the country, there are three major agencies that provide custodial or confinement facilities and

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services for the youth offenders these include the Department of Social Welfare and Development (DSWD), the Bureau of Jail Management and Penology (BJMP), and the Bureau of Corrections which is under the Department of Justice. The DSWD supervises the facilities and services for 6,991 youth offenders nationwide. About 1,340 youth offenders are confined in various regional rehabilitation centres for youth nationwide while 5,651 of youth offenders are under the community-based rehabilitation programme.

**Total Number of Children in Conflict with the Law
as Reported and Served by DSWD
January to September 2004**

Region	Community-Based			Centre-Based			Total		
	Male	Female	Both Sexes	Male	Female	Region	Male	Female	Region
NCR	630	74	704	2	88	90	632	162	794
CAR	86	6	92	0	2	2	86	8	94
1	341	35	376	87	0	87	428	35	463
2	123	8	131	0	0	0	123	8	131
3	609	31	640	167	21	188	776	52	828
4	239	38	277	398	0	398	637	38	675
5	10	0	10	0	0	0	10	0	10
6	88	6	94	32	1	33	120	7	127
7	541	49	590	107	4	111	648	53	701
8	305	79	384	78	0	78	383	79	462
9	386	139	525	68	5	73	454	144	598
10	360	23	383	78	0	78	438	23	461
11	775	86	861	112	64	176	887	150	1037
12	335	31	366	0	0	0	335	31	366
Caraga	203	15	218	26	0	26	229	15	244
Total	5031	620	5651	1155	185	1340	6186	805	6991

On the other hand, the Bureau of Jail Management and Penology (BJMP) exercises operational jurisdiction over 132 district, 68 city and 290 municipal jails nationwide. Of the total inmate population as of September 2004, an actual inmate population of 2,211 are CICL.

Rehabilitation programmes and services are unceasingly provided to these offenders. These include Social Services, Homelife Services, Educational Services, Health and Dental Services, Economic and Livelihood Projects, Recreation and Sports Activities, Development and Cultural Activities and Spiritual Programmes.

While in the Centre, the youth offenders are provided with the opportunity to be trained to earn/gain skills on income generating activities for the future. These include, tailoring, backyard gardening, candle making, automotive mechanic, Agro-farming, poultry raising, soap-making, high speed sewing, basic electronics, refrigeration and air-conditioning.

Alongside, efforts of the government to improve the situation of the youth offenders, is the active participation of the non-government organization (NGOs) in implementing, networking, mobilizing and advocating for responses to the needs of the offenders.

Just last year, a separate building was constructed with the assistance from the Japan International Cooperating Agency (JICA) at the NBP Compound in Muntinlupa to shelter juvenile offenders. The institution provides rehabilitation services to children in conflict with the law.

III. PROGRAMMES AND SERVICES FOR CHILDREN AND YOUTH

A. Department of Social Welfare and Development

1. Preventive Strategies

Considering the uniqueness of the needs of the youth sector, the Department of Social Welfare and Development (DSWD) and other government and nongovernmental agencies have implemented strategies directed to the youth, his/her family and the community.

Youth opportunities for growth

- (i) *Free secondary education* — The enactment of Republic Act 6655 or the Free Secondary Education Act of 1988 provided for free secondary education to youths in national high schools, comprehensive high schools, state universities and colleges, specialized schools, trade schools, technical schools, vocational schools, fishery and agricultural schools and other public schools.
- (ii) *Sikap Kabataang Pinoy (SIKAP)* — is designed to ensure the youth's participation in community service and exposes them to actual private and government operations. It also provides employment opportunities, although limited, for the youth.
- (iii) *The Unlad Kabataan (Youth Development) Programme* — is a programme geared toward the total development of the disadvantaged youth in terms of spiritual, economic, physical, psychological, cultural and social development. The services included in this programme are available in the social service units of the local governments.
- (iv) *Education and organization of out-of-school youths* — The DSWD organized the out-of-school youths so as to provide them with opportunities to participate in socio-cultural activities, livelihood projects, community activities and training programmes. They are also taught the value of leadership and education. They are often asked to attend seminars on premarital sex, substance abuse, pregnancy and contraception, violence, smoking, drinking, suicide, STDs/HIV/AIDS, abortion and homosexuality.
- (v) *Information and education activities* — are aimed at raising the awareness of the public in protecting the rights and promoting the welfare of children through intensified information, education and advocacy campaign.
- (vi) *"Ahon Bata sa Lansangan"* — provides for an integrated and comprehensive social welfare services to street children rescued from the streets. The centre serves as a processing centre prior to the children's referral to other agencies, if indicated, on return to their families/relatives.
- (vii) *Bantay-Bata (Child Watch) hotlines* — were established in key cities to report cases of child abuse and exploitation.
- (viii) *Intergenerational programme* — brings together the different generations in new and on-going mutually beneficial structured activities to know the need of individuals and family throughout the life cycle. It is a pilot programme which shall bring children and older adults (senior citizens) together through activities that will promote mutual care and support where the young may be enriched by the warmth and understanding of loving "grandparent figures" at the Centre while gaining a positive insight into the aging process.
- (ix) *Assistance to disadvantaged transnational children* — provides social services for transnational children 0-17 years of age born from relationships between Filipinos and foreign nationals. In collaboration with other GOs and NGOs, services in the form of limited financial and material assistance, educational, legal, medical, practical skills development, repatriation and adoption are extended to them according to their needs.
- (x) *Supervised neighbourhood play* — is a form of day care service providing children 3-12 years old with early childhood enrichment activities through a variety of play activities and opportunities guided by a trained child development worker and/or parent volunteers under the supervision of a social worker.
- (xi) *Bright Child* — is a holistic programme directed at children 0-6 years old. It ensures that service

providers will work together in providing the best opportunities for all children. The programme has four components, namely: a) health and nutrition; b) psychosocial care and development; c) early education; and d) food security and livelihood.

- (xii) *School-on-the-Air* — provides relevant and helpful information to parents with young children (0-6) about early childhood development. This was aired through DZMM “Paksa” (Topic) Programme from September to December 2002.
- (xiii) *Child-minding service* — Day Care centres are established in barangays to take care of developmental needs of children below school age whose parents are employed or busy with house chores.

Strategies directed to the family

Self-employment assistance is provided through capital extended to parents or their children without interest or collateral. Skills training opportunities for adult members widen their chances of finding gainful employment. Specific programmes include:

- (i) *Systematic Training of Effective Parenting (STEP)* — includes counselling, training of parents and the youth, and information dissemination.
- (ii) *Family Drug Abuse Programme* — is a pilot community-based programme of preparing families to protect their members against the adverse effects of drug abuse. It further aims to equip families with parenting and life skills towards drug-free homes.
- (iii) *Night Care for Children and Working Mothers* — is a preventive measure to eliminate abuses and neglect against young children while mothers are at work during night-time.
- (iv) *Empowerment and Reaffirmation of Paternal Abilities (ERPAT)* — is a preventive and developmental intervention on enhancing parental skills which gives importance and emphasis to the father’s parental roles, responsibilities and abilities through activities promoting effective performance of familial tasks of Filipino fathers as well as achieving gender equality for women and men and prevention of violence against women and children.

Community organization strategy

This enables community members to identify and assess their needs and problems and formulate corresponding solutions. Volunteers and local councils are also tapped to promote the rights of children and to provide protective measures in the prevention of youth offences.

- (i) *Organization of the Barangay Council for the Protection of Children* — composed of barangay officials and representatives of the different sectors in the barangay to identify conditions that may lead to child abuse, neglect and exploitation and adopt measures to protect the rights and promote the welfare of children
- (ii) *Organization of community mobilization/development of volunteers* — the development of a pool of community volunteers who will assist in identifying and reporting suspected victims of child abuse, neglect and exploitation, and who shall be assigned to look after the welfare of the children. Emphasis is given on the role of community volunteers in providing care/assistance to children and detecting severely traumatized children needing therapeutic interventions.

2. Protection/Recovery and Reintegration

- (i) *Missing Children Programme* — is the government’s response to the growing number of children who are separated from their families. This programme utilizes a website, the “sagip-com project” which serves as an information centre for missing children wherein pictures and information about missing children can be posted and viewed. It also involves the use of a mobile messaging system with a designated number to receive reports of missing children.
- (ii) *Adoption Programme* — Adoption Resources and Referral Units (ARRUs) were set up in pilot areas to monitor the existence, number and flow of children legally available for adoption and assess prospective adopters and facilitate their matching. ARRUs keeps records of adoption proceedings,

generate resources to help child-caring and child-placing agencies and maintain viability. The DSWD also has a Post Adoption service that provides professional help to adoptee, adopter and biological parents.

- (iii) *Child care and placement services* — provides alternative parental care to children (in especially difficult circumstances) whose parents are unable to provide for their basic needs, temporarily or permanently, brought about by problems in family relationships, illness, extreme poverty, lack of parenting preparation, etc., aggravated by lack of family support. The alternative family care arrangements may be provided through adoption, foster family care, legal guardianship or residential care depending on the needs of the child.
- (iv) *Residential care service* — is an alternative form of family care which provides 24-hour residential group care to children on a temporary basis whose needs cannot, at the time, be adequately met by their biological parents and other alternative family care arrangements. It is an approximation of family life to children under the guidance of staff especially trained for this purpose.
- (v) *Social services for children in need of special protection* — are services provided to children whose parents are unable to provide the required protection and whose conditions demonstrate observable evidence of injurious effects of the failure to meet the children's basic needs. Immediate intervention is provided to a child who is abandoned, neglected, physically or sexually abused or exploited, to prevent further abuse and exploitation and to assist the child/family to overcome the trauma of such experiences.
- (vi) *Special Drug Education Centre (SDEC)* — is a community-based facility which serves as a venue in promoting preventive and developmental services for out-of-school youth and street children. This aims to enable them to cope with the challenges of adolescence particularly their vulnerability to drug and substance abuse. The preventive and developmental services seek to equip the OSY and street children with the knowledge and life-coping skills to prevent drug and substance abuse.
- (vii) *Group home for street children* — provides an alternative home arrangement for rehabilitated street children who are abandoned by their families. Children are trained for independent living by social workers.
- (viii) *Legal guardianship* — is a socio-legal process of providing substitute parental care through the appointment of a legal guardian for the child and his or her property until the child reaches the age of majority. This does not give the child equal rights and status as that of a biological or adoptive child like right to a name, inheritance, etc.

3. Interventions and Services for Children in Conflict with the Law

Certain services are provided by the government to youth offenders and to assist them and their families. The objective is to rehabilitate and reintegrate youth offenders into the mainstream of society and facilitate their access to developmental opportunities. The DSWD implements both community-based or non-institutional and centre-based or institutional programmes for youth offenders.

Centre-based

- (i) *Casework/group work services* — the focus is on treatment and rehabilitation of children who have undergone traumatic experiences that may affect their growth and development as human beings.
- (ii) *Organization of support groups* — examples are survivor groups or parent groups, etc. to assist in the rehabilitation efforts of children victims.
- (iii) *Psychological and psychiatric intervention* — refers to tests and other modes of assessment as well as therapeutic sessions extended to the child to determine aptitudes, capacities, interests and behavioural problems to facilitate treatment in accordance with individual needs.
- (iv) *Medical services* — is the form of referral for medico-legal examination, hospitalization and medical treatment if indicated.
- (v) *Livelihood service* — refers to the provision of skills training and grant of capital assistance to enable the child and family to engage in income producing activities to alleviate their financial

difficulties and improve their economic conditions.

- (vi) *Group living services/homelife services* — this provision of well-balanced, organized and non-formal activities to the children which are geared toward achievement of treatment/rehabilitative goals for the child and the group as a whole.
- (vii) *Educational services* — provides opportunities for the continuing education of the children through formal or non-formal education in cooperation with the Department of Education and NGOs.
- (viii) *Spiritual/religious activities* — attendance at church, bible studies and fellowships that would bring the children to the knowledge of their Creator.
- (ix) *Functional literacy* — provides alternative education, cultural activities such as art and music session, theatre workshops, tutoring, spiritual guidance to develop creativity and critical thinking.
- (x) *Provision of limited financial assistance* — to meet needs for food, clothing, footwear, transportation assistance, school supplies and emergency needs for medicines.
- (xi) *Issuance of travel clearance* — to minors travelling alone or with only one parent.
- (xii) *Recreational, sports and other socio-cultural activities* — the provision of a wide range of both indoor and outdoor activities to encourage and motivate the children to participate on the basis of their interests and needs. As much as possible, community facilities can be used.

Community-Based

- (i) *After care services* — are community-based support services designed to strengthen family life. These are provided to those reunited with their families/guardians from the evacuation/rehabilitation centres in order to facilitate the child's readjustment and reintegration into his family and the community.
- (ii) *Conduct of Critical Incident Stress Debriefing (CISD)* — a stress management strategy designed to assist children in handling stress caused by armed conflict to prevent trauma and impairment. The Senior Social Worker and the Municipal Social Worker Development Office (MSWDO) shall conduct this activity which may consist of games, songs, storytelling, drama, arts, crafts and others.
- (iii) *Family reunification and counselling* — an intervention that enables unaccompanied displaced children to be reunited with their families. Parents and other members of unaccompanied children are immediately located through tracing and other services. They are also made aware of the dynamics of their children and the roles and responsibilities of each member in the treatment and rehabilitation process. Family care within the child's own community is considered as the first placement option.
- (iv) *Socio-legal services* — the following services are provided to Children in Conflict with the Law:
 - a) *Diversion / Mediation* - the youth offender is diverted to the Juvenile Justice System such as the *Barangay Lupong Tagapamayapa* (Village Justice System) for amicable settlement of his case, community work or other arrangement and parent-child counselling. Through these interventions, the filing of complaints is prevented.
 - b) *Release on Recognizance* - this socio-legal process seeks to release from detention a youth offender who has committed a minor offence. The social worker conducts a case study and recommends to the Court the youth's release to his parents, relatives or other responsible person in the community who will be capable of providing him with protection and supervision while awaiting arraignment or trial. He ensures the youth's presence during court hearings.
 - c) *Custody Supervision* - is a process that provides an opportunity for the youth offender to serve a suspended sentence and to undergo rehabilitation under the care and custody of his/her family or relative or responsible person in the community subject to visitation and guidance of the social worker.

B. Philippine National Police

The Philippine National Police carries out a Child Protection Programme and initiates activities to promote the welfare of children. The most acknowledged programme of the PNP was the establishment of

the Women and Children's Protection Desk in every police station throughout the country to attend to cases of women and children victims of violence. This programme was in coordination with the National Commission on the Role of Filipino Women (NCRFW), the National Police Commission, the DSWD and with the support of NGOs like the Soroptimist International and Rotary Clubs. As of 2004, about 1,700 Women's Desks were established by the PNP. Simultaneous with the establishment of desks, was the carrying out of seminar-workshops for policewomen and policemen assigned to handle cases of women and child victims of violence.

1. Training and other Capacity-Building Activities for WCPD Officers — improves the working knowledge of the police about the rights of women and children, the proper treatment and handling of women and children cases, and the synergy of actions and collaboration among the stakeholders and service providers.
2. Other Skills Enhancement Programmes — were conducted by foreign police experts on women and children through bilateral agreements such as: Women and Children Protection Course (UK); Sexual Assault Investigation Course (Australia); and Child Abuse Treatment Course (France). It also embarked on partnerships with the Save the Children-UK for the training of the Cebu City Police officers on Juvenile Justice. Currently, it is undertaking an RP-UNICEF Country Programme for Children (CPC V).
3. Production of Information-Education Campaign materials — the WCD officers use the mini-handbook on "Management of Cases of Children in Especially Difficult Circumstances" which contains certain procedures in the handling of children's cases. The PNP Directorate for Investigation and Detective Management (DIDM) has published the "PNP Handbook on Child Abuse and Neglect" which deals with child interview techniques; the dynamics of child sexual abuse; and its medico-legal implications. A handbook for police personnel about HIV/AIDS was also published entitled "HIV-AIDS Prevention: What the Police Should Know".
4. Outstanding Women and Children's Desk Officers — the PNP strengthened its ties with various Rotary Clubs by conducting this annual search which was initiated in 1995. It aims to recognize deserving members of the WCDO.
5. Police Diversion of CICL through Case Conferencing — after apprehension, an intake form must be filled in to determine whether the CICL has to be subjected to an appropriate diversion programme. At this stage, the police and the social worker shall call the parties in interest from both sides to discuss with them the direction of the case and the intervention needed for the CICL. The principal aim of the diversion is to exhaust all possible remedies balancing accountability of the child, his competency to become a renewed person, and safety on the part of the community.
6. PNP Women's Crisis and Child Protection Centre — is based in Camp Crame which places under one roof the PNP professionals who are involved in the treatment of children and women victims of violence and abuse. It was established in 2001 by the PNP, together with the Philippine General Hospital (PGH) and the Advisory Board Foundation, a Washington-based NGO.
7. Project OYSTER — is a community-based crime prevention programme and a vehicle for providing livelihood and employment opportunities/assistance for the marginalized Out-of-School Youth in the country. OYSTER stands for Out-of-School Youth Serving Towards Economic Recovery.
8. SAGIP - Sakloloohan at Gabayan Ina at Pamilya (Help and Guide Mothers and Family) Centre — is a place in Muntinlupa City where victims of domestic violence, particularly physical and sexual abuse among women and children, are taken care of by working staff composed of physicians, psychiatrists, social workers and police officers rendering 24-hour service to the victims.
9. GO-NGO collaboration — The police are also represented in various organizations like the Sub-Task Force on Justice for Children, Sub-Task Force Against Commercial Sexual Exploitation of Children, Sub-Task Force on Children Involved in Armed Conflict, Sub-Task Force on Displaced Children, Technical Working Group on Trafficking of Women and Children and the Violence Against Women Coordinating Committee.
10. Halfway Houses — Some significant initiatives have also been established by local police stations. Halfway Houses for children in conflict with the law were established by the Cavite City Police Office,

the Cabadbaran Police Station in Surigao del Norte, the Iloilo City Police Office, and the Bacolod City Police Office.

11. Other Local Initiatives — The Cebu Police have also entered into an agreement with the various commercial shopping malls regarding child shoplifters. It also has a programme for Street children.
12. PNP Involvement in the Legislative Agenda — The PNP also actively attends to and provides input to various legislative agenda for women and children. It has been involved in the refinements of pending bills on trafficking in women and children, domestic violence, women empowerment and the like.

C. National Police Commission

1. Police Handling of Cases of Children in Conflict with the Law — is a study conducted by the NAPOLCOM commissioned by UNICEF. It was found that while most police officers are aware of the various Philippine laws on children as well as the various UN Declarations on the protection of children, implementation is wanting. The research also found that despite existing policies, procedures and structures that give preferential attention to the plight of children in conflict with the law, there have been problems in the handling of children's cases prior to court proceedings. Some of these concerns and issues that were identified include wrongful arrest, charging a child with a crime, commission abuse during investigation, not informing the child of his/her rights such as the right to medical attention, inaccurate preparation of affidavits by police officers, and complaints of police who are not gender and child sensitive.

One of the reasons cited why there are still cases of children being mishandled by police officers is the fact that the first contact of children in conflict with the law are with police assigned to do police beat and detective patrols. These police field personnel, by the very nature of their work, lack the sensitivity as well as the training in dealing with children.

Moreover, there are a number of groups other than the police, like the barangay tanods, barangay officials, private security guards, school security officials, church-based groups and individual citizens that also come into contact with children who commit misdemeanours. There are about 32 instances where arrests are done by these individuals. Most of them, however, do not have training in handling children in conflict with the law.

2. Standard Reporting Format — One of the recommendations of the study on Police Handling of Cases of CICL is the issuance of an order requiring the use of a standard reporting format so that proper, accurate and complete documentation could be made regarding cases of children. This has been done with the issuance of NAPOLCOM Memorandum Circular No. 2004-003 on May 18, 2004 entitled "*Guidelines for Improving Case Management and Initiating Efforts towards Addressing the Problem of Trafficking in Persons*". While the title specifically talks of Trafficking in Persons, the said Standard Reporting Format can be used by WCCD in recording all cases involving women and children, either as victims and/or offenders

The format aims to establish a uniform or standard system of reporting cases making possible the monitoring and documentation of statistical data on trafficking in persons at the precinct levels as well as other cases of women and children. Aside from this, baseline data will be generated for use of the government as well as non-government sector in the formulation and development of policies, programmes and projects addressing the problem of violence against women and children.

D. National Youth Commission

In 1995, Republic Act 8044 otherwise known as the Youth in Nation-Building Act was approved creating the National Youth Commission to serve as the sole policymaking and coordinating body of all youth programmes and projects of the government. Some of their programme and projects are the following:

1. Youth Entrepreneurship Programme (YEP) — helps the young to develop entrepreneurial skills providing training and technical assistance for the youth's business development with the goal of creating a strong economic base of young entrepreneurs.
2. Kabataan 2000 — is a youth work programme aimed at instilling among the youth the proper values towards work and community service, providing them with opportunities for self-development and

participation in nation building.

3. Integrated Sangguniang Kabataan Organizational, Leadership, and Reorientation (ISKOLAR) Programme — is aimed at developing the management and leadership skills of the Sangguniang Kabataan (SKs) and mould them into strong community leaders and advocates of reform, through values education and seminars.
4. Ship for Southeast Asian Youth Programme (SSEAYP) — is an annual youth exchange that provides the youth with the opportunity to visit ASEAN countries and Japan, on board a Japanese luxury ship. While on country visits, they engage in various activities such as courtesy calls, interaction with local youth, visiting institutions, and staying with local families.
5. National Youth Parliament — is a biennial assembly of youth representing various sub-sectors and geographic groupings nationwide to develop a legislative-executive agenda for youth development.
6. National Youth Environmental Action Plan and Green Brigade — are community-based youth environmental corps composed of the Katipunan ng Kabataan that advocate environmental awareness and action as a means to attain a balanced and healthful ecology.
7. Student Government Management Programme — is designed to help student leaders develop effective task and people management skills by exposing them to innovative management principles, practical tools and technologies that can be readily applied to bring about excellent performance in their respective student bodies.
8. Bantay Tele-Cinema Youth Network — youth are deputized by the Movie and Television Review and Classification Board (MTRCB) to monitor the enforcement of MTRCB rules and regulations in their respective areas of jurisdiction.
9. National Inter-Fraternity and Sorority Council — was formed to address the problems and issues of fraternities and sororities in campuses and unify them by a common agenda of promoting academic excellence as a vital contribution to nation-building.

E. Council for the Welfare of Children

The Council for the Welfare of Children (CWC) is the apex agency for children's protection, welfare and development in the Philippines. It is the focal coordinating agency of the Philippine Government for children's concerns. Created through PD. 603, the CWC is responsible for coordinating and monitoring the implementation of all laws, programmes and services for children, as well as ensuring that these are implemented within the code and the Philippine National Strategic Framework for Plan Development for Children, 2000-2025.

1. Philippine National Strategic Framework for Plan Development for Children (Child 21) — The Philippine National Strategic Framework for Plan Development for Children, or Child 21, is a strategic framework that will guide stakeholders in planning programmes and interventions that promote and safeguard the rights of Filipino children in the 21st century. The framework weaves child rights (survival, development, protection and participation) with the child's life cycle. It advocates not only for a more focused targeting for children but also for interfacing critical interventions at the various stages of a child's development. In 2001, CWC started to intensify its effort in advocating and mobilizing resources/networks for the adoption of the Child 21 both at the national and local levels. The goal of the efforts is for the national agencies to use Child 21 as a policy framework for programmes/interventions for children and for the LGUs to pass resolutions/formulate local development plans for children. To date, the DSWD has prepared and finalized their Department Order for Child 21 adoption and it is now ready for endorsement by the Secretary for approval.
2. The Search for Child Friendly Cities and Municipalities — Launched last November 1998, the Search for Child Friendly Cities and Municipalities aims to support the child-friendly movement which is a growing worldwide effort to operationalize the Convention on the Rights of the Child (CRC). It involves children themselves, families, communities, church groups, and the government. Aply put, it aims to place children at the centre of all development efforts to effect sensitization of society toward child-friendliness. The Search is also in recognition of the role of the local government units in promoting and

protecting children's right to survival, development, protection, and participation.

IV. FUTURE DIRECTIONS

There are a number of proposed pieces of legislation being pushed for approval at Congress, these include the Comprehensive Juvenile Justice System Bill and expansion of the coverage of the Law on Release on Recognizance which seeks to release from detention a youth offender who has committed a minor offence to the custody of a responsible member of the community.

Likewise, programmes and projects are being initiated to intensify public awareness of the issue of sexual harassment and inform the public of what it is and where to complain. The police have tried to reorganize its complaint desks to be composed of an all-female unit which will encourage rape victims to come out freely to report their ordeal, and to be supported by a highly-trained male squad of police officers which shall expedite the investigation and prosecution of domestic violence cases. It will continue to conduct training and seminars on juvenile justice issues and pursue a programme advocating restorative justice. This year both the PNP and NAPOLCOM will implement a Diversion Programme for children in conflict with the law.

TOPIC 2: ROLE OF THE COMMUNITY IN THE INTEGRATED CRIME PREVENTION APPROACH (MULTIDISCIPLINARY APPROACH) AND ESTABLISHMENT OF AN EFFECTIVE MULTI-AGENCY COOPERATION AND COLLABORATION SYSTEM IN THE PHILIPPINES

V. THE ROLE OF THE COMMUNITY IN THE INTEGRATED CRIME PREVENTION APPROACH

The Government has identified several ways of encouraging the community to join in the anti-crime campaign. One way is to provide venues for community-based participation in localized crime fighting. Another is to forge partnerships with nongovernmental organizations (NGOs) in the creation of more crime watch groups nationwide. A third way is to tap media groups in implementing communication strategies that will enhance public awareness.

Great emphasis has been placed on the subject of citizen participation in crime prevention. The process offers a viable means of involving citizens in the planning, decision-making and process change and innovation. Various indigenous concepts of adopting community-based methods were formulated in various urban locales in the Philippines to assist in the process of maintaining peace and order, specifically against criminality.

A. Community-Based Strategy — The Barangay Initiated Ronda System

The Barangay Initiated Ronda System is an offshoot of Presidential Decree No. 1232 authorizing the organization of community groups to serve as effective vehicles for organized community participation in crime prevention. The said groups are organized by barangay officials. The most common community-based crime prevention programme implemented by the Barangay Council is the Ronda System conducted by the Barangay Security and Development Officers or *Barangay Tanods* (Village Watchmen). Based from the interviews, Ronda was implemented as far back as 1972 and is still in operation today.

The Barangay Security and Development Officers (BSDOs) or more popularly known as the Barangay Tanod, are the volunteers who are responsible for peace keeping activities in the barangay. Recruited civilian volunteers are engaged primarily in unarmed civilian assistance that includes intelligence information-gathering, neighbourhood watch or "Rondas"; medical/traffic/emergency assistance; assistance in the identification and implementation of community development projects; and gathering relevant information and data as inputs to peace and order planning and research.

The localities have adapted the programme and taken the liberty of assimilating the concept into the native culture and beliefs. Examples of these are the Oplan Pakigsandurot in Cebu City and the Neighbourhood Watch Group in Baguio City.

The crime prevention activity conducted by these community-based organizations is basically carried out

through the Ronda system. The system is operationalized by teams of volunteers who take turns making rounds (Ronda) around the barangay during critical periods (late at night or early dawn). For operational purposes, the barangay is divided into “pook or puroks” and each “purok or pook” has an appointed leader. There are various methods/styles in conducting the Ronda and each barangay improvises according to its resources and needs.

The main actors in the said programmes are volunteers. The main component is therefore citizen participation. Volunteerism plays a vital role. Sustainability of any grassroots project depend on the harnessing of local resources, particularly that of human resources.

Aside from the Ronda, a number of indirect measures are also conducted. Some of these include establishing day-care centres, organizing the youths, conducting seminars on responsible parenthood, providing training for livelihood and assisting families in the establishment of small scale businesses.

B. Forging Partnerships with Citizens’ Groups/Non-Government Organizations

The greater involvement of the community towards effective social defence in the local setting is being mobilized through various groups. The Crusade Against Violence (CAV), the Citizens’ Action Against Crime (CAAC), and the Movement for the Restoration of Peace and Order (MRPO), the Mamamayan Ayaw sa Droga (MAD), the KillDroga and the Citizen’s Crime Watch (CCW) were created as an offshoot of the escalating incidents of violent criminality in the country.

These anti-crime movements undertake: (1) protest rallies as a means of obtaining a more effective response of the government in criminal justice matters; (2) sustained court watch; (3) information campaigns to increase consciousness of victims and their families on the need to cooperate with authorities in reporting crimes and pursuing cases in court; (4) monitoring of cases pending with law enforcement agencies and the Department of Justice; (5) legal assistance; and (6) public education campaigns on crime prevention to encourage vigilance among the citizenry in the campaign against crime and violence.

The Citizens’ Crime Watch is an umbrella organization of nongovernmental organizations (NGOs) and People’s Organizations (POs) working in partnership with the government in the anti-crime campaign. It provides assistance to the police in information- gathering, reportage of suspicious persons and places, service of subpoenas and other court processes, and monitoring the progress of investigation, prosecution and disposition of heinous offences. In barangays, Barangay Crime Watch Centres are being organized by the Barangay Chairman in consultation with the City/Municipal Peace and Order Council concerned.

StreetWatch

Street Watch is a programme designed to get the community actively involved in preventing crime by encouraging neighbours to help each other deal effectively with neighbourhood crime and related problems, and to cooperate in law enforcement. It involves the organization of neighbourhood blocks in a barangay into a Street Watch unit.

Each member of the Street Watch is expected to be on the look-out for crimes and emergencies obtaining within his own premises and that of his immediate neighbour. The monitoring effort shall be assisted by the Foundation for Crime Prevention by providing the necessary infrastructure and networking.

Media Support is provided by one of the major Television networks of the country, GMA Network, Inc. The neighbourhood Street Watch information and education campaign on crime prevention is to be supported by the GMA’s radio and television network. Crime Prevention information and tips are aired in its newscasts, radio and television programmes. GMA has also set up a Street Watch Action centre to follow up cases and report emergencies. The station also airs feature stories and interviews on crime prevention and criminal justice issues.

The Street Watch has established an Emergency Hotline (Emergency Hotline 117) which is centrally managed by the Philippine Long Distance Telephone (PLDT) Company and operated by qualified operators from the Philippine National Police.

C. Activities for Enhancing Public Awareness

The media's role must be in making the public more conscious and aware of the problems of criminality, the sociology of crime, the machinery of the criminal justice system, the imperfections and problems besetting the system and the arduous process of prosecution. Criminal justice agencies can engage the services of the media for a more effective fight against crime. Towards this end, a Communication Plan was launched in 1994 to educate the public in what the criminal justice system is and its critical role in the prevention and control of crime.

A common strategy among the five pillars of the criminal justice system is the conduct of an Information Education Communication (IEC) Campaign. A Presidential Directive was issued for the five pillars of the criminal justice system to formulate and implement a comprehensive Criminal Justice System Communication Plan (CJS Complan). The CJS Complan was initiated to promote the CJS in order to enhance justice, public order and safety through an integrated and sustained communication programme. Primers, posters, brochures, pamphlets and other materials containing information on the criminal justice system were prepared, reproduced and distributed to the public. CJS agencies also air a weekly one-hour radio programme "Bantay-Katarungan" (Justice Watch) which focuses on crime prevention and the criminal justice system. It is aired every Friday from 11:00 A.M. to 12:00 noon over DZBB Radyo ng Bayan.

D. Nationwide Crime Prevention Week Celebration

The Department of the Interior and Local Government, through the NAPOLCOM, spearheads the annual celebration of the National Crime Prevention Week. Presidential Proclamation No. 461 dated 31 August 1994 declared the first week of September of every year as National Crime Prevention Week (NCPW).

Plans, programmes and activities for the weeklong celebration, are drawn up with the active support and involvement of the Department of Education, Culture and Sports (DECS), the Peace and Order Councils, the Office of the Press Secretary-Philippine Information Agency (OPS-PIA) and various citizens groups like the Crusade Against Violence and the Citizen Action Against Crime.

In recent years, activities conducted include the Presidential Kick-Off Ceremony, an Inter-Collegiate Debate on Crime Prevention, an On-the-Sport Poster Making Contests, Symposia on Crime Prevention, Skit-Drama Contest for High School Students, Motorcades and Parades. These activities are conducted nationwide.

E. NAPOLCOM Deputation of Local Chief Executives

Governors and Mayors, after having been elected and qualified as such, are automatically deputized as representatives of the National Police Commission in their respective jurisdictions. As deputies of the NAPOLCOM, they are clothed with ample powers and functions over the police for the maintenance of peace and order in their localities. They are also accountable to the Commission in the exercise of their delegated authority. They regularly submit to the Commission through the Crime Prevention and Coordination Service, a report summarizing their peace and order programmes, projects and activities and appropriate recommendations for the enhancement of the effectiveness of the police units in their respective areas.

To ensure that the local chief executives (LCEs) perform their duties and responsibilities with maximum efficiency, the Commission, through its Inspection, Monitoring and Investigation Service and its regional offices, monitors and evaluates on a continuing basis their performance as deputies in the areas of public safety and effective maintenance of peace and order, specifically, their campaign against all forms of syndicated crimes and illegal activities including jueteng.

1. Powers of LCEs

- (i) Operational Supervision and Control
- (ii) Exercise Administrative Disciplinary Powers
- (iii) Choose the Chief of Police
- (iv) Recommend Appointment of new PNP Members
- (v) Recommend the Transfer, Reassignment or Detail of PNP Members
- (vi) Conduct Inspection and Audit

2. Responsibilities

- (i) Develop an Integrated Area/Community Public Safety Plan (IA/CPSP)
- (ii) Sponsor Periodic Seminars for PNP Members

**VI. THE NAPOLCOM TECHNICAL COMMITTEE ON CRIME PREVENTION
AND CRIMINAL JUSTICE AND THE PREPARATION
OF THE NATIONAL CRIME PREVENTION PLAN**

In its effort to institutionalize a systems approach to crime control, the National Police Commission, through the Crime Prevention and Coordination Service, established the Technical Committee on Crime Prevention and Criminal Justice (TCCPCJ). This *ad hoc* interdisciplinary body is under the auspices and functional supervision of the Commission. This Committee, composed of acknowledged experts representing the five pillars of the Criminal Justice System - law enforcement, prosecution, courts, corrections, and community - meet monthly to consult each other and coordinate the plans and projects of the various pillars they represent.

The Commission, through the Technical Committee, formulates an annual National Crime Prevention Plan (NCPP) which is submitted to the President sixty days before the ensuing year. It contains appropriate policy recommendations from experts representing the five pillars of the CJS. The Plan is a multi-sectoral and inter-disciplinary strategy involving all agencies of the CJS. The programme is a compendium of action programmes and strategies for implementation by the five components.

The NCPP's major thrusts are geared towards the improvement of the internal capability of the individual pillars, and the maintenance of close interagency coordination toward the effective reduction of criminality, and the attainment of peace and order. The ultimate goal of the NCPP is the improvement of peace and order through enforcement of law, administration of justice and elimination of graft and corruption. The immediate effects that can be expected from the attainment of the above goals of the five pillars of the CJS are a reduction in the crime rate, speedy and efficient prosecution of cases in court, speedy disposition of court cases, jail decongestion, and effective and efficient rehabilitation of offenders and awareness and participation of community members in CJS activities.

The process of regaining people's trust and confidence in the country's criminal justice system is being orchestrated at the highest levels of government and is being coordinated through close networking of the Technical Committee on Crime Prevention and Criminal Justice. Some of the programmes initiated by committee are the following:

A. Police Level

Several measures have been initiated at the law enforcement level to maximize the participation of the public at this level of the criminal justice system. Among these is the adoption of the Community Oriented Policing Concept (COPS). The major emphasis of COPS is the imperative of cultivating people-police partnerships to champion the cause of peace and order in the community. People support is the desideratum of police effectiveness and success. The police cannot single-handedly solve the manifold problems of criminality considering its deficiencies in manpower, mobility, communications and firepower. Only the people can fill the gap. The Philippine National Police (PNP) has been directed to hasten the full implementation of community-based policing projects especially in urbanized areas nationwide. All territorial unit commanders have been directed to accelerate the institutionalization of a community policing system in their respective areas in cooperation with local government units (LGUs), other government agencies/offices, and nongovernmental organizations (NGOs).

People empowerment as a strategy in the administration of police administrative disciplinary system finds actualization with the organization and operation of the People's Law Enforcement Boards (PLEBs) in the cities and municipalities throughout the country. Under R.A. No. 6975, the PLEBs are vested with the jurisdiction to hear and decide citizens' complaints against erring personnel that are filed before them. The intent of the law is clear. In the governance over the police, local government units and the community must have a substantial and more meaningful participation, particularly in the area of discipline.

Aside from these flagship programmes, the police also conduct their own public information and

education programmes through a number of TV and radio programmes. They likewise conduct regular "Ugnayans" or dialogue with the community and hold a "People's Day" every month. These activities make police services accessible to the public.

B. Prosecution Level

The Department of Justice, in coordination with various government agencies maintains several programmes to ensure citizen participation at this level of justice administration.

The Witness Protection, Security and Benefit Programme (WPSB) under Republic Act No. 6981 is a legislative enactment granting witnesses certain rights and benefits and defining their responsibilities, if admitted into the Programme. Apart from the primary benefit of security and protection, witnesses may be given any or all of the following benefits under the programme, viz, 1) secure housing facility for high-risk witnesses; 2) financial assistance to witnesses and their dependents, ranging from a minimum of P3,000.00 to about P15,000.00 in certain cases; 3) travelling expenses and subsistence allowance; 4) medical and hospitalization assistance; 5) housing or rental allowance in case of a witness with manageable risks.

The Department of Justice entered into agreement with different government agencies for assistance and services to be afforded to clients. The Department of Foreign Affairs agreed to render assistance in facilitating/securing passports and visas for WPSBP covered witnesses and initiate negotiation with countries to determine the feasibility of an exchange of witnesses. The Philippine Overseas Employment Authority (POEA) agreed to assist the witnesses in obtaining a livelihood abroad through its name hiring or government hiring schemes or other methods of deploying overseas contractual workers. The Department of Labour and Employment and the Department of Social Welfare and Development conduct skills training programmes for witnesses.

Republic Act No. 7309 is the law creating the Board of Claims under the Department of Justice granting compensation for victims of unjust imprisonment or detention and victims of violent crimes.

One of the more vexing problems in the area of justice and human rights is the implementation of the constitutional provision against the deprivation of life, liberty, and property without due process of law. Persons have been accused and imprisoned for crimes they did not commit, only to be subsequently acquitted. For the victims of unjust imprisonment, the compensation is based on the number of months of imprisonment and every fraction thereof is to be considered one month, but in no case will such compensation exceed P1,000.00 per month. In all other cases, the maximum for which the Board may approve a claim shall not exceed P10,000.00 or the amount necessary to reimburse the claimant's expenses incurred for hospitalization, medical treatment, loss of wage, loss of support or other expenses directly related to the injury, whichever be determined by the Board.

One of the projects implemented by the Prosecution Pillar is the Prosecution, Law Enforcement and Community Coordinating Committee (PROLECCS). Representatives from the different pillars of the CJS had taken cognizance of the low rate of cases rested in court. This could be attributed to limited or lack of evidence presented in court. The Prosecution Pillar felt the need for a closer coordination among prosecution, law enforcement, and community pillars especially in evidence gathering.

Project PROLECCS provides a regular forum to achieve and sustain closer linkages among the prosecutors, law enforcers, and the members of the community in evidence gathering, specifically in cases involving heinous crimes. It is also designed to help attain a 50% increase in the rate of cases rested in court for a five year period. The project envisions to foster an enhanced working relationship and to promote camaraderie among prosecutors, law enforcers and concerned non-government organizations (NGOs) through regular meetings, seminars and conferences. The project was launched in August 1996 in the Metropolitan Manila area and is being participated in by Chiefs of Police, PNP District Directors, representatives from other law enforcement units, and members of the community and cause-oriented groups such as the Crusade Against Violence (CAV), the Citizen's Crime Watch (CCW), and the United People Against Crime (UPAC) among others.

C. Judiciary

The Courts Pillar conducts symposia in different regions of the country to enhance the understanding of

the public in the process involved in the administration of justice. The symposia provide more information and familiarization on the operational system and workings of the judicial system. The symposia enlighten the minds of those with negative beliefs on the judicial system and provide public awareness of the entire criminal justice system. Participants gains insights on the actual situation in courts and the causes of delay in the disposition of cases.

To further improve the efficiency and effectiveness of the judges and court personnel, the grant of awards and recognition is given to deserving judges and personnel through a merit and awards system. The Foundation for Judicial Excellence, a private foundation, grants awards for Judicial Excellence every year. This private foundation grants awards to three Outstanding Regional Trial Court Judges and three Outstanding Metropolitan or Municipal Trial Court Judges. Likewise, the foundation also gives awards for Outstanding Public Prosecutors and Outstanding Public Defenders. The awards system is implemented to affirm and encourage exemplary performance and conduct among public servants and to strengthen citizen's faith and confidence in the rule of law.

D. Corrections

Community involvement in Corrections includes participation in the observance of the National Correctional Consciousness Week which is celebrated every last week of October. Community members are involved in planning activities to commemorate the event.

In line with establishing more responsible rehabilitation and correctional programmes and services for inmates, correctional agencies coordinate with government and nongovernmental organizations like the Episcopal Commission for Prisoners' welfare, CARITAS, formerly the Catholic Charities, and the National Manpower and Youth Council (NMYC) in providing small-scale livelihood projects and community-based programmes for inmates. Likewise, several religious groups visit jails to share spiritual messages.

Dedicated members of the community are tapped as volunteers to ensure the success of the parole and probation system. These volunteers are called Parole and Probation Volunteer Aides. These volunteers are screened and trained. Each volunteer supervises a maximum of five clients and keeps all information about a parolee, probationer or pardonee in strict confidence. He works in close coordination with the Chief Probation and Parole Officer in providing counselling and placement assistance.

Another flagship project of the Corrections pillar involving NGOs is the management of the Philippines-Japan Halfway House. The Philippines-Japan Halfway House was designed to provide preparatory rehabilitation activities to released or pre-released clientele in a 24-hour residential setting that is geared towards preparing the clientele to become emotionally, socially, and economically prepared for family and community life to cope with the different pressures in society. Interdisciplinary-trained staffs provide services wherein which all activities are geared to provide therapeutic intent and impact on the clients served.

The construction of the edifice was shouldered by the Nagoya West Lions Club and the Asia Crime Prevention Foundation (ACPF). Several donations from the Nagoya West Lions Club and ACPF were also given through the effort of the United Nations Asia and the Far East Institute for the Prevention of Crime (UNAFEI) and the Asia Crime Prevention Philippines (ACPPI). The initial seed money for operation of the Halfway House is taken from the funds of the Five Year Master Plan of Action for Peace and Order. Various Non-government organizations and several private individuals have assisted in the maintenance of the Halfway House to include the Makati Golden Lions Club, the Muntinlupa Lions Club and the Lady Judges Association of the Philippines.

VII. ASSESSMENT

A lot of ground has been covered by the combined efforts of government and community as far as crime prevention and control is concerned. On a macro-level, several measures, like systematic and organizational changes, new policies, national summits and covenants for peace have been introduced to enhance government capabilities to address problems of peace and order.

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Government instrumentalities not previously tapped for crime prevention efforts have found themselves in the frontline of the government's anti-crime campaign. On a micro-level, the police have shifted from the traditional reactive, incident-triggered type of policing to a proactive, problem-solving, community-oriented policing system.

The adoption of the COPS philosophy resulted in a quantum improvement in the relationship between the police and the community. This resulted in a new partnership and increased awareness that criminality is not solely a police problem but a shared responsibility. The precipitating or major causes of crime have been brought to the consciousness, not only of the victims, offenders and the police but also to a wider spectrum of society that includes media, church, legislature and the whole community as well. This improved relationship between the law enforcers and the civil society gave birth to a number of memoranda of agreement between the police and different sectors of society.

There are problems that continuously nag the government's resolve to improve the peace and order. This includes insufficient resources, personnel, logistics, communications equipment, infrastructure and lack of mobility. Project implementers committed the pitfall of heightening expectations among target communities that were not met and causing frustration and demoralization of the citizenry.

Positively viewed, and going by the precept that peace and order is sine qua non to economic progress and development, it can be concluded fairly that there is a vast improvement in peace and order considering the enormous investments that entered the country and the impressive growth in GNP. Investments have also started to come in and this can only be interpreted as the growing confidence of entrepreneurs both in the stability and capability of the Philippine government to address their concerns.

Considering the varied problems confronting Philippine society today, Filipinos must realize that much is left to be done even if the government has continuously strived and is earnestly exerting efforts to implement a unified approach involving all sectors and spheres of Philippine society to effectively deter crime. A holistic approach, with particular emphasis on an active and empowered citizenry where society does not just base its values on its level of well-being but also on its capacity to create justice and human growth, should be carried out vigorously to curb criminality.

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COUNTRY REPORT - FIJI

*By Anare Bulainacagilaba**

I. INTRODUCTION

The level of crime associated with urbanization in a given society is affected by a number of social, political and economic factors. In a developing country such as Fiji, rising urban crime rates are associated with rapid urbanization, unemployment, relative deprivation, skewed distribution of economic resources, uneven development and cultural change to name a few.

As in many countries, crime in Fiji is primarily an urban phenomenon. The urban centres with higher concentration of population and businesses are affected by greater volume of crime and deviant activities than are the sparsely populated and physically isolated rural areas. The country's two cities of Suva and Lautoka and the towns of Labasa, Nadi, Ba, Rakiraki, Sigatoka, Labasa and Savusavu figure prominently in crime reports than the small villages in the interior of the mainlands of Viti Levu and Vanua Levu including the remote islands.

II. AIMS

This paper intends to provide the following as they apply in Fiji:

- (i) Current situation of crime associated with urbanization, countermeasures and problems experienced
- (ii) Effective measures for prevention of crimes associated with urbanization
- (iii) Effective measures for youths at risk
- (iv) Role of the community in an integrated approach (multidisciplinary approach) and establishment of an effective multi – agency cooperation and collaboration system

III. CURRENT SITUATION OF CRIMES ASSOCIATED WITH URBANIZATION, COUNTERMEASURES AND PROBLEMS FACED

A. Current Crime Situation

The incidence of certain crimes in Fiji seems to be associated with a regional pattern in that apart from the lowly profiled white-collar crimes, predatory property offences such as robbery with violence, burglary, house breaking, larceny, unlawful use of motor vehicle, prostitution and drug abuse are more common in the urban centres. This is not unusual given the higher concentration of wealth and businesses in the urban areas. By contrast, the rural areas have higher rates of homicide, rape, suicide, domestic violence, arson, cultivation of marijuana and theft of farm animals.

1. Types of Crime

(i) *Robbery with violence*

The Robbery incidence in Fiji has recorded a notable increase since 1999 (see Appendix, Table 1). However, in 2003 and 2004 up to the month of September, police recorded a decrease in number of robbery with violence cases from 629 to 612.

An alarming trend is the growing level of violence associated with these crimes. In 2002 and 2003 most Fijians were found to be the perpetrators of these crimes against victims who are mostly Indians. Fifty six percent of these offenders were unemployed in 2002 compared to sixty five percent in 2003. While there were an insignificant number of offenders associated with liquor most robberies were committed by males between the ages of 17 and 24.

Banks, prominent shopping centres and businessmen, fuel stations, foreign money exchanges, privately owned shops and private residences of prominent and high ranking people will remain priority targets for masked youths in groups armed with pistols and/or iron rods, cane knives, broken bottles and stones used merely to intimidate victims to relinquish their valuables.

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(ii) Burglaries and house breakings

Crimes of Burglaries and House Breakings both feature prominently in the news bulletin on a daily basis. Between 1999 and 2003, 836 cases of Burglaries and 1,355 House Breakings on average were recorded by offenders who were mostly unemployed male Fijians between the ages of 17 and 24 years (see Appendix, Table 2). Most Indians were victims of these crimes.

Most of these crimes occur when occupants are away or else break in when residents are asleep or engaged and distracted with other activities. The increased sophistication and professionalism of offenders of these crimes is quite evident. Wearing of gloves by perpetrators to avoid traces of finger or palm prints on the scene with accomplices as "look-outs" and/or "get-away" drivers is quite evident.

(iii) Unlawful use of motor vehicles

Auto theft, locally referred to as Unlawful Use of Motor Vehicle is one of the fastest growing crimes in the country. Between 1999 and 2003, on average 338 cases of auto theft were recorded by police mostly involving unemployed male Fijians between the ages of 17 and 24 as offenders. Over fifty six percent of cases recorded in 2002 were associated with alcohol (see Appendix, Table 3). Mostly Indians were victims.

In most cases stolen vehicles are used as get-away vehicles in robbery cases or repainted and sold while others may be dismantled and their component parts sold separately. Perpetrators of these crimes are often highly skilled in auto-mechanics with intricate knowledge even to start car engines without the use of keys.

(iv) Illegal drug use

On average, police between 1999 and 2003 recorded 442 cases of illegal drug use. Most offenders of this crime are male Fijians from the ages of 25 and over with the youngest between the ages of 10 and 16. Marijuana cultivation in commercial quantities has increased substantially particularly in the Western Division of the country. In spite of stringent drug control laws, including a mandatory sentence for offenders, drug use is fast becoming a concern in view of its social and health consequences.

(v) Larceny

The most common form of Larceny committed in urban centres are those involving larceny from dwelling houses, larceny from persons and larceny from ships and docks. Police from 1999 to 2003 recorded an average of 802 such cases. Larceny from dwelling houses and persons made up the largest number of these cases. These crimes are mostly committed by unemployed male Fijians between the ages of 17 and 24 years. Over 53 of these cases were associated with alcohol in 2002.

(vi) Prostitution

Although prostitution is one of the oldest crimes, it is still one of the most common within the urban centres, which is understandable given the high concentration of working class people and businesses. Unlike in many parts of the world where prostitution is a legal thriving trade, the crime of prostitution in Fiji is quite insignificant in terms of the actual number of cases recorded and successfully prosecuted due to the usual lack of evidential proof to establish the crime. In most cases potential offenders would eventually be charged for Loitering in a Public Place at Odd Hours of the Night.

B. Countermeasures

The failure to prevent these crimes makes people feel unsafe. Rightly the community looks to its justice institutions, such as the police, for leadership and guidance in crime prevention. It relies on the police as a first responder when crimes are committed and rightly expects the rest of the system, including prosecutors, courts, prisons and social welfare services to do their part to ensure punishment is meted out and the perpetrator is then reintegrated back into the community.

1. Police

The enforcement role of the police includes the traditional repressive approach involving mass arrest of offenders from semi-urban and rural sectors of the communities including squatter and housing settlements. Criminal profiling that provides sufficient details and background information on habitual offenders have been quite effective in the identification and subsequent arrest of crime suspects. Included are other reactive policing strategies that ensure a sufficient level of police visibility at selected locations at certain times of the day. The recently introduced "No Drop Policy" for certain crimes, including those related to violence,

has been an effective deterrent.

Proactively, the Fiji Police have been currently engaged intensively in crime prevention activities soliciting the support and active participation of the wider community in the fight against crime. Such long term strategy has primarily targeted youths, being the most vulnerable members of the community. In Fiji, Crime Prevention committees, Parents, Church, Youth and other groups are spearheading programmes such as Police Youth Citizen Group, Youth In Sports *Programmes and the National Youth Volunteer Scheme* with one common purpose which is to engage youths and other vulnerable community members in worthwhile activities away from idleness and negative peer pressure.

However, policing efforts are usually hampered by severe shortage of resources in terms of budget, manpower, mobility and other equipment. The total approved annual budget for the Fiji Police for 2005 is \$59 million dollars representing a mere increase of \$1.5 million from 2004. The total police manpower establishment currently stands at 2,063 providing policing services to a population of over 800,000. From a vehicle fleet establishment of 149, over half have gone beyond their operational worthiness. Computers are still a rare commodity in the Fiji Police despite their unlimited access worldwide.

2. Prosecution & Courts

Prosecution of cases is conducted by the Police and the Office of the Director of Public Prosecutions (DPP) with the latter usually handling the more serious and complex cases. Legal assistance would either be by private paid counsels, the government's Legal Aid Department or personal representation by the offender.

A common problem faced by the prosecution, and for that matter the police, is in terms of bail procedures often exercised by the courts. Habitual offenders of violent robbery crimes are sometimes granted bail when one or more cases against them are still pending in court. This usually creates a cycle of re-offending where an offender would have accumulated a significant number of related crimes before being finally tried. Backlog of unheard cases, state of injuries if any inflicted on an offender and the deplorable state of prison facilities are the factors usually considered seriously by the courts.

3. Correctional Institutions (Prisons)

The role of the Fiji Prison Service is the effective and efficient containment and rehabilitation of all convicted offenders and their successful re-integration into the mainstream of the community. However, a lesser degree of success as to the fulfilment of the latter of these roles has been achieved as the service is too focused towards containment and less on rehabilitation. This is potentially a staging point to high recidivism as offenders enter and leave prison confinement without any opportunity to either learn or rehabilitate themselves from their wrong doing or successfully integrate themselves back into their own communities.

Severe lack of resources in terms of funds, manpower, facilities and skills to carry out proper and professional rehabilitation services are the most significant problems apart from lack of consultation an/or coordination with other involved agencies.

IV. EFFECTIVE MEASURES FOR PREVENTION OF CRIME ASSOCIATED WITH URBANIZATION

A. Preventative Measures that can be taken by the Police and Prosecution

1. Diversionsary Programmes

The policy currently in existence whereby juvenile first-time offenders of minor crimes are not formally charged is a constructive policy that should be maintained. This can purposely avoid these young offenders being adjudicated and labelled as deviant, delinquent or criminal. Such labels tend to lead to repeat offences as the individual so tagged live out the labels that have been applied to them. When juveniles are diverted away from the criminal justice system and are entrusted to the care of parents and other guardians, these adults should assume an active role and make a concerted effort to steer these juveniles towards a productive and law-abiding life.

2. Mentor Programmes

A mentor programme could be established involving prominent members of the community interested in volunteering their time. These role models could provide personal and career guidance for first time offenders. The positive rapport and caring concern that could emerge from such relationships would further encourage youths to follow a law-abiding path and discourage deviant and criminal conduct.

3. Offender with Victim Mitigation Programmes

Opportunities for an offender of a crime to come face to face with the victim before the case is brought for hearing before the court are often quite impossible. Police and prosecutors are often quite hasty to investigate and have the perpetrator charged without allowing an opportunity for the offender to personally see the victim "eye to eye" as this will have a much more remorseful effect on the offender. Such programmes will instil a positive psychological effect not to re-offend and avoid such encounters that could be so emotional and humiliating.

4. Community Based Sentencing

Most offenders of urban related crimes are originally from close-knit families and established origin. They become involved in crime due to peer and other negative influences within a community completely new and foreign in terms of life-style and upbringing. Introducing a sentencing procedure where offenders are made to return to their place of origin will be an effective way to re-integrate an offender back into their own familiar community.

B. Reported Crime Mapping Analysis

One of the major difficulties in effectively responding to reported crimes in Fiji is the lack of systematically compiled data on crime in the country. A related problem is the rudimentary manner in which the data is categorized. Until recently, much of the police data on crime were recorded by hand in notebooks and manually computed with calculators. While the computer has replaced the notebook and the calculator, crime data has been classified in basically the same manner for decades. Offenders and victims of crime continue to be classified into the major racial groups of "Fijian", "Indian" and "Other" and grouped by age under broadly defined categories of crime. Analyses of crime trends of spatial and temporal distribution are almost non-existent.

However, significant improvements are being made with the recent development of crime stats networking, although it is at its initial stage. Further, work on the Geographical Information System (GIS) has also commenced intentionally to improve police responses to reported crimes and ensure they are more objective and not sporadic as is currently the case.

C. Situational Crime Prevention

White collar crime and predatory offences such as robbery, burglary and housebreaking are more common in the urban centres which is not unusual given the geographical layout of cities and towns. In some neighbourhoods in the country's urban centres, there is no physical boundary that separates the wealthy from the poor which makes the gap between the rich and the poor more visibly apparent leaving the wealthy as a source of envy and resentment and also makes them vulnerable to predatory property offences. Fiji has been left to face the consequences of poor urban planning.

The recent establishment of a Standards Commission, that will generally establish standards, will ensure that new buildings conform to required security standards, apart from other things.

D. Measures for Preventing Victimization

There is a common perception that crime control is the responsibility of the government, the police, the prison services and other law enforcement agencies alone. However, every sector of society should play a role in the effort to control the level of crime in the country. Citizens, for example, should work jointly with law enforcement personnel to prevent and detect crime.

One way average citizens can avoid becoming victims of crime is by taking aggressive protective and preventive measures to secure their persons and property. Simple precautions such as avoiding carrying large amounts of cash on one's person and wearing expensive jewellery should be observed all the time. Business owners should exercise a high level of security when transporting cash from their business

premises. Homeowners should leave their homes secured with sufficient lighting and avoid leaving their cars unattended with the keys in them.

E. Crime Prevention by the Communities

One of the most acclaimed community-based crime fighting programmes is the “Neighbourhood Watch Scheme”. This crime watch programme has been established in a number of residential areas throughout the country. Existing schemes should be strengthened by promoting wider community involvement in residential communities where participation in the programme has declined.

Young people are particularly prone to idleness and boredom during the school holidays. It is no surprise, then, that it is during the long summer holidays that juvenile offences are at their peak. The end of the school year should coincide with an increase in recreational, educational and volunteer programmes for young people. These programmes should be accessible to young people of all socio-economic backgrounds. Community organizations as well as private citizens can donate their time and resources to sponsor such activities and should view it as an investment in the nation’s future.

Churches and other religious organizations should take on a larger role in providing moral instruction for youths. There is some evidence that those that believe in a higher authority or higher being generally tend to feel a great sense of responsibility and accountability for their actions and believe they will suffer the consequences if they commit a crime, by divine retribution, if nothing else.

Parents and other family members have a critical role in moulding their children to be responsible and law-abiding. They should be more involved with their children and know what is happening in their lives and not smother them or otherwise interfere beyond what youths consider acceptable levels.

Collaboration and cooperation of other agencies are so vital. The Prison service in its rehabilitation role must be sustainable and will require support and assistance from outside agencies such as social welfare services, the communities, the churches, educational institutions and other employment agencies.

V. EFFECTIVE MEASURES FOR YOUTH AT RISK

A. The Integrated Approach

One of the strategic objectives of Fiji’s National Youth Policy under its Strategic Action Plan (2005 - 2008) is to respond to specific needs of “youth at risk” such as those with disabilities, displaced youth, sexual minorities, young women, ex-prisoners, street kids, wheelbarrow boys, shoeshine kids, the homeless and other vulnerable youths. Support and empowerment are being conducted through Awareness, Advocacy, Training, Counselling, Participation, Empowerment and Youth forums involving other agencies. Intended outcomes of these programmes are:-

- Empowered youth/ex-offenders
- Reduced number of youth/juvenile offenders
- Inclusive programmes for offenders/juveniles and delinquents
- Reduced number of inmates
- Accredited trade skills in prison complexes i.e. franchise with other productivity and tertiary institutions
- Inclusive programmes for underprivileged youths
- Reduced number of street/wheelbarrow and shoeshine kids
- Reduced number of youths/women on the streets

In Fiji, children at risk are placed under the care of the Director of Social Welfare Department. A Care and Cash Allowance grant of \$30-\$35 per child is given to families/guardians supporting children other than their

own. The allowance is also paid to residential homes who have taken into their care neglected, abused and orphaned children who are placed under the care of the Department of Social Welfare.

Financial assistance to poor and disadvantaged families is also provided for under the Family Assistance Scheme at \$30-\$100 on a monthly basis. Similarly, under the Poverty Alleviation Programme, a cash grant to the maximum of \$5,000 is provided to assist the homeless build their homes or other income generating projects. Grants to non-government organizations that supplement the role of social welfare are also provided.

B. Institutional Treatment for Youths

The Social Welfare department administers two homes - the Boys Centre and the Mahaffy Girls Centre with the former catering to male juveniles offenders placed under the care of the Social Welfare and the latter for juvenile girls who are mostly victims of abuse. A number of programmed activities are run at the boy's centre including mechanics and woodwork. At the Mahaffy Centre, the girls are engaged in a home programme comprising of cooking/baking, domestic duties, crafts, gardening and crochet. In addition to the above, the inmates undergo learning experiences and participate in various other activities that contribute to their overall personal development. This includes recreational programmes that gives the girls the opportunity to participate in sports and religious activities, excursions and social events.

The departmental officers are gazzetted probation offices responsible for the supervision of probationers. Their responsibility is to befriend, advise and assist the probationer in his/her rehabilitation back into the community. They provide reports on the socio-economic background of an offender at the request of a magistrate to assist in deciding the appropriate sentence for a particular case.

C. Effective Community-Based Treatment for Youths/Juveniles

The wider community can also assist in the rehabilitation of former inmates by helping to resettle them once they are discharged from prison. For example, employers in the private and public sectors must be encouraged to hire former inmates in gainful employment.

In order for the wider community to play a rehabilitative role, it must first change its attitude towards persons who have been incarcerated. In Fiji, as in many societies, individuals who have spent time in prison are often labelled as "ex-convicts". Many employers are suspicious of discharged prisoners and refuse to hire them. Members of the community refuse to associate with them and treat them as social outcasts. This social rejection and the denial of employment opportunities tends to build resentment and with it recidivism, or the resumption of criminal activities both out of frustration and the need for economic survival.

VI. ROLE OF THE COMMUNITY IN THE INTEGRATED APPROACH (MULTIDISCIPLINARY APPROACH) AND ESTABLISHMENT OF AN EFFECTIVE MULTI-AGENCY COOPERATION AND COLLABORATION SYSTEM

A. Necessity, Planning and Implementation of an Integrated Approach (multidisciplinary approach) and Agencies In-charge

1. Necessity

Crime prevention is everyone's responsibility – it is not something that is exclusively invested in policing responsibilities. Crime prevention can be as simple as locking the doors of your house or as complex as instilling right thinking attitudes and mores at home or at school, ensuring a sound moral foundation for our children.

Fiji is beginning to recognize crime prevention as an important area of policy and requires its justice agencies and institutions to come together and develop common and cohesive approaches that make people feel safe in their homes and on the streets. The current government, sectoral and community approach is too focused on efforts and expending of resources away from crime prevention and rehabilitation towards interventions focused on punishment, such as imprisonment. Prevention is not only better than cure but also cheaper, so Fiji has to spent more effort and money on keeping people out of prison than putting them in.

2. Current Situation, Initiatives and Planning

There is no national crime prevention/community safety strategy in Fiji. Attempts have and are being made to ensure law and order groups and agencies work together to combat crime. Although there is a Combined Law Agency Group (CLAG) established to improve coordination amongst law enforcement agencies, there is no cohesive strategy which drives home the responsibility every sector, person, community, group, business, agency and so on must accept to ensure crime is minimized and people feel safe to live and work in Fiji.

Currently, there is a very real and definite approach to crime prevention and community safety in Fiji under the Australian-Fiji Law and Justice Programme (AFLJP) that seeks a common understanding amongst justice agencies and institutions as well as the community and the rest of government towards a unifying objective. This programme seeks to demonstrate models of cooperation through the identification of common issues across the sector. These issues are addressed through mutual cooperation and commitment to ensuring the most effective outcomes for the community.

The programme identified key issues in existence from its initial problem analysis it conducted in 2003. Essentially they are:-

- No holistic strategy for community safety and crime prevention;
- Community awareness and understanding of their rights and responsibilities with respect to crime prevention and the operation of the justice system is limited;
- Lack of adequate deterrent by and respect for justice sector institutions;
- Declining confidence that the justice system can deliver equitable outcomes;
- Inadequate linkages, understanding, involvement and quality of contact between the community and the justice system; and
- High levels of recidivism.

Under the programme four key output areas were identified as follows:

- Strategies and action plans for justice sector wide crime prevention and community safety be developed and implemented;
- Relevant organizations and agencies adopt the key focus areas of a justice sector wide crime prevention and community safety strategy;
- Awareness and education programme conducted to inform the community on justice sector approaches to crime prevention and community safety;
- Protocols developed which define responsibilities and implementation strategies in crime prevention and community safety

The intent of the above is to support the introduction of a holistic approach to crime prevention and community safety through the implementation of collaborative, sector-wide activities. The focus will be on development of a sector-wide approach to this issue that will include the introduction of common operating protocols, clarification of agency responsibilities and the development of a whole-of-sector strategy to pursue crime prevention and community safety in a mutually supportive manner with common objectives.

3. Implementation

The following is a description of how the Sectoral Statement on Crime Prevention and Community Safety statement was developed and how it will be translated into action in the future.

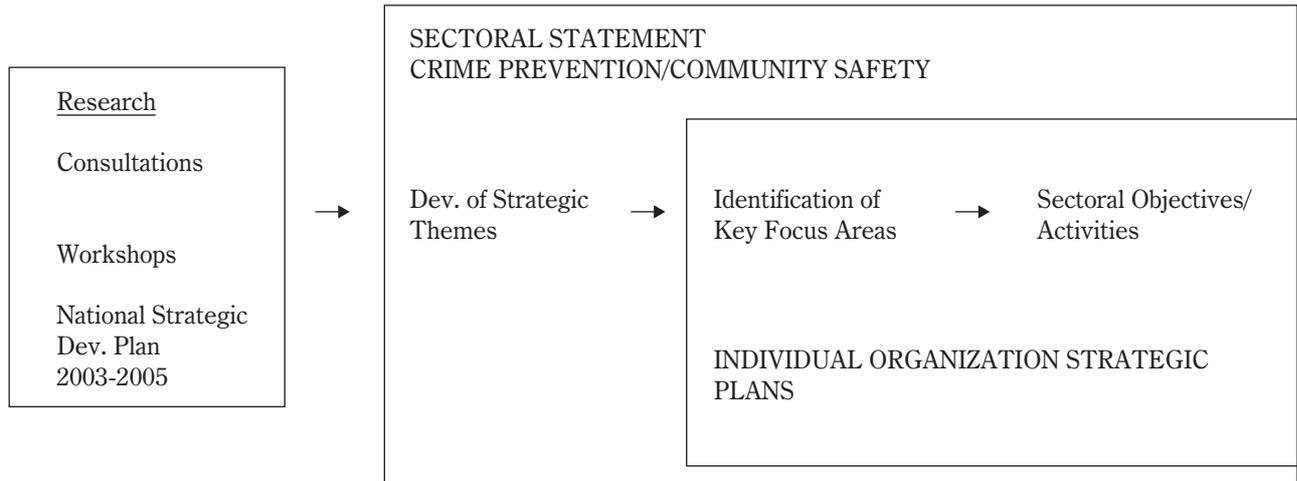


Figure 1: Development Process for Sectoral Statement on Crime Prevention

(i) Research

As part of the activities of the AFLJSP extensive research was undertaken to assess the current state of crime in Fiji and also the perceptions of crime and the community's attitudes towards the effectiveness of the sector as a whole:

- Twenty one Community Workshops throughout Fiji.
- Community Attitudes Survey conducted by the University of the South Pacific and commissioned by the AFJSP. Over 3,800 people surveyed nationally.
- Twenty eight major research reports and reviews conducted by four Advisers of the AFJLSP.
- Extensive consultations with stakeholders and counterparts over a period of eight months.
- Review of the National Strategic Development Plan 2003 - 2005.

(ii) Strategic themes

The research above provided an insight into the national mindset, needs and priorities of the population for crime prevention and community safety. There were a kaleidoscope of messages, some well defined, others subtle and unspoken. The task initially was to crystallize the messages into themes which adequately reflected the aspiration and needs of the general community for law and order, and justice.

The mining of the anecdotal comments and other information from all research and workshops in 2003 and 2004 is now documented. It is from comments like this and other research undertaken that authority to distil the Strategic Themes below was drawn.

This was not difficult to do as there was so much information available. The results were not unexpected and no doubt echoed the needs of most communities around the world – “*we just expect our Government to keep us safe from criminals and stop them committing crimes in the first place*”.

The Strategic Themes developed were:

- Promoting Respect for Human Rights
- Improving Sectoral Education and Training
- Developing Integrated Approaches
- Improving Management of the Criminal Justice System
- Improving Strategic Planning and Management
- Developing integrated Approaches

- Improving Juvenile Justice
- Supporting Community Involvement
- Improving Sectoral Transparency and Accessibility
- Enhancing Community Capacity to Respond to Crime
- Improving Community Education on Law and Rights
- Increasing Sectoral Professionalism and Ethics
- Improving Access to Professional Resources
- Preventing Entry to the Criminal Justice System
- Reducing Indigenous Fijian Rates of Imprisonment
- Improving corrections and rehabilitation

Many of these themes require interventions and support beyond the reach of the justice sector and health, education, communications and transport. The justice sector was required to select the areas where it could have the most or some impact.

These themes were also considered to be the most relevant in developing sectoral goals and objectives. In later workshops participants were asked to consider what it was the Justice Sector needed to focus on to be the most effective in meeting the goals of community safety and crime prevention.

(iii) Key focus areas

The Justice Sector is not solely responsible for the safety and security of the people of Fiji but is charged with the enforcement of the rule of law and the administration of justice.

It was decided to concentrate on *Key Focus Areas* (KFA) that target those areas that have the greatest effect in reducing crime and strengthening the administration of justice by analyzing the *Strategic Themes* in terms of what the Justice Sector is responsible for.

The Key Focus Areas identified were:

- Strengthening families at risk due to multiple persistent disadvantages (poor access to health, education, welfare and rural remoteness)
- Reducing offending and victimization
- Reducing violence in all levels of society
- Reducing the risk and impact of family violence
- Reducing the number of youth at risk of delinquency and offending
- Improving racial harmony through adherence to Constitutional mandates
- Improving justice sector performance through integration and cooperation
- Acknowledgement of the communities primacy as clients of the criminal justice system
- Increasing adherence to standards of professionalism and ethics
- Improving sectoral performance through effective planning and responsive management

The *KFAs* above are the drivers for the development of a sectoral statement which signals to the community that justice in Fiji is united in its efforts to enforce the law, dispense justice, and punish wrongdoers in an environment that is cognizant of the hardship and disadvantage of many and the need for interventions and diversions rather than incarceration.

(iv) Sectoral objectives and activities

The Strategic Themes and *KFAs* described above have been further analyzed and defined into 17 combined sectoral objectives.

These Sectoral Objectives enable individual agencies and institutions to action the themes and *KFAs* by including the Sectoral Objectives into their strategic and annual plans. Based on the Strategic Themes and *KFAs* the primary Sectoral Objectives arising out of the analysis of all research and consultations are:

- To respond to victims of crime, particularly in the area of family violence, in a manner which minimizes repeat victimization
- To promote crime prevention and law enforcement measures to reduce opportunities for offending
- To maintain a system of sanctions which effectively deters offenders
- To contribute to inter-sectoral initiatives aimed at improving support for “at risk” families and youth to reduce offending over the medium to long term
- To ensure adherence to Constitutional mandates on human rights and equality
- To ensure court processes are independent, fair, open, accessible, cost effective and responsive to the diverse needs of users
- To improve the integration of justice sector agencies in both policy development, planning and operational activities
- To implement an effective community policing system
- To improve the detection and apprehension of offenders through targeting resources
- To develop strategies and policies which promote adherence to high standards of professionalism and ethics
- To establish policies to reduce the over-representation of indigenous Fijians in conflict with the criminal justice system
- Improve support for victims of crime and their participation in the criminal justice system
- To ensure that relevant, timely, accurate information is available and accessible to support the needs of the criminal justice system
- To provide interventions and systems of offender management that contribute to reducing re-offending
- To support and promote community-based crime prevention initiatives
- To provide effective rehabilitation, including the need for strong community support
- To increase opportunities for greater access to justice

These objectives were work-shopped at the LJSCG and individual agency and institution heads/representatives agreed to incorporate the essence of relevant ones into their 2005/6 strategic and/or business plans. They will not necessarily be described in the manner above but will reflect the intention.

The Sectoral Statement was designed to promote and enhance the strategic direction set by the Government through the National Strategic Development Plan 2003-2005 Policy Objectives and Key Performances Indicators.

The statement focuses effort in areas of high strategic importance and provides a framework for coordinating agency policies and activities. This provides the overarching strategy for the criminal justice sector. It also extends beyond the sector by linking with social policy strategies.

Promoting crime prevention and safer communities through reducing offending and victimization requires long-term multi-agency approaches. In order to provide direction and co-ordination in making progress on the strategic goals, the Sectoral Statement sets out themes and key focus areas to assist in focusing effort and resources where they are likely to have the most impact.

The allocation of objectives by agency are:

Objective	Police	Prisons	Courts	DPP	Law Revision	Legal Aid	Solicitor General	Social Welfare
To respond to victims of crime, particularly in the area of family violence, in a manner which minimizes repeat victimization	X	X	X	X		X		X
To promote crime prevention and law enforcement measures to reduce opportunities for offending	X		X	X		X		
To maintain a system of sanctions which effectively deters offenders	X		X	X	X		X	
To contribute to inter-sectoral initiatives aimed at improving support for "at risk" families and youth to reduce offending over the medium to long term	X	X	X	X	X	X	X	X
To ensure adherence to Constitutional mandates on human rights and equality	X	X	X	X	X	X	X	X
To ensure Court processes are independent, fair, open, accessible, cost effective and responsive to the diverse needs of users			X					
To improve the integration of justice sector agencies in both policy development, planning and operational activities	X	X	X	X	X	X	X	X
To implement an effective community policing system	X							
To improve the detection and apprehension of offenders through targeting resources	X							
To develop strategies and policies which promote adherence to high standards of professionalism and ethics	X	X	X	X	X	X	X	X
To establish policies to reduce the over-representation of indigenous Fijians in conflict with the criminal justice system	X	X	X	X	X	X	X	X
Improve support for victims of crime and their participation in the criminal justice system	X		X	X		X		X

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To ensure that relevant, timely, accurate information is available and accessible to support the needs of criminal justice agencies	X	X	X	X	X	X	X	X
To provide interventions and systems of offender management that contribute to reducing re-offending		X						X
To support and promote community-based crime prevention initiatives	X	X	X	X	X	X	X	X
To provide effective rehabilitation, including the need for strong community support		X						X
To increase opportunities for greater access to justice				X	X	X	X	

(v) Sectoral statement

If the justice sector is to translate the research and identification of Strategic Themes and KFAs into something meaningful and actionable it must give a commitment to the community through a Sectoral Statement on its Objectives and Activities. These objectives and activities would form part of each organization's (police, courts, prisons, etc.) strategic plans for which they are annually held accountable by government. The statement needs to be precise, concise, relevant but easily understood, and absorbed by the general community.

It should be noted though that this strategy and statement comes from the formal justice sector of Fiji, i.e. those institutions and agencies that make up the sector responsible for law enforcement, administration and operation. It is NOT a statement from the conglomeration of bodies within Fiji that have a diverse general interest or function in the wider law and order role. In effect the statement would be a common set of objectives for the formal justice sector only.

At the Law and Justice Sector Programme Coordinating Group (LJSPCG) on 26th May, 2004 senior representatives from all justice agencies and institutions came together and developed the Sectoral Statement on Crime Prevention and Community Safety. This was taken back to each organizations CEO and at a meeting held on 29th June, 2004 again discussed and agreed to by all parties on 9th July, 2004.

(vi) The Statement

The following text was constructed to become part of the public information brochure to be distributed nationally. It will be customized and delivered in ways that enable it to be easily absorbed and understood by the general community and will be published in English, Hindi and Fijian.

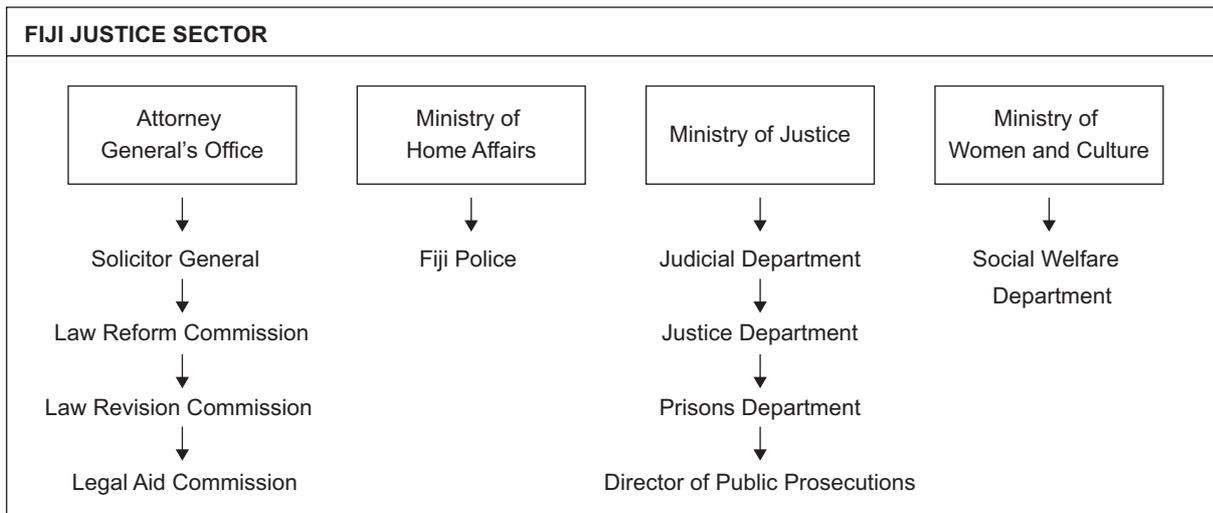
**CRIME PREVENTION AND COMMUNITY SAFETY
JUSTICE SECTOR OF FIJI**

What is the Justice Sector in Fiji?

The Justice sector of Fiji is the formal Government institutions and agencies mandated to administer justice and enforce the law in this country. The justice sector works together for the common good to uphold law and order and is accountable to the Government and the people of Fiji.

The principal responsibility of the Justice Sector is preventing crime and making the community safe to live and work in. It achieves this through vigilance, openness, fairness and impartiality.

Law and order is also a community responsibility undertaken at home, in private, in business and within the public sector



The Justice Sector is also a dynamic element of government which reflects community needs and values in its administration, planning and operations. It is concerned about injustices and seeks to remedy inequities in the system. It is independent from politics but interdependent within its own sector. It does not claim perfection but does seek to maintain high standards.

The community has stated a need to maintain respect for the law and also to recognize the importance of young people in Fiji. The Justice Sector seeks to respond to these calls and encourages reductions in the levels of violence, particularly family violence, and increasing opportunities for all young people to escape the cycle of poverty.

What does it aim to achieve?

1. To respond to victims of crime, particularly in the area of family violence, in a manner which minimizes repeat victimization.
2. To promote crime prevention and law enforcement measures to reduce opportunities for offending
3. To maintain a system of sanctions which effectively deters offenders
4. To contribute to inter-sectoral initiatives aimed at improving support for "at risk" families and youth to reduce offending over the medium to long term
5. To ensure adherence to Constitutional mandates on human rights and equality
6. To ensure court processes are independent, fair, open, accessible, cost effective and responsive to the diverse needs of users
7. To improve the integration of justice sector agencies in both policy development, planning and operational activities
8. To implement an effective policing system
9. To improve the detection and apprehension of offenders through targeting resources
10. To develop strategies and policies which promote adherence to high standards of professionalism and ethics
11. To establish policies to reduce the over-representation of indigenous Fijians in conflict with the

criminal justice system

12. Improve support for victims of crime and their participation in the criminal justice system
13. To ensure that relevant, timely, accurate information is available and accessible to support the needs of criminal justice agencies
14. To provide interventions and systems of offender management that contribute to reducing re-offending
15. To support and promote community-based crime prevention initiatives
16. To provide effective rehabilitation, including the need for strong community support
17. To increase opportunities for greater access to justice

The Justice Sector serves everyone and includes the community in all its forms - government, business and the general public.

The Justice Sector will undertake to:

- a. work cooperatively within the sector and with the community
- b. be more efficient and effective
- c. be the best in the region and a role model for other countries
- d. address the problems within the limited resources that are available
- e. measure our performance (through monitoring our performance to determine how effective we are)
- f. be responsive to changing circumstances and needs
- g. bring equality before the law
- h. listen to the community in terms of improving ourselves.

We want a safer and more secure Fiji which fosters inclusion and recognizes the multiplicity and diversity of talents, cultures and ideas that make Fiji a great country to live, learn and work.

Crime Prevention and Community Safety

Crime Prevention and Community Safety is everyone's responsibility. It can be as simple as locking your doors or as complex as instilling in your child the values which separate right from wrong.

Community safety is a state of mind. It is being able to walk down the street, night or day, whether you are a man, woman or child and not be in fear of violence or in apprehension of offensive or indecent behaviour.

This is where we want to be - even when it means sometimes getting it wrong. As long as we always try to get it right.

(vii) Agency and organization adoption of key focus areas

The development of the strategic crime prevention and community safety statement was a process of extensive consultations with the programme's key partners in the law and justice sectors. By nature of the process all stakeholders were kept informed of the development of the strategy and were asked to agree to key milestones along the way.

At the Law and Justice Sector Coordinating Group Meetings on 26th May, and 29th June 2004, partner organizations and agencies adopted the Strategic Statement of Crime Prevention and Community Safety and agreed to incorporate the essence of the key objectives into their plans.

To date this has already occurred with the strategic plans of the Fiji Police and Ministry of Women, Poverty Eradication and Social Welfare where crime prevention outcomes have been linked directly to core business. As other agencies continue developing their plans they will absorb the key sectoral objectives into their plans.

VII. CONCLUSION

The duty of preventing crimes cannot be left entirely to the Police. It is clearly evident that a significant degree of success in this mammoth task can only be achieved through a combined approach involving all stakeholders adopting a common approach with a shared vision and objective. A society whose members live and move freely without any fear of crime will be the ultimate goal of such an approach.

APPENDIX

**Table 1: Recorded Crime Figures Associated With Urbanization In Fiji From 1999 - 2004
(Up to Sept.)**

Offence	1999	2000	2001	2002	2003 (figure up to Sept.)	2004 (up to Sept.)
Larceny	918	866	815	763	648 (514)	562
Burglary	982	861	838	773	727 (536)	592
Damaging Property	1,167	1,193	1,002	1,019	1,003 (753)	783
House Breaking, Entering and Larceny	1,325	1,569	1,331	1,320	1,230 (1002)	867
Robbery with Violence	719	858	623	794	833 (629)	612
Other Breaking Offences	1087	1112	829	923	811(624)	705
Unlawful Use of Motor Vehicle	352	412	294	305	326 (256)	255
Drug Offences	521	426	433	417	417 (326)	241
Total	7,071	7,297	6,165	6,314	5,994	4,617

Table 2: Recorded Figures in 2003 of Offences by Age and Gender

Offence	10-16 yrs		17-24 yrs		25 yrs and over		Total		Grand Total
	Female	Male	Female	Male	Female	Male	Female	Male	
Larceny		7	11	132	18	82	27	221	250
Burglary		1	1	64	1	46	2	111	113
Damaging Property		3	12	198	38	377	50	578	628
House Breaking, Entering and Larceny		20	2	172	1	69	3	261	264
Robbery with Violence		8	2	189	-	154	2	351	353
Other Breaking Offences		16	-	131	1	62	1	209	210
Unlawful Use of Motor Vehicle		1	-	17	-	11	-	29	29
Drug Offences		6	10	149	20	230	30	385	415

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Table 3: Figures Showing Offenders Associated With Liquor (AWL) From 2002 -2003

Offence	2002			2003		
	AWL	Total	% AWL	AWL	Total	% AWL
Larceny	155	291	53 %	8	490	2 %
Damaging Property	96	184	52 %	2	113	2 %
House Breaking, Entering and Larceny	119	307	39 %	4	264	28 %
Robbery with Violence	87	307	28 %	6	353	2 %
Other Breaking Offences	76	182	42 %	1	210	0 %
Unlawful Use of Motor Vehicle	57	101	56 %	1	122	1 %
Drug Offences	198	390	51 %	2	415	0 %

Table 4: Recorded Figures Showing Crime Offenders Who Were Unemployed (U/E) in 2002 and 2003

Offence	2002			2003		
	U/E Offenders	Total	% U/E	U/E Offenders	Total	% U/E
Larceny	144	291	49 %	163	490	32 %
Burglary	86	184	47 %	81	113	72 %
Damaging Property	202	566	36 %	223	628	36 %
HBEL	152	307	50 %	177	264	67 %
Robbery with Violence	171	307	56 %	228	353	65 %
Other Breaking Offences	81	182	45 %	148	210	70 %
Unlawful Use of Motor Vehicle	38	101	38 %	81	122	66 %
Drug Offences	202	390	52 %	186	415	45 %

Table 5: Recorded Figures Showing Racial Distribution of Crime Offenders

Offence	2002				2003			
	Fijian	Indian	Others	Total	Fijian	Indian	Others	Total
Larceny	184	66	41	291	195	52	3	250
Burglary	137	16	31	184	90	19	4	113
Damaging Property	365	173	28	566	405	207	16	628
HBEL	234	46	27	307	204	54	6	264
Robbery with Violence	224	28	55	307	310	36	7	353
Other Breaking Offences	122	38	22	182	156	49	5	210
Unlawful Use of Motor Vehicle	70	17	14	101	106	15	1	122
Drug Offences	303	75	12	390	311	89	15	415
Total	1639	459	230	2328	1777	521	57	2355

Table 6: Recorded Figures of Victim to Crimes by Race in 2002 & 2003

Offence	2002						2003					
	Fijian	Indian	Others	Company	Govt.	Total	Fijian	Indian	Others	Company	Govt.	Total
Larceny	187	329	98			614	165	393	87	3		648
Burglary	157	547	69			773	163	446	113	3		725
Damaging Property	240	557	51	104	67	1019	269	583	64	62	25	1003
HBEL	428	714	178			1320	366	711	149	11		1237
Robbery with Violence	73	609	84	28		794	79	626	109	19		833
Other Breaking Offences	98	254	193	286	92	923	136	344	72	236	23	811
Unlawful Use of Motor Vehicle	45	214	31	15		305	35	256	27	8		326
Drug Offences					417	417					417	417
Total	1294	3606	720	433	576	5965	1312	3570	625	346	465	6024

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Table 7: Recorded Crime Cases Detected in 2003 and 2004 (up to September)

Offence	2003			2004 (up to September)		
	Total Cases	Cases Detected	%	Total Cases	Cases Detected	%
Larceny	648	233	34 %	562	151	27 %
Burglary	727	100	14 %	592	63	11 %
Damaging Property	1003	595	59 %	783	385	49 %
HBEL	1237	214	17 %	867	157	18 %
Robbery with Violence	833	225	27 %	612	145	24 %
Other Breaking Offences	811	152	19 %	705	125	18 %
Unlawful Use of Motor Vehicle	326	85	26 %	255	62	24 %
Drug Offences	417	394	94 %	241	223	93 %

THE JUVENILE JUSTICE SYSTEM IN INDONESIA

*By Harlan Mardite**

I. THE CURRENT SITUATION OF URBANIZATION IN INDONESIA

From 1971 to 2003 the percentage of the population living in urban areas rose from 17 percent to nearly 31 percent nationally. Surveys showed that the movement toward urban areas, particularly to West Java, and to south eastern Sulawesi (Celebes), Kalimantan (Borneo), and other islands, stemmed not from the innate lure of the cities but from the lack of employment in the countryside. Migrants seemed to view the pollution, crime, anonymity, and grinding poverty of the city as short-term discomforts that would eventually give way to a better life. For high-school and college graduates with no prospects for employment in the rural areas, this may in fact have been a correct assumption. But for those migrants without capital or qualifications, the main hope for employment was in the so-called "informal sector": street vending, scavenging, and short-term day labour. Many migrants also cultivated tiny but nutritionally important gardens. Most urban growth was in cities of more than one million in size. Although the capital enjoyed a disproportionate amount of the nation's resources, anthropologist P. D. Milone observed in the mid-1960s that "Jakarta has never been a true 'primate' city in terms of being the only centre for economic, political, administrative, higher education, and technical functions" in the way that, for example, Bangkok has been for Thailand.

Surabaya has always been a major import-export centre and a major naval station, and Bandung has been a centre for transportation, higher education, and industry. Nonetheless, in terms of population growth and as a symbol of the centralization of power in the nation, Jakarta has steadily grown in importance.

Like many countries, Indonesia experienced rising crime as a by-product of increased urbanization and the social and economic dislocations associated with national development. The scope of the crime problem was difficult to gauge, but conditions such as large numbers of unemployed or underemployed in the nation's cities, lack of sufficient jobs for high school and university graduates, and a breakdown in traditional systems of social control were often cited as responsible for the increase in crime. During the 1980s, the government sometimes resorted to extrajudicial means to control a perceived increase in crime, especially in urban areas.

II. CHILDREN'S PROTECTION IN INDONESIA

The Government has stated its commitment to children's rights, education, and welfare, but has devoted insufficient resources to fulfil that commitment. Poverty has put education out of the reach for many children. Between 2000 - 2002 child labour and sexual abuse were serious problems. Among girls aged 7 to 12, 7 percent, or 923,000, do not attend school. Although girls and boys ostensibly receive equal educational opportunities, boys are more likely to finish school. A noted rights activist in West Kalimantan (Borneo) said many parents could not afford to educate all of their children, and concentrated their resources on their sons.

In 2002 the Government estimated the number of prostitutes under the age of 18 at 49,500, but the actual number may be much higher. In the country's biggest red light district, in Surabaya, 40 percent of the prostitutes are under the age of 18. Malnutrition is a growing problem, and more than 70,000 children live on the streets. Between 2000 and 2002 the Government made some progress in protecting children. On August 13, 2002 the President approved a National Action Plan on the Elimination of the Worst Forms of Child Labour. The plan consisted of 5, 10 and 20-year goals that included raising awareness, policy development, and intervention to eliminate the worst forms of child labour. On September 23, 2002 the DPR (House of Representatives) passed the National Child Protection Act, which addresses economic and sexual exploitation, including child prostitution, trafficking in children, and the involvement of children in the narcotics trade.

The legislation also covers adoption, guardianship, and custody, and requires parents who wish to adopt to practice the same religion as the child. The Ministry of Women's Empowerment, responsible for children's issues, opened up the Bill to NGO input. On August 16, 2002 former President of Indonesia, Megawati Soekarnopoetri, announced the upcoming education budget, which was \$1.46 billion (13.6 trillion rupiah), or less than 4 percent of total Government spending. Education experts welcomed the 15 percent

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increase over the previous year's allocation; however, legislators and officials of the Ministry of National Education stated they would seek a significant additional increase. In August 2002 the MPR (People's Assembly) amended the Constitution to stipulate that a minimum of 20 percent of total state and regional budgets would be allocated to education.

By law children are required to attend six years of elementary school and three years of junior high school. In practice, however, the Government do not enforce these requirements. According to UNICEF (In their published report: *Situation Analysis of the Juvenile Justice System in Indonesia*), 96 percent of children aged 7 to 12 are enrolled in school; among children aged 13 to 15, 79 percent are enrolled in school; and among children aged 16 to 18, 49 percent are enrolled in school. The monthly fees for public schools varied from province to province, and were based on average incomes. Some parents found it difficult to afford the \$1.20 (10,650 rupiah) to \$5.00 (44,374 rupiah) monthly fee that most public elementary schools charged. It was unclear how many children were forced to leave school to help support their families. Conflicts disrupted the education of many children (2000 - 2002).

In Maluku (Molluca) and North Maluku, inter-religious violence displaced 452,000 persons, many of them children. Some children attended classes in makeshift classrooms at camps. In August 2003 in the Maluku capital of Ambon, UNICEF introduced its "school in a box" system to help compensate for the destruction of 118 schools. Muslim-controlled areas reported a severe shortage of teachers, as a majority of teachers in the Moluccas were Christian, and many of them fled to Christian controlled areas when the violence escalated. In Central Sulawesi (Celebes), bombings near schools disrupted education and displaced many of the children. The provincial capital of Palu suffered a number of such bombings, including two on September 19, 2003 which injured three persons. Clashes among student groups also drew increased scrutiny during the year. The country's infant mortality rate remains high. According to the Indonesian Child Welfare Foundation, there were 38 deaths for every 1,000 newborns between 2000 - 2002. Some NGOs attributed the problem to poor service at public health centres. The World Health Organization stated that prenatal care in the country was poor.

Malnutrition remains a serious problem, particularly among younger children. In 2001 UNICEF stated that 31 percent of the country's children under the age of five were moderately or severely underweight. This figure represented an increase from 26 percent recorded in 1999. On July 29, 2001 Aris Merdeka Sirait, the Head of the National Committee for Child Protection (KOMNAS Perlindungan Anak), called attention to the plight of child domestic workers. He estimated the child servant population at 1.8 million, based on 2000 data, and said such children faced sexual harassment and physical abuse by employers, due mainly to the absence of any legal protection.

A recent study by Family Health International (FHI) estimated the number of street children nationwide at 70,872. This was based on data provided by the Government and a network of NGOs that cooperate with Save the Children. Other sources provided higher estimates. East Java, Jakarta, West Java, North Sumatra, and South Sulawesi Provinces have the largest street children populations.

Child abuse is not prohibited specifically by law; however, there were no reliable sources on violence within families. Governmental efforts to combat child abuse have been slow and ineffective due to cultural sensitivities and a lack of monitoring mechanisms and verification.

Child prostitution is pervasive. NGO estimates of the number of child sex workers in the country range from 40,000 to 300,000. Although some teenage girls entered the sex trade knowingly, many were forced or tricked into the practice. At times law enforcement officials treated child sex workers as perpetrators of crime, rather than victims. The NGOs stated that fewer than 10 percent of child prostitutes were rehabilitated successfully (Local NGO's data, 2002). Women's rights activists and religious groups accused government officials, including police and soldiers, of operating or protecting brothels that employed underage prostitutes. In 2002 there were reports that corrupt civil servants issued identity cards to underage girls, facilitating entry into the sex trade. Sexual exploitation of boys was a major problem in Bali, according to NGOs active there. On July 24, 2004 in the city of Denpasar (Bali Island), 37 local NGOs discussed the problem and urged the Government to deport foreign paedophiles. Activists also described the island of Batam as a centre for child sexual abuse. On July 17, 2004 the Minister of Women's Empowerment identified Medan (capital of North Sumatra) and other parts of Sumatra as trouble spots for child sexual abuse.

Trafficking of children was a problem but has since diminished with the introduction of the Law for the Protection of Children's Rights 1997. There was no separate criminal justice system for juveniles. Ordinary courts handled juvenile crime, and juveniles often were imprisoned with adult offenders. However, today there is a separate criminal justice system for juveniles, although it is not fully implemented. In most cities there are now separate prisons for children and adults. The National Commission for the Protection of Children's Rights stated that more courts were starting to involve social workers in children's trials to safeguard children's rights. At the end of 2004 the Government still had not implemented the Juvenile Justice Law, which was approved in 1997 to establish a special court system and criminal code to handle juvenile cases.

A number of NGOs promoted children's rights. The National Commission for the Protection of Children's Rights campaigned for legislation to protect children. Save The Children worked with street children, while the Institute for Advocacy of Children (Lembaga Advokasi Anak Indonesia) struggled to end child exploitation on fishing platforms.

III. THE CURRENT SITUATION OF JUVENILE DELINQUENCY IN INDONESIA

An increase in urbanization has increased the amount of juvenile delinquency. According to the criminal statistics released by the Police Department of the Republic of Indonesia between January - May 2002 more than 4000 Indonesian children are brought before the court every year for petty criminal offences, such as theft. According to the Police criminal statistics, there were more than 11,344 children that allegedly committed offences in 2003. From January until May 2003, 4,325 children were detained in prison throughout the country. Most of them (84.2 %) were detained in adult prisons. The children who were detained in police offices were not included.

The data on Juvenile Delinquency in Indonesia shows that quantitatively speaking, the phenomenon is not a serious problem, but qualitatively it can create feelings of fear in society. In Indonesia, a juvenile delinquent is a child under the age of eighteen who commits any act against the criminal law. One course of action in dealing with such offenders is to proceed through the courts, where the judge can decide between several available alternative punitive measures. However, it might well be decided that to proceed in this way would not be appropriate because the process might have a negative effect on the child's future. The Police Department social worker, therefore, is often faced with a critical decision: first, whether the case should proceed to court or the child sent back to his family or to an institution; second, whether the police have the authority to decide the case, or whether this authority rests with the court.

There are services available for juvenile delinquents both inside and outside institutions, based on a consideration of what is best for the child. Services are offered both by government and non-government organizations. The latter concentrate on dealing with juvenile delinquents and deviant behaviour as part of a community participation effort. In dealing with juvenile offenders, there are two kinds of policies: depending on the seriousness of the offence and the assessment of the offender, he may be processed through the court or may be referred to a government or non-government social institution.

The legal basis in dealing with juvenile delinquents is contained in the Juvenile Court Act (Law No. 3 year 1997). According to the Law, the judge has three alternatives in dealing with a child who commits crimes:

- (i) The child may be sent back to his parents or family without any sanction;
- (ii) He may be sent to a government institution without any sanction; or
- (iii) He may be found guilty and punished.

In relation to the second option, Article 24 para. 1 elaborates that the child can be sent to a reformatory or placed under the guardianship of a suitable foster family. In relation to the third option, Article 26 states that the maximum penalty for juveniles is a half of the punishment which would be given to an adult; in the case of an offence where the death penalty would be appropriate, for a juvenile the maximum sentence is 10 years imprisonment.

In general, the definition of a child in national legislation follows the standard set forth in the Child Welfare Act (Law No. 4 / 1979); that is, a person under the age of 18. The definition of a child is also set forth in other national legislation, namely the Juvenile Court Act, Law No. 3 year 1997.

IV. THE JUVENILE COURT ACT (LAW NO. 3, 1997)

A. General

The Indonesian government has ratified the Children's Rights Convention by Presidential Decree No. 36, 1990. The government also issued Law No. 3, 1997 (the Juvenile Court Act) and Law No. 5, 1998 to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment). And afterwards, the government also issued Law No. 39, 1999 on Human Rights. And in 2002, Law No. 23, the National Child Protection Act, was issued by the House of Representatives. All of these national law instruments were deemed to guarantee the protection of children's rights while they have to face the law and have to follow the justice process. In accordance with the spirit of the law to give certain protection to children who are in the legal process and children who are in detention or imprisonment, it is an unavoidable reality that a limitation of statistical data on children who face the legal process is the main obstacle to analyzing such a situation. The age of criminal responsibility, which is different within institutions that handle children's cases, is one real example how the children's problem has to be maintained as a priority. Without closing our eyes against progress that has been achieved by the government of Indonesia in order to improve children's protection, supervision of the fulfilment of children's rights who face the law and children who are in detention and imprisonment should be intensively applied and regularly evaluated.

The Juvenile Justice System is every element of criminal justice which is related to the handling of juvenile delinquency cases. There are four stages of law enforcement in the juvenile justice system.

Firstly, the police as the formal institution when a delinquent juvenile faces the legal process for the very first time, which will decide whether the juvenile should be released or face the next process.

Secondly, the public prosecutor and probation system will also decide whether the juvenile should be released or face the juvenile court.

Thirdly, the juvenile court is the stage at which the child will either be free or be put in detention or given imprisonment.

Lastly, is punishment institution.¹

There are two categories of children's behaviour which makes them liable to face the legal process, namely:

- a. Status Offence is behaviour which if committed by an adult would not be considered a crime, such as disobedience, absence from school or running away from home.²
- b. Juvenile Delinquency is behaviour which if committed by an adult would be considered a crime or violation of the law.³

One weakness is that the Criminal Code does not establish the age of criminal responsibility for more serious crimes. In addition, with the Juvenile Court Act, the concept of statutory crime is applied in a more general sense for all crimes perpetrated by children, although this Act comes under much criticism for setting the age of criminal responsibility too low at eight years. A child under the age of eight is free from all criminal responsibility (Art. 5, paras. 1-3). Under this Act a child is defined as a person under the age of 18 years who has never been married. However, the procedure for court hearings involving children is applicable for persons up to the age of 21 (Art. 4, paras. 1 and 2).

Indonesia's juvenile justice system is responsible for keeping citizens safe and rehabilitating delinquent youth. Meeting these two responsibilities has been the goal of the system since it was first implemented. The dilemma that has faced policymakers and citizens has been deciding which of the two aims should receive the most emphasis, and thus, funding. Should the state build more juvenile penitentiaries and immediately protect its citizens, or should it teach current prisoners life skills that will help them to live in such a way that they will be less likely to recapture. Or, in a separate, preventative effort, should the state

¹ Robert C. Trajanowicz and Marry Morash, *Juvenile Delinquency: Concepts and Control*, Prentice Hall, New Jersey, 1992, page 175-176.

² Harry E. Allen and Clifford E. Simmons, *Correction in America: An introduction*, 5th edition, Macmillan Publishing Co., 1989, page 393.

³ *Ibid*, page 420-421.

use its resources to fund parenting, recreational, and mentoring programmes that build up youth and enable them to make good decisions early on. In the end, the state must balance effectiveness with urgency. Preventative and rehabilitative measures have been proven time and time again to significantly lower the likelihood of a youth offending (or re-offending). However, the results of prevention and rehabilitation programmes do not become apparent until years after they are begun, and few are willing to risk the immediate threat that could befall the community should funding of penitentiaries experience a shortfall while prevention and rehabilitation programmes are being established.

B. Limitation of Age

According to Chapter 4 para. (1) of the Act, the minimum age children can be brought before the court is eight years old and the maximum age is 18 years old and never been married. Chapter 5 para (1) states that in case the child has not reached eight years old, he/she should be investigated by an investigator, and the investigator will decide whether the child should be returned to his parents (in case his/her character can still be changed) or to the social department (if there is no hope to change his/her character).

The children's limitation of age is a critical thing in a juvenile delinquency case, because it is used to determine their legal status, whether they can be categorized as a child or an adult. Certainty in the law regarding this is important for law enforcement on the front line in order to avoid an error in arrest, investigation, prosecution or judgment. This is a very important because it is connected with human rights. Regarding the limitation of age within Law No. 3, 1997, apparently Article 1 (1) is in harmony with Article 4 (1). Article 1 (1) states that: A child is a person in a juvenile delinquency case who has reached eight years old but has not reached 18 years old and never been married.

Article 4 (1) states that: The limitation of a naughty child who can be brought to the juvenile court is at least eight years old but has reached 18 years old and never been married.

The limitation of age abovementioned shows that someone who can be considered a child who can be brought before the court is limited between eight and 18 years old. A child under 18 years old but who has been married should be treated as an adult instead of a child. Therefore, he/she will not be processed based on the Juvenile Court Act, but based on the Criminal Code.

How to determine whether someone can be categorized as a child? In handling children's cases, law enforcers should be thorough by demanding an authorized certificate verifying the date of birth, such as a birth certificate. If he/she does not have such a certificate, it can be shown by another kind of document, such as an ID card. The effectiveness of such documents cannot be used as evidence in the court trial because there are certain conditions to treat some documents as evidence. In a criminal case the document should be admitted under oath. Comparing the limitation of age within the Juvenile Court Act with the limitation within Article 45 of the Criminal Code (no longer valid), it is apparent that in the Juvenile Court Act the limitation is higher. Within Article 45 of the Criminal Code the limitation is only under 16 years old and there is no minimum age, or distinction concerning whether the juvenile is married or unmarried.

C. Definition of Juvenile Delinquency

The definition of children as stipulated within Article 1 (1) of Law No. 3, 1997 is someone who is involved in juvenile delinquency. The definition of juvenile delinquency in Article 1 (2) has two meanings:

1. A Child who Commits a Crime

Even the Juvenile Court Act gives no further description, but it is understandable that an action by a child who commits a crime is not limited to actions that violate only the Criminal Code, but also violate other rules that exclude the Criminal Code, such as the Anti Narcotics Act, IPR Act, etc.

2. A Child who Commits an Action that is Considered Forbidden for Children

The meaning of forbidden action for children is an action which is forbidden not only by the law but also by the norms which are applied in society. In this case the norms are the written or unwritten regulations, for example customary law or good manners and polite behaviour.

According to the above "1. A Child who Commits a Crime" is the appropriate definition of a child who can be brought before the court of juvenile delinquency.

D. Detention for Juvenile Delinquency

A juvenile who allegedly commits a crime can be detained in a detention centre. The Juvenile Court Act allows a law enforcer to detain a juvenile when the investigation process has been conducted. The child is detained after carefully considering the child's interests and society's interests.

The detention of a child who is involved in a criminal action, is fundamentally based on the Criminal Procedure Act. The actual reason for detention is based on potential evidence. Article 21 para. (1) of the Criminal Procedure Act stipulates three conditions regarding the detention, as follows:

- a. It is suspected that he/she may flee.
- b. He/she may damage or destroy evidence.
- c. He/she may repeat the crime.

The period of detention for such stage is different than stipulated in the Criminal Procedure Act. The Juvenile Court Act provides for a shorter period of detention compared with the Criminal Procedure Act. This policy was considered for the sake of the children. The Investigation process should be completed before the period of detention has finished. Otherwise, the suspect or defendant should be released.

E. Legal Sanction against Juvenile Delinquency

The Legal sanction against juvenile delinquency is stipulated in the Juvenile Court Act chapter III. There are two kinds of sanction: criminal sanction and measures.

1. Criminal Sanctions

Criminal sanctions consist of the core penalty and additional penalty. There are four kinds of core penalties as stipulated in Article 23 para. (2), as follows:

- a. imprisonment;
- b. detention;
- c. fine;
- d. supervision.

Whereas additional penalties according to Article 23 para. (3) include:

- a. confiscation of certain things;
- b. the payment of compensation.

Compared with Article 10 of the Criminal Procedure Act it is obvious that there are four kinds of core penalties, as follows:

- a. death penalty;
- b. imprisonment;
- c. detention;
- d. fine.

It is obvious that the Juvenile Court Act does not provide for the death penalty for a juvenile. As we know in investigating and trying juveniles, we have to have regard for the child's interest. Children are our hope for the future and an asset for the country. They need guidance and protection in order to guarantee their physical and mental growth. In addition, under Article 26 (2) of the Juvenile Court Act, juveniles who commit a crime punishable by the death penalty or a life sentence, have their sentence reduced to a maximum of ten years.

Among those core penalties within the Juvenile Court Act, "supervision" is a new kind of special penalty for juveniles. The meaning of "supervision" is an act of supervision conducted by a prosecutor over a juvenile and the giving of guidance and counselling by society counsellors (*pembimbing kemasyarakatan*).

Regarding the additional penalty of the confiscation of certain things, the Juvenile Court Act does not give an example of the things that can be confiscated. Within the Criminal Procedure Act things that can be confiscated are evidence that can be brought before the court.

2. Measures

According to Article 24 para. (1) of the Juvenile Court Act, there are three kinds of measures, namely:

- (i) Return them to their parents.
- (ii) Send them to the State in order to receive education.
- (iii) Deliver them to the Social Department or other organization in the field of education and training.

In case a delinquent juvenile is returned to their parents, or foster parents based on a court verdict, the child will still be under the supervision of a social counsellor who will be involved in the juvenile's activities.

V. THE ROLE OF THE PUBLIC PROSECUTOR IN JUVENILE DELINQUENCY LAW ENFORCEMENT

The Prosecution Service of the Republic of Indonesia is a Government institution that executes the state powers, especially in the field of prosecution, within the authority of the law and justice enforcement agencies and is headed by the Attorney General who is appointed by and responsible to the President. The Attorney General's Office, the High Public Prosecution Office and the District Public Prosecution Office are the executor of the state powers, especially in the field of prosecution, and they represent a single undivided entity.

A. The Duty and Authority of the Prosecution Service are as Follows (based on Article 30 of Public Prosecution Act No. 16, 2004):

1. In the field of criminal cases:

- (i) To institute a prosecution in criminal cases;
- (ii) To execute a judge's stipulation and law courts judgment;
- (iii) To supervise the execution of a verdict on parole;
- (iv) To conduct an investigation into a certain crime based on the Law;
- (v) To make a complete dossier of the case and to carry out the necessary additional examination.

2. In the field of civil and administrative matters is to represent the Government or State in and out of court.

3. In the field of security and public order:

- (i) To promote awareness of law in society;
- (ii) To take precautionary measures in law enforcement policy;
- (iii) To take precautionary measures in the circulation of printed matters;
- (iv) To supervise mystic beliefs or sects which can endanger society and the State;
- (v) To prevent the misuse and/or blaspheme of religion;
- (vi) To research and develop the law and gather statistics on crime.

4. In addition to the duty and authority mentioned in this Act, the Prosecution Service could be given other duties and authority based on the law (Article 32).

B. Investigation Process

The general public prosecutor after receiving the record of the case (preliminary) from the preliminary investigator, prepares the memory/contra appeal memory. At the investigation stage, the ordinary Police will be granted authority to act as investigators, according to Law no. 8 of 1981 of the Law on Criminal Procedure (Kitab Undang-undang Hukum Acara Pidana: KUHAP). These civil functionaries are especially authorized to act as investigators. Their competency consists of investigating the correctness of the criminal report filed concerning a juvenile delinquent. They are in a position to investigate persons and confiscate material which has a connection with a juvenile delinquency case which may be used as evidence in the criminal case. They also can ask for assistance from experts in the frame of their investigation. At the start and the end of the investigation they report to the State Public Prosecutor. This is in accordance with Article 107 of the Law of Criminal Procedure (KUHAP).

Hence, the success of prosecutors in using their prosecution authority in regard to juvenile delinquents depends, among other things, on the success of the police investigating officer.

C. Prosecution Process

After receiving the results of the investigation from an investigator, the prosecutor should examine it immediately and within seven days it is mandatory for the prosecutor to give an information to the investigator as to whether the dossier is complete or not. If the dossier is not yet complete, the prosecutor will return it to the investigator with instructions for it to be completed. Article 138 para. (2) of the Criminal Procedure Code stipulates that within 14 days the investigator should return the complete dossier to the prosecutor. After receiving the complete dossier, the prosecutor should create an indictment letter immediately (according to Article 54 of the Juvenile Court Act). Afterwards, the prosecutor will deliver the dossier and indictment letter to the court for trial. The court will determine the day of trial and the panel of judges who will handle the case.

JUVENILES ON REMAND: TRENDS AND PRACTICES IN MALAYSIA

*By Abd Wahab Bin Kassim**

I. INTRODUCTION

Social problems, particularly social deviance, should not be used as an indicator that there are shortcomings in the social system and the family institution in the process of nation building, the core of which is based on humanitarian principles and aesthetic values. Social problems are viewed as the negative behaviour of members of the society, which do not contribute to the strength of the system, economy, culture and society of a nation. The economic indicator is often used as the basis for evaluating social problems. This is owing to the fact that social problems are considered to be synonymous with and have a symbiotic relationship with poverty. Although there are other variables related to social problems particularly the inter and intra processes of migration, urbanization, cultural shock and the fluidity of the family institution, the increase in the poverty rate remains the main indicator for the increase in social problems. However, there is no specific or accurate indicator that can be used as the main gauge for evaluating and defining social problems. Apart from that, although various parties particularly the government and non-governmental bodies have taken relentless and integrated steps to overcome the problem, there is no effective approach to date. Social problems are most common among adolescents, the future leaders of the nation.

This paper will focus on social problems particularly criminal misconduct among adolescents (juveniles) who are under remand in prisons, from the aspects of the trends and rehabilitation practices implemented by the Prison Department of Malaysia.

II. DEFINITION OF JUVENILE

From the legal point of view there are various definitions of juveniles depending on their group and age.

2.1 According to the Prison Act 1995, a juvenile or a young offender is defined as “a prisoner who is under the age of 21 years”. The Prison Department of Malaysia detains juveniles aged between 14 and 21 years in prison as young prisoners or in Henry Gurney School (approved school) as students.

2.2 The Child Act 2001 defines a child as “a person under the age of 18 years and below” and the age of criminal responsibility at the age of ten.

2.3. The Child Protection Act 1991 defines a child as “a person under the age of 18 years and below”.

2.4 The Children and Young Persons Employment Act 1996 defines a child as a person aged between 10 and 14 years, and a young person as one aged between 14 and 16 years.

From the legal point of view the definition for juveniles can be concluded as a group of adolescents under the age of 21 years and who have criminal responsibility at the age of 10 years. This paper focuses on adolescents aged between 14 and 21 years.

III. BACKGROUND

The nation has long been plagued by juvenile delinquency. Although much has been said and debated, the issue has not received its due attention. The problem of delinquency among juveniles is reported to be on the rise from time to time. The actual number of cases is estimated to be much higher than that reported.

Social deviance among juveniles starts at school age. At the initial stage this delinquency is in the form of abuse of school rules such as truancy, smoking and vandalism. The absence of effective measures to curb and overcome this problem is a catalyst to more serious criminal misconduct such as bullying, injury to others, rape, theft and murder. Effective preventive and rehabilitative measures must be implemented in an integrated and widespread manner at the family and community levels, school and rehabilitation institutions in view of the fact that the younger generation will inherit the nation’s wealth, place, profession and

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leadership. It is our duty to ensure that the future generation is one that is prepared and responsible for the continuity of life, peace, harmony and the development of the nation.

IV. THE JUVENILE MISCONDUCT FACTOR

The rise in social deviance among adolescents can be viewed from various aspects. Throughout 1995, 4012 adolescents (remanded in prison and Henry Gurney School) were involved in crimes where 96.2% were male adolescents. The phenomenon is rather alarming and should not be viewed lightly as there are more male detainees in rehabilitation centres and under remand. Although there is an increase in the number of male adolescents involved in criminal misconduct, statistics show that the involvement of female juveniles in crime has also increased 161.5% from 325 cases in 1974 to 850 cases in 1995.

The statistics of the Prison Department of Malaysia show that of the 2964 juveniles who are serving prison sentences: 1231 (41.6%) are Malays; 110 (3.7%) Chinese; 314 (10.6%) Indians; 197 (6.6%) other races including the Bumiputera in Sabah and Sarawak, and 1112 (37.5%) foreign juveniles. The increase in criminal misconduct among adolescents is influenced by several factors particularly involving those directly involved with adolescent development such as parents, the school, the family, social institutions, the community and the government.

A. Family Ties

The family is the most important institution in the formation of a human who is physically and mentally healthy. The functions, form and role of the family institution changes owing to the current physical and communication developments in the country. The obsession in pursuing material gains has caused a rift in family ties. Spiritual ties among family members have become eroded and as a result some members suffer from emptiness in life and this will result in more serious social problems.

B. Family Residence

The size of the family residence is another contributing factor to juvenile misconduct. Based on the experience and factors collected at Henry Gurney Schools, a majority of the social degradation cases among adolescents are those who live in small and overcrowded homes which have an insufficient number of rooms. The discomfort of living in such a residence causes the occupants to seek comfort outside the home particularly in shopping complexes and places of entertainment which encourage the freedom to mix among adolescents. The Government has made it a policy that housing projects of either medium or lower projects must have three rooms.

C. Religious Education

A staunch belief in God is the main instrument in managing lustful drives. This can be achieved through the internalisation and practice of religious values as every religion demands its followers to do well and to avoid all evils. Based on the experience with and observation of juvenile detainees, the Prison Department of Malaysia found superficial religious knowledge to be a contributing factor to juvenile misconduct, where 80% of the juveniles have a weak foundation in religious knowledge, 18% have secondary level religious education and 2% tertiary level religious education.

D. The Individual

The individual factors, namely attitude, low self-esteem, mental and physical health problems, a low level of education, the inability to cope with stress and to solve problems, drug abuse and pornography are contributing factors to social deviance among adolescents. This is due to the fact that adolescents require guidance and support in the process of developing their identity and in determining their goals in life.

E. The Environment

The environment refers to a wide area. Individuals live and depend on the environment in determining their way of life. The environmental factors which encompasses the high rate of poverty, weak social support system, community tolerance of crimes, limited social amenities, peer group influence, social rejection and the influx of criminal sources, particularly pornography, are contributing factors to criminal behaviour in society.

F. Poverty

Poverty is closely connected with criminal misconduct. The strain of financial burdens is often used as an excuse by offenders to commit crimes such as stealing and snatching. The experience and observation of young prisoners and juveniles who are serving prison sentences shows that a majority of them come from families with a monthly income below RM1000 and with four to seven siblings.

G. Peer Group Influence

Peer group influence is another contributing factor to social deviance among adolescents and juveniles. The urge to try something new and provocation from the peer group often result in adolescents being involved in criminal activities. The habit of imitating a certain culture, for example the punk and skinhead cultures, without evaluating the good and bad of the culture concerned, can also lead adolescents to involve themselves in social deviance. In the process of searching for their self-identity, adolescents often err in their choice of a role model. They are more inclined to be influenced by their peer group and treat advice and criticisms from their family as something that restricts and bores them.

H. Academic Background

Statistics at the Henry Gurney schools and the Prison Department of Malaysia show that 122 (30%) of the inmates received a primary education and 410 (70%) received a secondary education. Of the total, 310 of them left school after lower secondary education.

V. TREND OF JUVENILE MISCONDUCT UNDER DETENTION

The trend in juvenile misconduct under detention can be viewed from the socio-economic and legal aspects. The socio-economic trend is in turn influenced by the family background, citizenship, place of residence, level of education, household income, age, ethnic group and religion. The legal trend can be viewed from the aspect of the type of crime committed and the length of sentence they serve. Statistics from the Prison Department of Malaysia show that there is an increase in the number of juveniles in prison. The increase is closely related to the socio-economic and legal aspects.

Statistics of Juveniles at the Prison Department of Malaysia

Year	Young Prisoners	Juvenile Detainees	Juveniles	Total
2000	1651	121	536	2308
2001	1565	119	533	2217
2002	2020	128	527	2675
2003	2517	125	535	3177
2004	2314	118	532	2964

Source: Prison Department of Malaysia.

A. Socio-economic Trend

1. Ethnic Group

Crimes and the criminals do not identify with a particular ethnic group for all ethnic groups are involved in juvenile criminal misconduct. According to the statistics of the Prison Department of Malaysia, Malay juveniles comprise the largest number involved in criminal activities i.e. 1,231 (41.6%), followed by the Chinese 110 (3.7%), 314 (10.6%) Indians and 197 (6.6%) other races (including the indigenous people in Sabah and Sarawak) and 1,112 (37.5%) are foreign juveniles.

Juvenile Statistics according to Ethnic Group

Race	Young Prisoners	Young Detainees	Juveniles	Total
Malay	833	24	374	1231
Chinese	64	14	32	110
Indian	198	76	40	314
Others	113	2	82	197
Foreigners	1106	2	4	1112
Total	2314	118	532	2964

Source: Prison Department of Malaysia, 15 November 2004.

2. Religion

From the aspect of religion, the statistics of the Prison Department of Malaysia show that of the 2,964 juveniles detained in prison, 1,784 (60.3%) of them are Muslims, 372 (12.5%) Buddhists, 483 (16.3%) Hindus, 268 (9.0%) Christians and 57 (1.9%) of other religions.

Juvenile Statistics according to Religion

Religion	Total	Percentage
Islam	1784	60.3%
Buddhism	372	12.5%
Hinduism	483	16.3%
Christianity	268	9.0%
Others	57	1.9%
Total	2964	100%

Source: Prison Department of Malaysia, 15 November 2004.

3. Age

The statistics of the Prison Department of Malaysia show that there is a significant difference in the ages of the young prisoners, and the detainees and juveniles. For young prisoners and young detainees the age trend shows that more of those between the ages of 18 and 20 years i.e. 2,115 (91.4%) are involved in crimes compared to those between the ages of 14 and 17 years i.e. 199 (8.6%). As for the young detainees between 18 and 20 years, the number stands at 77 (65.3%) compared with 41 (34.7%) of detainees aged between 14 and 17 years.

The age trend for juveniles shows that more of those aged between 14 and 17 years i.e. 385 (72.4%) are involved in crimes compared to those aged between 18 and 20 years i.e. 147 (27.6%). It can be concluded that the rate for criminal misconduct among young detainees is higher among those aged 18 years and above while for the juveniles the rate is higher among those aged 18 years and below.

Juvenile Statistics according to Age

Juvenile Category	Age							Total
	14	15	16	17	18	19	20	
Young Prisoners	15	20	53	111	388	718	1009	2314
Detainees	3	7	12	19	21	25	31	118
Juveniles	38	95	113	139	87	47	13	532
Total	56 (1.9%)	122 (4.1%)	178 (6.1%)	269 (9.0%)	496 (16.7%)	790 (26.6%)	1053 (35.6%)	2964

Source: Prison Department of Malaysia, 15 November 2004.

4. Level of Education

The success in one's career is often said to be connected to the success in one's education. Those who hold high posts either in the government or private sector are usually the high achievers. Having to drop out of school often results in the individuals being involved in social deviance. The statistics of the Prison Department of Malaysia show that 1,376 (46.4%) juveniles who are prison detainees received only a low level of education and of the total 434 (31.5%) have never attended school while 1,588 (63.6%) received a secondary education whereby 1191 (75%) of them received lower secondary education. The statistics show that criminal misconduct among juveniles is greatly influenced by their level of education whereby adolescents with a low level of education or who have never attended school are more inclined to be involved in social problems and their chances of becoming criminals are high.

Juvenile Statistics according to Level of Education

Juvenile Category	Education Level						Total
	No Schooling	Std 1-3	Std 4-6	Form 1-3	Form 4-5	Form 6 And Above	
Young Prisoners	413*	251	489	852	302	7	2314
Detainees	5	21	32	41	16	3	118
Juveniles	16	46	103	298	69	0	532
Total	434	318	624	1191	387	10	2964

*92% are Foreigners.

Source: Prison Department of Malaysia, 15 November 2004.

5. Household Income

Poverty is often linked with criminal involvement. Poverty is also often used as an excuse for committing a crime in order to support oneself. The statistics of the Prison Department of Malaysia show that 2,089 (70.5%) of juveniles who are detained in prisons come from families with an income of below RM1000 while 875 (39.5%) come from families with an income of RM1000 and above. The statistics also show that the trend of criminal misconduct among adolescents or juveniles is greatly influenced by poverty or low household income.

Juvenile Statistics according to Household Income

Juvenile Category	Household Income				Total
	<RM 1000	RM 1000-RM 2000	RM 2000-RM 3000	>RM 3000	
Young Prisoners	1655 (71.05%)	453 (19.6%)	139 (6.0%)	67 (2.9%)	2314
Detainees	77 (65.2%)	27 (22.9%)	9 (7.6%)	5 (4.3%)	118
Juveniles	357 (67.1%)	119 (22.4%)	37 (6.9%)	19 (3.6%)	532
Total	2089 (70.5%)	599 (20.2%)	185 (6.2%)	91 (3.1%)	2964

Source: Prison Department of Malaysia, 15 November 2004.

6. Family Status

A rift among family members is a contributing factor to social deviance. However, there is a no strong relationship between family status and criminal misconduct among adolescents to justify such a claim. Of the 2,964 juveniles who are serving prison sentences only 571 (19.3%) come from broken homes while 2,393 (80.7%) of them have families.

Juvenile Statistics according to Family Status

Juvenile Category	Family Status		Total
	Whole Families	Divorced Parents	
Young Prisoners	1857	457	2314
Detainees	97	21	118
Juveniles	439	93	532
Total	2393 (80.7%)	571 (19.3%)	2964

Source: Prison Department of Malaysia, 15 November 2004.

7. Number of Family Members

There is a significant relationship between social deviance and the number of family members. Adolescents who come from a large family are more inclined to be involved in criminal misconduct. A large family often causes discomfort at home particularly for those who reside in houses categorized as low or medium cost due to the lack of space for relaxing, in spite of the government standard ruling of at least three rooms to every house. As a result, family members feel more comfortable being out of the home. Adolescents who come from families with 5 to 7 siblings are more inclined to be involved in criminal activities. The following statistics show that 1,783 (60.2%) juveniles detained in prisons come from families with 5 to 7 siblings while 774 (26.1%) of them come from families with 2 to 4 siblings.

Juvenile Statistics according to Number of Family Members

Juvenile Category	Number of Family Members				Total
	Only Child	2-4	5-7	8 and More	
Young Prisoners	81	607	1388	238	2314
Detainees	5	29	66	18	118
Juveniles	12	138	329	53	532
Total	98 (3.3%)	774 (26.1%)	1783 (60.2%)	309 (10.4%)	2964

Source: Prison Department of Malaysia, 15 November 2004.

8. Place of Residence

The area where a juvenile comes from has an influence on his involvement in criminal misconduct. Although crime is committed without consideration whether the offender originates from the rural, suburban or urban area the following statistics show that 2,089 (70.5%) of the juveniles who are serving prison sentences come from the rural areas, compared with 486 (16.4%) from suburban areas and 389 (13.1%) from urban areas. Although the offenders come from families who reside in the rural area, this is not an accurate representation as most crimes are committed in the urban or suburban areas. This may be due to the fact that the crimes were committed while the juveniles were in the urban or suburban areas or have migrated or resided permanently there.

Juvenile Statistics according to Place of Residence

Juvenile Category	Place of Residence			Total
	Rural	Suburban	Urban	
Young Prisoners	1656	356	302	2314
Detainees	68	29	21	118
Juveniles	365	101	66	532
Total	2089 (70.5%)	486 (16.4%)	389 (13.1%)	2964

Source: Prison Department of Malaysia, 15 November 2004.

B. Legal Trend

From the legal aspect, criminal misconduct among adolescents clearly show that most of the crimes committed by the juveniles come under the Penal Code, particularly theft. The following statistics show that 1,246 or 42.1% juveniles are involved in crimes under the Penal Code and 431 or 16.6% under the Dangerous Drugs Act particularly possession and abuse of drugs. The percentage of foreign juveniles who are involved in crimes under the Immigration Act is 32.2% or 954. On the whole, 1,112 or 37.5% juveniles detained in prisons are foreign citizens. Apart from that, there are also crimes under other Acts, 56 or 1.9% come under the Registration Act (foreigner used forged identification card), 6 or 0.2% under the Firearms Act, 32 or 1.1% under the Child Act, 28 or 0.9% under the Dangerous Drugs Special Preventive Measures, 90 or 3.0% under the Restricted Residence Act, 22 or 0.9% under the Road Transport Act and the remaining 94 or 3.1% under other Acts.

Juvenile Statistics according to Offence

Juvenile Category	Act										Total
	KK	ADM	S/API	PPN	JPJ	IMM	LLPK	POPOC	AKK	OTHERS	
Young Prisoners	921	360	2	23	11	931	0	0	0	66	2314
Detainees	0	0	0	0	0	0	28	90	0	0	118
Juveniles	325	71	4	33	16	23	0	0	32	28	532
Total	1246 42.1%	431 14.6%	6 0.2%	56 1.9%	27 0.9%	954 32.2%	28 0.9%	90 3.0%	32 1.1%	94 3.1%	2964

Source: Prison Department of Malaysia, 15 November 2004.

Note: KK = Penal Code, ADM = Dangerous Drugs Act, S/API = Firearms Act, PPN = National Registration Act, JPJ = Road Transport Act, IMM = Immigration Act, LLPK = Dangerous Drugs Act, Special Preventive Measures, POPOC = Restricted Residence Act, AKK = Child Act.

VI. JUVENILE REHABILITATION PRACTICE

As they are young offenders, juveniles must be given the opportunity to correct their wrongdoing through the process of rehabilitation. This is due to the fact that most of the problems involving juvenile misconduct are the result of the shortcomings of the social system itself, particularly the family institution and the spirit of neighbourhood in the society. The Prison Department of Malaysia has developed and implemented a rehabilitation module that is specially targeted at young prisoners known as the Putra Module and a rehabilitation plan targeted at juveniles in Henry Gurney schools with attitude building, knowledge and skills development as the main objectives. This is to ensure that the juveniles can be rehabilitated to be normal individuals again.

A. The Putra Module (Prisoners and Young Detainees)

The Putra Module was developed with an integrated approach as the main objective i.e. physical and spiritual rehabilitation. Through this module, the Prison Department of Malaysia has identified the objectives of the rehabilitation process and activities that prisoners must go through. There are four main programmes in the module, namely the Discipline Building Programme, the Character Reinforcement Programme, the Skills Programme and the Community Programme. The implementation of the rehabilitation programmes is supported by spiritual activities, counselling, good citizenship and moral/civic education.

1. Phase 1 - Discipline Building Programme

The Discipline Building Programme was developed with the main objective of producing inmates who are disciplined and abide by all the regulations, are active and who practice a healthy way of life. The programme is implemented for a period of three months. The module contains the following programmes, namely the information module, physical and discipline building module, the moral/civic module, the motivation module, the citizenship module, the counselling module and the spiritual module.

Phase 1: Discipline Building Programme

Aim	Process	Activity
To prepare offenders to serve their sentence effectively	<ul style="list-style-type: none"> • Offenders' personal data and reason for committing crime are recorded • To get offenders' vow for good conduct • Offenders are categorized according to sentence • Basic personal hygiene 	<ul style="list-style-type: none"> • Marching • Civic/moral classes • Basic regulations • Spiritual • Counselling • Cleaning work

2. Phase 2 - Character Reinforcement Programme

The Character Reinforcement Programme is the core treatment in the Putra Module. The programme is implemented between 6 and 12 months where the stress is on the development of self-identity and positive attitudes through the *Halaqah* approach, Therapeutic Community and Counselling, academic and Malaysian Skills Certificate basic classes. The main objective of the programme is to produce inmates who possess strong self-identity when facing the pre re-entry process while in prison and when they are released. In the *Hallaquah* approach, inmates are divided into many groups depending on their knowledge of Islam. *Ustaz* or other religious teachers, who have much knowledge of the religion, will monitor the inmates' progress. Also, inmates who have advanced knowledge of the subject have an opportunity to give a talk to the group and help teachers guide the group.

Phase 2: Character Reinforcement Programme

Aim	Process	Activity
To build a strong self identity and to instil good moral values among offenders	<ul style="list-style-type: none"> •Offenders are given activities according to interest, problems and background •Offenders are exposed to basic training and practical work 	<ul style="list-style-type: none"> •Religious talks •Counselling •Moral and civic education •Team work •Basic training for Malaysian Skills Certificate •Spiritual •Academic

3. Phase 3 - Skills Programme

Phase 3 of the Putra Module is the Skills Programme. The main objective of the programme is to produce inmates who are skilled and possess certificates as well as those who excel in sports. The main activities in the programme include certified skills, vocational skills and sports excellence skills. Apart from that, spiritual activities and counselling are still the main activities in this phase.

Phase 3: Skills Programme

Aim	Process	Activity
To enable offenders to be independent after their release	<ul style="list-style-type: none"> •Through the SKM and CIDB Learning System, etc. •Vocational training through work at joint-ventures and trust accounts •Work which involves low costs aimed at sharpening skills 	<ul style="list-style-type: none"> •SKM, CIDB Theory and Practical Classes •Vocational Skills •Counselling •Moral and Civic Education •Spiritual •Academic •Sports Excellence

Note's MSC = Malaysian Skills Certificate.
CIDB = Construction Industry Development Board Malaysia.

4. Phase 4 - Community Programme

The last phase in this module is the Community Programme. The main objective of this programme is to prepare the inmates to face the stigma attached to them by society after they are released and to encourage public participation to assist in the process of assimilation of prisoners into society. The activities in this programme are developed to expose the prisoners to life in society again such as preventive education i.e. the Realisation Programme - Message from the Prison (inmates are escorted to school or the community to give talks on how and why they commit the crimes and on the implications or impact they get after they are convicted and sent to the Henry Gurney School), Community Services such as to clean old folks homes and kampong (village) and spiritual activities, which form the core rehabilitation for each phase.

Phase 4: Community Programme

Aim	Process	Activity
To prepare inmates to face life beyond prison and to assimilate with society	<ul style="list-style-type: none"> • Work outside of the prison • Living skills and income • Sports and community activities outside the prison • Crime prevention activities 	<ul style="list-style-type: none"> • Work outside the prison • Give educational talks • Individual and family counselling • Spiritual • Job interviews • Realisation programme – <i>Message From The Prison</i> • Camping for uniformed units • Visit to towns • Spiritual (<i>Qiamullail</i>) • Short holiday • Freedom to obtain licence

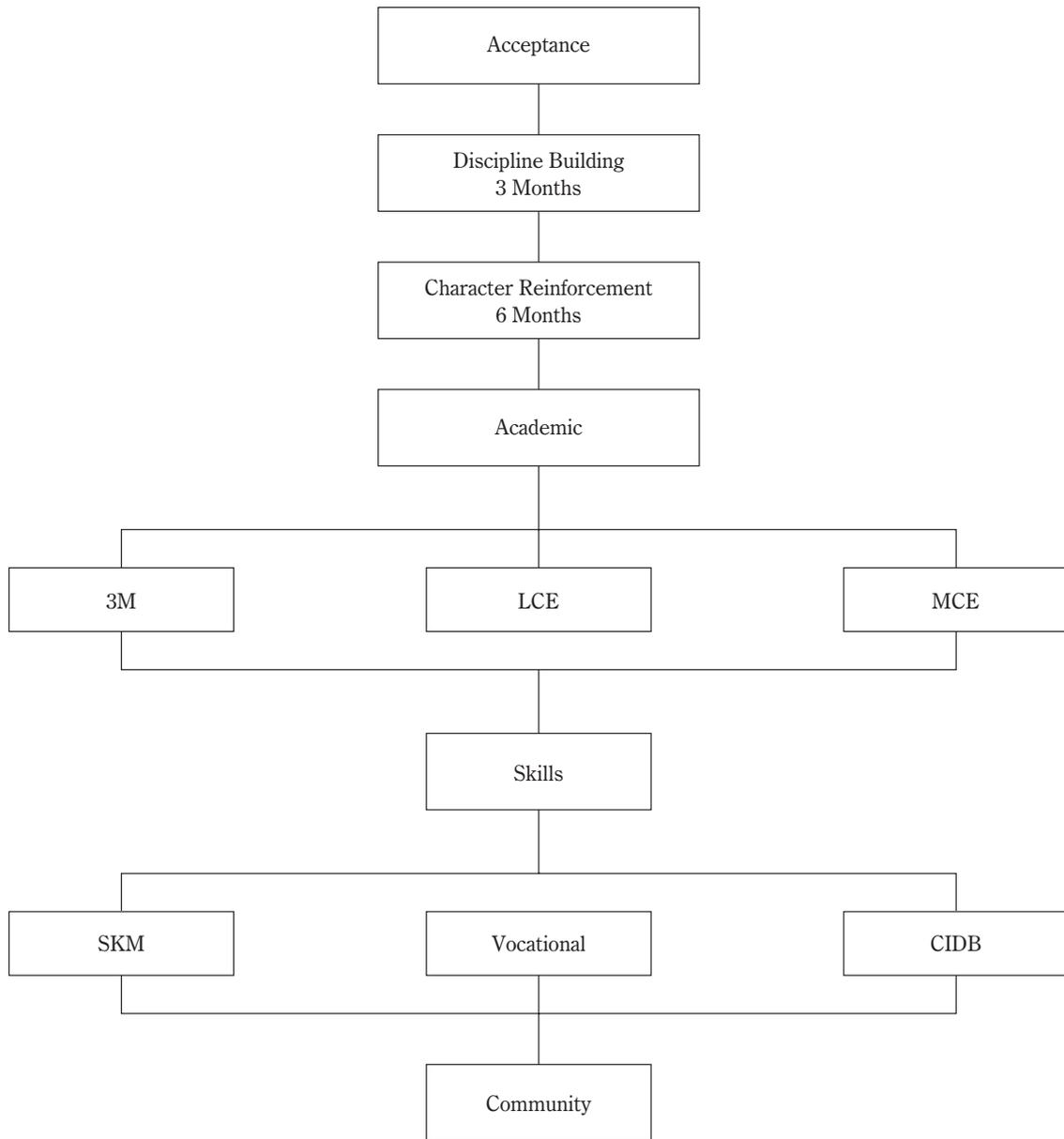
B. Juvenile Rehabilitation Module

The Juvenile Rehabilitation Programme is developed in three categories i.e. the rehabilitation of students below the age of 18 years, rehabilitation of students aged 18 and above and those without basic education. However, the module still retains rehabilitation with attitude building, knowledge and skills development as the core objectives through the spiritual approach, moral/civic awareness, counselling, citizenship and co-curricular activities such as music band, police cadets, the Civil Defence Department cadets, RELA cadets and the Putra cadets (Uniform activities).

1. Rehabilitation Module for Juveniles Aged 18 Years and Below

Juveniles at the Henry Gurney schools, especially those under the age of 18 years, are usually school dropouts. These groups of students usually have not had the opportunity to take the Lower Secondary Examination (PMR) or the Malaysian School Certificate (SPM) examination. Taking into consideration the need for education for these students, the Prison Department has determined that core rehabilitation for juveniles at this level involves discipline building, character building and education. Thus, every juvenile aged 18 years and below is required to take academic classes with the aim of obtaining the Lower Secondary Examination or Malaysian School Certificate after completing the Character Reinforcement Programme.

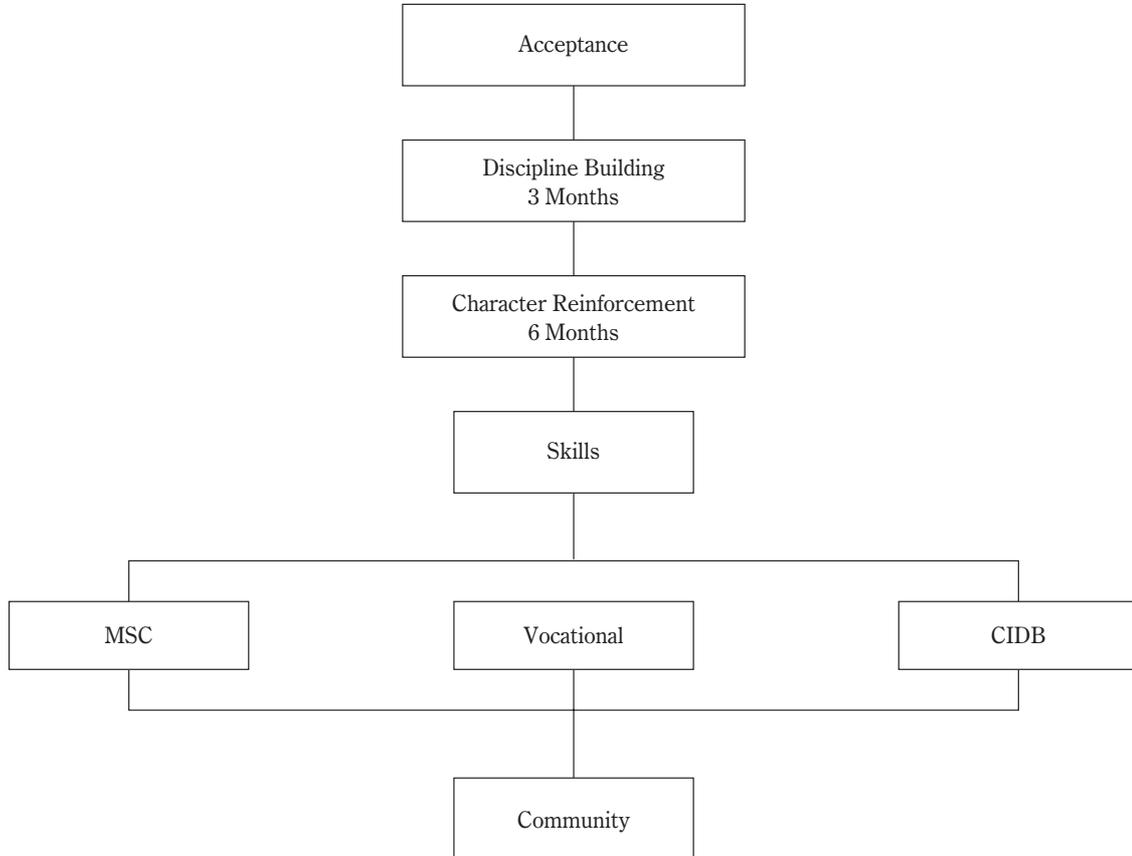
Rehabilitation Plan for Juveniles Aged 18 Years and Below



2. Rehabilitation Module for Juveniles Aged 18 Years and Above

The rehabilitation of juveniles aged 18 years and above is based on building discipline, self identity and skills. The rehabilitation plan for students aged 18 years and above is as follows:

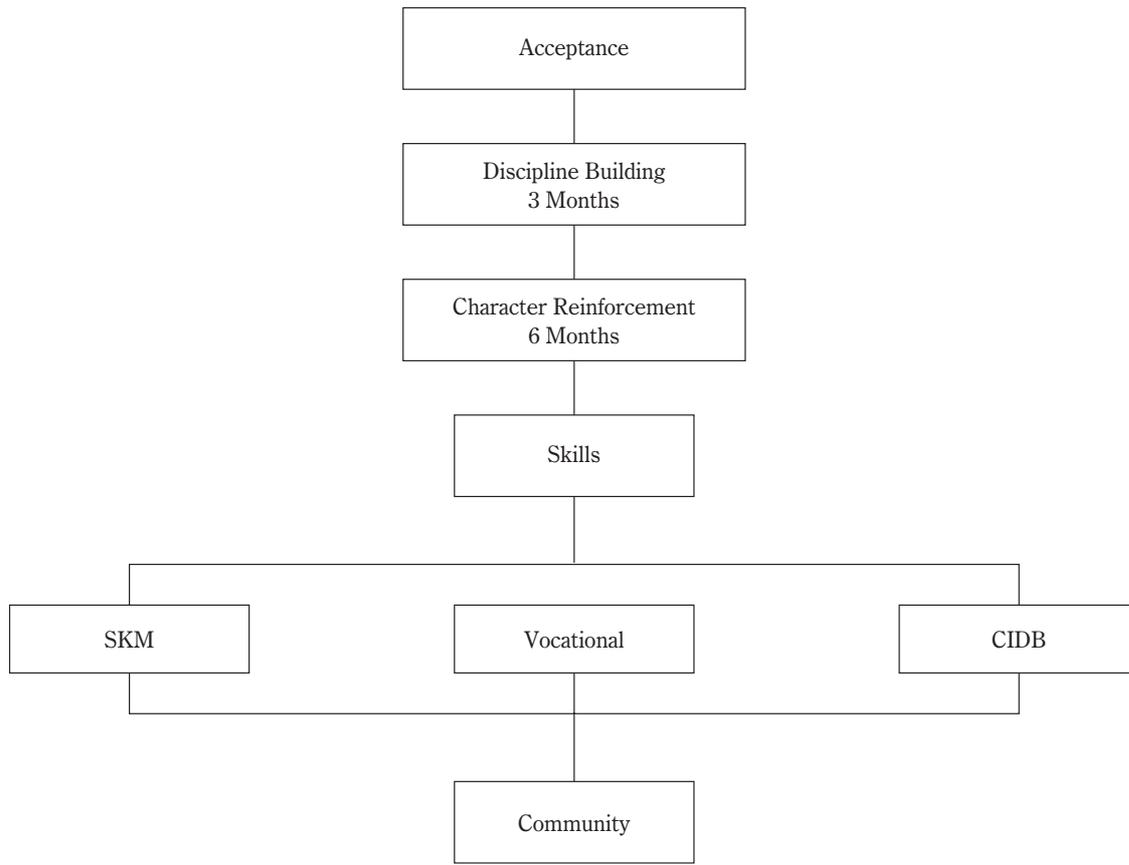
Rehabilitation Plan for Juveniles Aged 18 Years and Above



3. Rehabilitation Module for Juveniles with No Basic Education

The National Education Policy has determined that each child should receive formal education especially at the primary and secondary levels. Nevertheless, there are juveniles placed in Henry Gurney schools who have not followed formal education or are illiterate. Rehabilitation for these juveniles is focused on discipline building, character reinforcement, the three R's and skills. The teaching of the 3 R's (reading, writing and mathematics) is stressed to ensure that they are able to take the certified skills course for three years while in remand, especially the Malaysian Skills Certificate (MSC) and the Construction Industry Development Board Malaysia (CIDB). The rehabilitation plan for juveniles in this category is as follows:

Rehabilitation Plan for Juveniles with No Basic Education



VII. CONCLUSION

Social deviance among adolescents, no matter the aspect of its definition, cannot be separated from the fact that the problem has its source at all levels of community and involves all members of the community. Thus, each programme, module, approach and activity whether in the form of prevention, rehabilitation, policy or social system development, must involve a role that is united, thorough and continuous, requiring the full commitment of all levels including individuals, families, society, social institutions, rehabilitation institutions, non-governmental organizations, private bodies and the government. The role of the institutions should also be in line with the objectives of the National Social Policy whose purpose is the creation of a Malaysian society that is developed and stable from the social, economic and technological aspects. Each member of society must have the opportunity and desire to fulfil their self potential in a healthy social environment based on the attributes of unity, steadfastness, democracy, morality, tolerance, pro-activeness, progressiveness, love and fairness in line with the objectives of Vision 2020.

COUNTRY REPORT - PAPUA NEW GUINEA

*By Negil Kauvu**

I. INTRODUCTION

The issue of crime associated with urbanization in Papua New Guinea (PNG) has not been seriously addressed over the last twenty-nine years. This has contributed to increasing law and order problems facing PNG today.

In my paper, I will firstly attempt to highlight the issue of crime associated with urbanization in PNG. Secondly, I will outline efforts made by the PNG Government to address increasing law and order problems facing the country. Finally, I will provide an overview of the role Community Based Corrections (CBC) plays in the concerted effort made by government agencies and non-government organizations (NGOs) in addressing increasing law and order problems in PNG.

Background

PNG is largely a middle-income country with a population of over 5.2-million people. It is one of the most culturally and linguistically diverse countries in the world with over 850 distinct languages. The population is widely dispersed and the rugged geographical terrain together with the generally poor and costly transportation and communication infrastructure make service delivery difficult and costly.

II. CURRENT SITUATION OF CRIME ASSOCIATED WITH URBANIZATION

A. Urban Migration

Rapid population growth and migration of people from rural to urban areas have contributed to the deterioration of basic services and infrastructure in towns and cities. The demands of the increasing population in urban areas have stretched the provision and maintenance of basic services to an extent where health centres and hospitals lack much needed supplies of medical drugs and schools and other educational institutions are inadequately provided with curriculum materials and resources.

The proliferation of illegal squatter settlements in and around urban centres without control by the authorities is a major concern. The increase in illegal squatter settlements, especially in and around towns, cities and satellite mining townships provide a breeding ground for crime and ethnic conflicts. This has made it difficult for local authorities and the government to improve the situation and make proper developmental plans.

B. Unemployment

There are very little new investments taking place to absorb the unemployed young school leavers passing out of educational institutions. Each year fewer and fewer jobs become available for the tens of thousands of young people passing through PNG's education system. Many working parents continue to be breadwinners for their children who themselves are unable to find jobs.

The government cannot continue to ignore the current situation in light of the escalating law and order problems, which may ultimately lead to possible civil unrest and anarchy in the country.

III. PROBLEMS FACED

Inadequate budgetary funding as a result of the general down turn of the economy over the last ten years or so and the chronic lack of resources are common problems faced by government agencies in the law and justice sector. The situation is further compounded by lack of inter-agency cooperation and sharing of information.

A. Inadequate Funding

The lack of funding and inadequate resources, including shortage of manpower, has impacted on the capacity and performance of agencies in the law and justice sector. The unilateral freeze by the government

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on staff recruitment has also been a contributing factor. This has resulted in existing manpower ceilings of agencies unable to cope with increasing law and order problems.

B. Lack of Integrated Information System

While individual agencies collect and record their own statistical information and data, there is no integrated sectoral information system to evaluate and analyze trends in crimes committed in urban centres. The lack of up-to-date data has been a contributing factor to poor planning and disbursement of scarce resources in the law and justice sector.

C. Lack of Inter-agency Cooperation

The lack of inter-agency cooperation has been a major hindrance to the successful working of the law and justice sector. The better coordination of sector planning and budgeting is essential and would go a long way towards improving the deterrence system in the country.

IV. EFFECTIVE MEASURES FOR THE PREVENTION OF CRIME

A. National Law and Justice Policy

In August 2000, the PNG government formally adopted and endorsed the National Law and Justice Policy (NLJP) and Plan of Action. The underlying purpose of the NLJP is to improve the efficiency of the deterrence system; improve coordination within the sector; move towards prevention and; restorative justice. The NLJP further adopted the concept of restorative justice as a core rationale for the long-term future of the law and justice sector in PNG.

B. Restorative Justice

Restorative justice is not a new concept in PNG. It embodies the values and practices familiar in traditional PNG societies. The restorative justice approach is concerned with balancing the needs of the victim, offender and the community and draws on traditional and contemporary international practices to achieve a secure, just and peaceful society for all citizens.

C. Diversion Programmes

Diversion of minor offenders is a major requirement in the NLJP. One of the key strategies for juvenile justice reforms will be the introduction of programmes to divert juveniles away from the formal court systems towards community-based rehabilitation and restorative justice programmes.

Diversion and restorative programmes are slowly been introduced where minor offences are diverted through community-based work programmes or where an offender is made to apologize to the victim.

D. Community Work Orders (CWO)

A CWO is a viable option to imprisonment. The order incorporates essential elements of the restorative justice approach where there is a public act of reparation by the offender in providing work for the community. The orders can be linked to mediation, training and interventions, which are ultimately aimed at changing offender behaviour.

The *Probation Act* can be used by the Courts to impose a community work sentence in two ways:

Community Work (CW) only – This is imposed where the only condition on the Probation Order (PO) is CW. The PO expires when the CW hours have been satisfactorily completed. It is most suitable for first offenders, minor offenders or instead of imposing a fine on the offender.

Probation with a Community Work condition – This is imposed where CW is a special condition of a normal PO. It may also include other special conditions and is mostly suited to more serious offenders or where the Court wishes to impose other additional conditions.

Under the Probation Act, the CWO is applicable for both Juvenile and Adult offenders. The CWO can be supervised by a Probation Officer or Volunteer.

E. Community Policing

Community policing provides another important vehicle for enhancing crime prevention and community participation in the justice process. The aim of community policing is 'to create an environment that

promotes a greater involvement of citizens in policing through a Constabulary responsive to the needs and feelings of the community'.

A number of community policing initiatives have been launched to address inherent institutional cultures and improve the police's relationship with the community at large. In some areas, 'Community Consultative Committees' have been established to implement community-level initiatives and empower communities to take greater responsibility in mediating minor disputes. School talk programmes and sports initiatives are being used to foster face-to-face contact between youth and police in order to overcome barriers and improve understanding between the two groups.

Neighbourhood watch and crime stopper programmes have also been set up in some areas. Some provinces are using local level agreements between police and the community to clarify roles and responsibilities and encourage greater cooperation.

While there are good reasons for devolving community policing at provincial levels, this change has meant that the commitment to community policing in a particular province is dependent on the support of the individual provincial police commander. In practice, there is a great deal of variation between provinces.

There are many examples of good community policing practice occurring in different parts of the country. For example, in the East New Britain Province, there have been tireless efforts by the Sexual Offences Squad to raise awareness and devise preventive strategies directed at reports of rising levels of sexual offences and child abuse cases.

F. Village Courts System in PNG

The primary role of the Village Court in PNG is to 'ensure peace and harmony', and endeavour to obtain an 'amicable settlement of disputes' and apply custom as determined in accordance with the *Village Court Act 1989*.

It is important to emphasize that the village courts are arguably the most significant community-based restorative justice forums in PNG. They play a vital, if not under-valued role, in preventing the escalation of minor disputes and conflicts. Under its enabling legislation, village courts attempt to reach a settlement through mediation prior to exercising their formal jurisdiction. Magistrates can impose fines, issue community work orders or order that compensation be paid to an aggrieved party.

G. Community Justice Liaison Unit (CJLU)

The CJLU commenced operation in April 2004 with a ceiling of less than five staff. The organizational structure comprises of the Director, his assistant, a support staff including a technical advisor funded by the Law and Justice Sector Programme.

The CJLU is an important new facility established under the law and justice sector programme to help build partnership between law and justice enforcement agencies and civil society as envisaged under the NLJP. The CJLU provides the linkage between the formal system and civil society.

The primary objective is working with civil society and the law and justice sector agencies to build a safer, stronger and peaceful community based on the principles of partnership. CJLU therefore uses some of the principles of community development processes alongside the government planning systems.

The Unit is located in the Department of Community Development, a step toward linking the formal system (CJS) to the community and civil society.

The process of developing the role of the CJLU is still at an early stage. On-going work includes providing inputs to the on-going review of the PNG police force, a nationwide NGO mapping study and the preparation of a Restorative Justice Guide. A crime prevention action plan is being prepared in collaboration with community policing and youth. There are also plans to develop training for para-legal NGOs through pro-bono work by private legal firms.

V. OVERVIEW OF COMMUNITY BASED CORRECTION (CBC)

There are four pieces of parliamentary legislation governing the role and function of CBC.

A. Probation

The *Probation Act 1991* is the mainstay of the community corrections system. Although, the Act is somewhat out-dated it offers wide powers for the courts to use. There are provisions under the *Probation Act* that allows the courts to tailor orders to fit most offenders and situations.

The *Probation Act* provides for both juvenile and adult offenders. The Court can impose probation for a minimum of six months to a maximum of five years. The Court can further impose any additional conditions necessary under the circumstances of the case to ensure compliance by the Probationer for his good conduct and welfare. For example, the court may order the probationer to pay restitution in the form of compensation within a certain period of time as an additional condition on the PO.

B. Parole

Under the *Parole Act 1991*, all prisoners are eligible for parole consideration after serving one third of their sentence. Parole is similar to probation, except that parolees are subjected to a higher level of supervision. The transition from incarceration to returning to live in the community is for many detainees a difficult one. Detainees released under parole supervision have a better or greater chance of rehabilitation than those released on remission with little or no support.

C. Criminal Compensation

Under the *Criminal Compensation Act 1991*, an offender can be ordered by the court to pay compensation below K5, 000.00 in monetary value and in kind.

D. Juvenile Court

The final major Act that CBC is responsible for is the *Juvenile Courts Act 1991* (JCA).

The JCA covers all young persons aged between 7-18 years for all offences except for murder, rape or offences punishable by death or life imprisonment.

VI. BACKGROUND OF PNG CBC

Community Based Corrections in the form of the Probation and Parole Service has existed in PNG since the mid-1980s. Initially, the Probation and Parole Service was well resourced with over 80 trained professional staff in all 19 provinces throughout the country. The service was regarded as a pacesetter in the field, especially in the South Pacific region.

However, years of budgetary constraints have taken its toll on the quality and level of service provided by CBC, resulting in a substantial reduction in the number of staff and offenders being placed on orders. On the other hand, this has also contributed to a significant increase in the number of people sent to prison unnecessarily at cost to the state, the offender and the community.

The resultant effect on the provision of service to courts, prisons and offender numbers has been profound. By 1999/2000 the number of offenders placed on community-based programmes had dropped from a high of 2,220 in 1992 to under 750 in 1999. CBC had reached a crisis point with few available options including possible closure of provincial offices (Appendix, Table 1: Field Staff and Number of Offenders).

A. Technical Assistance

1. Institutional Strengthening Programme - AusAID

In 2000, AusAID provided technical and funding support to agencies in the law and justice sector. The support has assisted agencies in many ways such as training and reviewing and redesigning appropriate administrative practices and programmes with a view to improving its services and increasing court confidence in the services CBC provides.

2. Enhanced Cooperation Programme (ECP)

The ECP is a major undertaking between PNG and the Australian government. The aim of this programme is to place Australian public servants in key government agencies to improve systems and

processes in light of the escalating law and order problems faced in PNG.

Over 200 Australian police personnel would be deployed to assist the PNG police to curb the law and order problems in the country.

3. United Nations Children's Fund

UNICEF provided technical and funding support for the implementation of Juvenile Justice Reforms in 2002 and continues to provide similar assistance today.

VII. SOME NOTABLE ACHIEVEMENTS FOR CBC

A. **Development of Community Correction Policy (CCP)**

One of the major activities achieved by CBC in 2001 has been the development of the CCP. The CCP provides strategic directions for the operation of CBC. It highlights the need to improve partnership with community organizations and to develop effective community-based alternatives to imprisonment. The CCP establishes a set of guiding principles and priority areas for implementation.

Priority Areas under the CCP are:

- The need to incorporate restorative justice in all CBC programmes;
- Encouraging community participation in community corrections;
- Increasing services to the courts and Parole Board;
- Seeking support from provincial and local level governments;
- Increasing accessibility to CBC services; and
- Increasing available services to young offenders.

B. **Fast Track Parole**

The revised system of preparing pre-parole reports has markedly reduced the backlog of outstanding prisoner reports across the country. There were a total of 900 backlogs of cases in 2000 and by October 2004 this figure was reduced to about 218. There is also a joint parole training programme between appropriate agency personnel in this area (Appendix, Table 2: Parole Statistics 2004).

C. **Volunteer Training**

Volunteer training has been greatly improved with the development of a comprehensive volunteer training manual and 'train the trainer' courses for all officers at CBC headquarters. This has also improved the range of duties that can be covered by volunteers. It is hoped that this would continue to increase the number of volunteers which has fallen from 466 in 1991 to 84 in 2000. The number of volunteers has since risen to 225 in 2003 (Appendix, Table 3: Volunteer Table).

Although, volunteers are not paid they are not free of cost nor are they easy to find. Volunteers are entitled to be reimbursed for expenses incurred by them and certain provincial administrations have helped meet some of these costs.

A service of 35 field officers is not able to provide adequate supervision to offenders on community-based programmes. As a result there is considerable reliance on volunteers to deliver supervision services.

D. **Capacity - CBC**

The CCP acknowledges that CBC does not have the capacity to wholly implement the strategies described in the policy document. However, through the establishment of focus centres and provision of adequate resources and training for Officers-In-Charge of provincial centres, it is hoped that a rolling system could be established which could realize an acceptable standard of service delivery around the country.

VIII. BACKGROUND OF JUVENILE COURT SERVICE

The JCA was passed by Parliament in 1991; however, only parts of the Act were implemented while many of the provisions of the JCA were not proclaimed for one reason or another.

The system that was then designed to improve the situation for children charged with offences had in fact worsened the situation. Since the passing of the JCA by Parliament in 1991, there was little or no effort made to protect the rights of children in conflict with the law over the last 10 years or so. The JCA was intended to provide additional protection and consideration for children in conflict with the law.

In January 2003, the PNG government endorsed the full proclamation of the JCA 1991. The proclamation of the JCA in 2003 has resulted in CBC taking on the additional responsibilities including the Juvenile Court Service, recruitment and training of Volunteer Juvenile Court Officers, establishment of protocols with police and the courts and development of partnership for mediation, counselling and supervision.

Despite the increase in responsibilities there has been no corresponding increase in the allocation of resources. As a result the CBC had to put on hold some of its roles and functions such as district court work, development of sentencing options such as community work orders and coordination and/or rehabilitation committees and Provincial Justice Working Groups.

The introduction and proclamation of the JCA is a major undertaking by the law and justice sector and will make significant changes to the way children and young people are treated when they come into contact with the law. For the first time all parts of the law and justice sector including community groups, churches and provincial and local level governments will be required to work together to improve a system that has failed young people for so long.

CBC PNG is involved in all stages of the implementation and operation of the JCA and has major responsibility in the implementation of the Act. The Department of Justice & Attorney General is the central coordinating agency in respect to Juvenile Justice Reforms with relevant stakeholders, non-government agencies, and church groups in PNG.

Juvenile Justice Policy

Because the JCA lacks a statement of objectives and general principles, it was recommended that the inter-agency working group develop a common, sector-wide policy framework for juvenile justice for each agency.

As a result, the PNG Juvenile Justice Policy (JPP) was developed and completed in 2004 as a priority government law and justice sector activity.

The development of the NJJP is aimed towards a comprehensive Juvenile Justice System based on Restorative, Melanesian tradition and contemporary juvenile justice practices.

The current JCA does not include provisions of diversion, restorative and community mediation in the legislation. Therefore, it is strongly recommended that the JCA be reviewed to reflect the statement of objectives and general principles in the NJJP. The review of the JCA is a priority activity for CBC in 2005.

IX. CONCLUSION

In concluding, PNG has faced many difficulties in the past and still faces many more challenges for the future. The lack of employment opportunities, rapid economic and social change, family and community break-downs, the migration of people from rural to urban areas in search of employment opportunities, lack of basic services and many more factors that contribute to the increase in law and order problems in urban centres.

Although, successive governments have failed to respond effectively to law and order problems and put in place appropriate intervention mechanisms to allow 85 percent of the indigenous population of the country to participate meaningfully in development activities, PNG remains committed to reform as can be seen in the number of initiatives outlined in this paper. The technical and funding support from international donor agencies has assisted the various government organizations to progressively implement new initiatives in the law and justice sector together with civil society to prevent and minimize law and order problems in PNG.

Finally, there are still many challenges yet to be overcome by both the government and the wider community for a safer and more secure PNG.

APPENDIX

Table 1: Field Staff and Number of Offenders

Year	Probation/Parole Officers	Offenders
1991	80	2,220
1999	46	824
2000	29	719
2002	35	1,330
2003	35	1,440
2004	35	1,519

1992-1998 Data Not Available

Table 2: Parole Reports

Year	Parole Report Outstanding	Parole Report Completed	Total
1999			
2000	900	Nil	900
2001	627	273	354
2002	481	146	335
2003	294	187	107
2004	218	76	142

Table 3: Total Number of Volunteers

Year	Volunteer Probation/Parole Officers	Offenders
1991	466	2,220
1999	91	824
2000	84	719
2002	139	1,330
2003	225	1,440
2004	232	1,519

1992-1998 Data Not Available

REPORTS OF THE SEMINAR

GROUP 1

EFFECTIVE MEASURES FOR THE PREVENTION OF CRIME ASSOCIATED WITH URBANISATION

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I. INTRODUCTION

The main purpose of this paper is to discuss the theme: “Effective measures for prevention of crime associated with urbanisation”. Thus, it could be deduced from the theme that: Measures that can be taken by the police, the prosecution, and maybe some other related agencies, to prevent the aforementioned type of crime, would be the main discussion.

There is no doubt that emphasising repressive measures, in combating crime, such as strengthening law-enforcement and punishment are necessary and some positive results can be expected; however, relying solely on such measures is insufficient. One thing we have to remember is that, such measures (repressive) do not take into account the prevention of crime and reintegration of offenders into the community. By looking to the fact that offenders will sooner or later return to their community; then other effective measures must be put in place.

It is important to mention at the outset, that what might work in one community will not necessarily have the same effect in other communities, even if they are within the same country. Things may become more complicated in countries with different cultures, subcultures and ethnic groups; that is because each culture has its own characteristics.

The Group was inspired by the lectures of the visiting experts, especially when they emphasized the importance of evidence based crime prevention in determining what measures are truly effective and what measures are not.

II. MEASURES THAT CAN BE TAKEN BY THE POLICE

The Police have adopted a number of strategies, tactics and practices for reducing crime. Some of these are to be illustrated hereunder.

A. Community Policing

1. Introduction

It is important to note that, the adopted policy, in our countries, is geared towards narrowing the gap (physical and psychological) between the Police and the community. This is because the Police have realised that it can never, on its own, fight against crime and disorder; hence, it has recognised that community support is inevitable. Therefore, the Police are working on promoting this message to the community; emphasising the important role that could be played by them; and changing their mindset regarding security and its exclusive ownership by the Police.

2. What is Community Policing?

Community Policing has a very broad meaning; therefore, and as it is envisaged in human sciences' topics, there is not any consensus among criminologists on a particular definition. Hence, the group does not endeavour here to come up with its own one, but rather agreed with the comments of Goldstein (1994) mentioned in Adams, E., *et. al.*, (2002). Goldstein argues that "in many quarters today, 'community policing' is used to encompass practically all innovation in policing, from the most ambitious to the most mundane, from the most carefully thought through, to the, most casual" (p. vii)¹. In this vein, Adams, E., *et. al.*, quoted Trojanowicz & Bucqueroux (1994), as they argue that "community policing is a philosophy of full service policing, where the same officer patrols and works in the same area on a permanent basis from a decentralized place, working in a proactive partnership with citizens to identify and solve problems" (p. 401). Whatever the definition is, community policing requires three essential features: shared responsibility; prevention and an increase in the officer's discretion.²

3. The Current Situation

Hence, the general public is encouraged by different means to cooperate with the police to make their communities better places to live. Such encouragement could be seen in a number of programmes, such as: the neighbourhood watch scheme, voluntary work, distributing awareness pamphlets in exhibitions and other public places, television and radio programmes, informal contacts with children, contact with the community in general (share their happiness and sorrow), encouraging the public to call them through a free toll number, etc.

In Japan, for instance, the fundamental meaning of community policing is well witnessed within the important role played by Koban (Police Box) and Chuzaisho (Residential Police Box) system³. Important to note that, Chuzaisho, in very simple words, is a small police box — smaller in size than the Koban, located in out-lying areas — and is characterised by its attachment to the police officer's residence. This is to say that, the police officer in-charge of the Chuzaisho is available to the community around the clock. Tanzania has a similar system under the name of Police Post.

Beside the normal police tasks, interesting to note that, police officers assigned to work in Kobans and Chuzaishos⁴ will normally pay visits to people living or working within their jurisdiction. During these visits, they will give advice on crime prevention; listen to residents' concerns, and welcome suggestions for the improvement of police services⁵. This role however, is played by the Police Officers in Papua New Guinea (PNG) as well⁶. Moreover, in Japan police officers will often volunteer, off-duty, to teach boys and girls various sports, such as judo, kendo, and some other activities. This type of voluntary work that aims to strengthen relationships with the community, especially the youngsters, is witnessed in the Marshal Islands, Tanzania, PNG and Guatemala as well.

Important to note that, the PNG Police are executing excellent Community Projects, which support unemployed people to start small projects, such as a sewing project for women, and grass cutting and drain cleaning for men.

In Pakistan, formal community policing can be seen only in one or two major cities in the shape of the Citizen Police Liaison Committee (CPLC). Some members of the community established this committee in 1989. Some of the CPLC activities are to be illustrated hereunder: recovery of kidnapped people, mostly for ransom; the Neighbourhood Watch Programme; and preparation of a computer database of stolen/snatched vehicles. The local police receive a lot of help from this data in the process of recoveries. The Federal Government in the new police order 2004 has recently stipulated that the CPLC may be established by

¹ Goldstein, H. (1994) Forward. In D. P. Rosenbaum (Ed.), *The challenge in community-policing: Testing the promises*, Thousand Oaks, CA: Sage.

² *Ibid.*, pp. 401-402.

³ Tokyo Metropolitan Police Department introduced the system of police boxes (Koban) in 1881; eventually, the system was adopted by other Prefectures of the country. Seven years later, 1888, the Government ordered the prefectures to establish "Residential Police Boxes" (Chuzaisho).

⁴ There are about 15,000 Koban and (Chuzaisho) skirted nationwide. Singapore has adopted this system under the name of Neighbourhood Police Post.

⁵ Officers are knowledgeable of the composition of families and how to contact them in an emergency.

⁶ This is done under a programme known as Education and Awareness, where police visit schools and settlements.

every Provincial Government.

Another form of Community Policing in the tribal areas of Pakistan could be envisaged in the so-called “Tribal or Sectional Responsibility”. It is important to note that, people who are living in tribal areas in Pakistan are generally closer to their groups (tribes) than any other socio-political structures. This is to say that the cohesion of social fabric is very strong. In such living arrangements, there are massive amounts of social doctrines, social bonds which control people’s behaviour; and thus, act as a social control against committing offences. Therefore, when a crime is committed, and the perpetrator is known; then he/she or his/her tribe will be held responsible before the victims tribe. A council — known as “Jirga”, will also work on getting the offender to confront his victim and ask for his pardon, compensation, forgiveness or any other agreed formula of reconciliation (inherited form of restorative justice). This could be said to be the main reason for the low rate of crime in the tribal areas of Pakistan⁷.

It will be seen subsequently that one of the problems suffered by participating countries’ police forces is under-staffing. Tanzania is not exempted from this vital problem. Hence, voluntary groups of people, working beside the police in reserving peace and order, are widely envisaged nationwide. Two groups are there: the People’s Militia and “Sungusungu” or “Wasalama”. These groups have the powers of arrest and search, and are not paid.

Police forces, in our respective countries are using the technology of free toll telephone numbers to receive emergency calls from the public, without the necessity of disclosing their identity. The vast majority of these telephones are attached with a device; displaying the number and address of the calling telephone.

In Guatemala, crime prevention policy is still in its infancy; hence, the Police and Prosecution are still focussing on repression of crime rather than preventing crime. However, in recent years, the governmental authorities in charge of the Police force have begun a policy on community policing. Results of this policy are not yet known, however a pilot project regarding municipal police was introduced in the city of Antigua Guatemala.

On the other hand, the present government made efforts to establish the “National Council of Ministries for Prevention of Crime”, under the charge of the Vice President. The Council is working on the issues of youth at risk and young offenders. The council consists of six relevant Ministers and three Secretaries of State.

B. Community Involvement

One of the most obvious examples is the neighbourhood watch scheme. Police in our respective countries urge the general public to be good to their neighbours, and to help the police in watching their neighbourhood, and to call them on seeing any suspicious act. These schemes can be seen in sort of organised groups, like ‘Sungusungu’ (people of the peace) in Tanzania; also in Pakistan (neighbourhood watch programme of CPLC, in Karachi); in the shape of Papua New Guinea; and Thailand, or the municipal (local) police of Antigua Guatemala, in Guatemala; whereas in Oman it is a sort of an inherited scheme, whereby, neighbours — because they are mostly relatives or at least originated from the same tribe — are living in harmony and very much closely together. They would, therefore, inform their neighbours when leaving their houses for the week-end or so; they may leave the house keys with them for the purpose of switching some lights on at night and turning them off at daytime; collecting newspapers in the morning; and maybe watering their garden. Generally speaking, they will make the house looked lived in.

It is important to note that, Tanzania has established a special unit under the name of “Crime Stoppers Unit” to encourage members of the community to help the police in preventing crime. Members of the public can contact this Unit through a toll free number “112” and inform the Unit about any activity that may jeopardise peace and order, without the necessity of disclosing their identity.

C. Crime Mapping and Spatial Analysis

Crimes are human phenomena; therefore, their distribution across the landscape is not geographically random. For crimes to occur, offenders and their targets, the victims and/or property must, for a period of time, exist at the same location. Several factors, from the lure of potential targets to simple geographic

⁷ This type of settling offences internally could be seen in a number of countries, namely Jordan in a wide range - urban and rural, and also Oman in some rural areas.

convenience for an offender, influence where people choose to break the law.⁸

Therefore, an understanding of where and why crimes occur can improve attempts to fight crime. Maps offer crime analysts graphic representations of such crime related issues. Crime Mapping can help law enforcement agencies to protect citizens more effectively in the areas they serve. Simple maps that display the locations where crimes or concentrations of crimes have occurred can be used to help direct patrols to places they are most needed. Policy makers in police departments might use more complex maps to observe trends in criminal activity, and maps may prove invaluable in solving criminal cases. For example, detectives may use maps to better understand the hunting patterns of serial criminals and to hypothesize where these offenders might live. Spatial data analysis and geographic information system (GIS) technology is used by law enforcement, and they find today an advancement of crime prevention programmes. Especially, mapping analysis has reached out to academics and practitioners alike in the criminology, criminal justice and law enforcement communities to bridge the gap between research and practice.

The consensus in the group is that by using maps and a system of mapping analysis we can help to visualise the geographic aspects of crime, and it is not only limited to law enforcement, but rather includes policy makers and other practitioners as well. Mapping can provide specific information on crime and criminal behavior to politicians, the press and lawyers in general, the community and local authorities, and it is a wonderful tool to prevent crime. In other words, law enforcement agencies can use crime mapping analysis for the implementation of the Situational Crime Prevention Theory⁹.

The experience of crime mapping can help us to improve urban planning. Modernisation and urbanisation has caused significant changes within all societies in our countries with advantages and disadvantages to nearly all of the communities. In the new era, crime has increased in urban areas. One of the reasons for this trend is lack of effective and sustainable urban planning. To alleviate the problem of crime in urban areas, proper and meaningful urban planning should be given an upper hand at all times. The Safer Cities Approach is one example. Situational crime prevention is of paramount importance. This aims to change the physical and environmental conditions that generate crime and fear of crime, through improved urban design and planning. This type of prevention is based on the strategic analysis of a given area. Dar es Salam City in Tanzania, for example is one of the cities earmarked in this programme. The creation of social amenities should be provided for people in urban areas. The youth and children for instance, need assistance from the community around them in terms of proper housing, recreation, education, vocational training, employment and any other assistance that can make their lives better so that they can avoid committing crimes and become law abiding citizens¹⁰. The family as a whole, the parents, guardians, local government leaders, religious leaders, etc. should get involved in the noble duty of crime prevention in general and juvenile delinquency in particular. The cornerstone here is to educate and sensitize them to improve their morals and values hence the creation of self-discipline and awareness among youth and juvenile delinquents.

D. Problems Experienced by Participating Countries and Countermeasures

Police forces in our respective countries are working hard in fighting against crime and disorder. However, in many cases, these forces are hindered by a number of factors. Some of them are to be illustrated hereunder:

- Police in our countries are not able to respond to the explosion of the number and seriousness of crimes being committed in terms of the limitation of human resources and allocated budget.

To elaborate on the human resources problem, it should be noted that, with the exception of Oman, where the ratio of police to the general population is one to around three hundred and fifty inhabitants, in the other countries the ratio goes up to one to over six hundred inhabitants¹¹.

Furthermore, some of our countries are suffering from budgetary constraints, a limited number of police vehicles and limited supplies of gasoline to run those vehicles in each police station. This will definitely lessen the “omnipresence” of vehicle police patrols, hence leading to higher levels of crime.

⁸ National Institute of Justice, U.S. Department of Justice, Office of Justice Programs. www.ojp.usdoj.gov/nij/maps/index.html.

⁹ The theory will be dealt with subsequently.

¹⁰ Tanzania, Country Report, Mr. Advocate Leonard Nyombi, 129th Crime Prevention Senior Seminar, UNAFEI, Pg. 7-8.

¹¹ The ratio is one to five hundred in Japan; one to six hundred in Pakistan; one to one thousand in Tanzania; and one to seven thousand in PNG.

- There is a limitation in their *legal knowledge* in comparison to the new pattern of crimes, brought about by urbanisation and industrialisation. It is important to remember here that there are a number of behaviours which were not punishable by the provisions of the conventional Penal Code; and that legislative measures were taken to amend the Code, hence these patterns of crimes are covered by virtue of the law. The legislative measures, in some of our countries, did not coincide with the enhancement of police legal knowledge; this has led to unsatisfactory prosecution in many cases. This however, was realised by our respective police forces; hence, they adopted a variety of programmes to enhance the legal knowledge of police officers, including university studies. In Oman, for example, this problem was overcome by extending the “commissioned” police officers’ course in the Police Academy from two to four years; whereby they graduate from the Academy with two certificates: a police diploma and a bachelor of law.
- In PNG there are eight hundred and fifty languages; therefore, police offices cannot communicate with a large segment of the communities or it is difficult.
- The group commented on the bad effects and the loss of confidence from society’s perception of corruption within the police administration. Effective measures, where necessary, must be taken by the government to ensure that there is transparency and accountability within the police forces.

III. MEASURES TAKEN BY THE PROSECUTION

A. Introduction

The Public Prosecution services, in our respective countries, have realised the fact that imprisonment, or merely taking the decision to prosecute a particular crime is not always the right decision in the interests of crime prevention. Hence, prosecutors, while dealing with a particular case, will make great efforts to touch on the actual impact of the crime on the community; and thus, react in accordance with the public interest. This is normally accomplished by interaction with the community.

B. Current Situation

In most of our countries, the prosecution will bear in mind two major tests before taking the decision to prosecute: the evidential test, and the public interest test. Firstly, the evidential test: this means cases shall not be forwarded to the court unless they are corroborated with sufficient evidence of guilt. Secondly, the public interest test: after fulfilling the first test, the decision to prosecute cannot be taken unless it is in the public interest. The Prosecution will be deemed not in the public interest if the offence was trivial. In Oman, prosecutors can decide to discontinue cases even if the offence is significant or classified as a ‘Felony’ if the offender has managed to reconcile with the victim, and subsequently, the latter decides to waive the case against the former. The decision of discontinuance, in such circumstances, must be endorsed by the Attorney-General. Thus the opportunity system is adopted rather than the legality one. Needless to say that, the opportunity system acts as a safeguard against re-offending, on one hand, and as rehabilitation and corrective measure on the other.

Moreover, in some of our countries, prosecutors are not merely a tool for decision-making on the case; but rather, they utilise the reaction of the community that they have gathered during interacting with them, or during the police investigation and can thus present the impact of the crime on the community to the court. It is important to mention finally that, the Attorney General’s office in Guatemala, introduced in 2000 the so-called Assistant Victim’s Office (OAV) in the (22) principal provinces. These offices work closely with the victims of crimes and potential victims, especially domestic violence, and provide them with the required assistance. Prosecutors will not pursue the judicial process unless the victim is recovered and oriented by the local prosecutors’ office.

In the case of Pakistan the prosecution has recently been separated from the police, and in Guatemala this happened ten years ago.

It is worth noting that the prosecution, with this method of handling cases, is working on meeting the best interests of the public (*i.e.* meeting the needs of the public); thus, paving the way to the so called ‘Community Prosecution’.

C. What Is Community Prosecution?

According to the American Prosecutors Research Institute (APRI), Community Prosecution “*focuses on targeted areas and involves a long-term, proactive partnership among the prosecution’s office, law enforcement, the community and public and private organisations, whereby the authority of the prosecutor’s*

office is used to solve problems, improve public safety and enhance the quality of life in the community” (p. 4).¹² According to the National Research Council, “the most universal ingredient” of community prosecution is *the addition of crime prevention to the prosecutor’s mission*. Under this emerging philosophy, prosecutors are viewed not just as officers of the court who come on the scene once a crime has occurred, but rather as members of the community who have the power to stop crime from occurring.

Community Prosecution involves the close interaction of prosecutors with the community, attending various meeting with them, and being assigned exclusively to handle cases from a particular area; thus accustoming themselves with the community; subsequently, with their exact needs. This particular type of prosecution is not yet introduced in our countries, with the exception of Japan, which has recently introduced this new concept and currently endeavours to implement it. Therefore, the group did not discuss the problems related to this concept. However, members of the group agreed that the concept of community prosecution could be useful to their respective countries.

IV. MEASURES TAKEN BY OTHER AGENCIES

A. Introduction

As we mentioned at the outset, the Police can never, on their own, combat crime. Thus, they have worked vigorously to involve the community in this mission. This however, appeared to be insufficient; therefore, the involvement of other agencies (stakeholders) became inevitable.

B. Situational Crime Prevention

In very plain words, situational crime prevention (SCP) is a way, method, or could be said to be a policy that determines different situations where crimes normally occur, and establishes the best ways to tackle them for the benefit of crime prevention. Thus, if we want to prevent crime then we should look into the situation where crime occurs and establish the best way to alter the situation. For instance, it is a well-known fact that property left without relevant protection will become a target for theft. That is to say that common-sense in this case will definitely lead a person to get rid of the motivation by not leaving his house, car, or other properties unlocked; to protect them from different sorts of crime. Furthermore, the same common-sense will lead a person not to leave alluring objects in his car, even if it is locked. The essence of this could be explained by the Routine Activities Theory of Cohen and Felson (1979) in Ekblom and Tilley (2000). They mentioned in their theory that, “for a crime to occur three elements had to come together, a likely offender, a suitable target and the absence of capable guardians” (p. 377).

From this point of view, the group strongly agree with Hough, Clarke and Mayhew (1980) as they argued that SCP is a rather elastic term, which encompass any activity intended to reduce the frequency of crime. Furthermore, they added that many situational measures are not in themselves new, and are often little more than common-sense precautions. This is conformed by Ekblom (1998) as he mentioned that SCP accords with common-sense self protection.

To shed some more light on the aforementioned theory, it is important to ask ourselves how crime normally occurs. Jeffery (1971) argued from a scientific point of view that behaviour is a product of the interaction of organism and environment. Human organs are constructed to receive signals or messages from the environment and to respond to these signals via behaviour. In other words, if we want to change criminal behaviour, we must first change the environment. As mentioned above, this could be by looking at the situation where crime occurs and try to alter it.

The Implementation of the Theory (Measures)

Hereunder are some examples implemented in our respective countries:

Generally speaking, the alteration of the aforementioned situations (whereby crimes occur) could take different measures, such as to reduce the opportunities which might lead a person to offend, and thus to reduce the risk of victimisation to individuals; increase the chances of an offender being caught, like making the offence difficult to execute. An example of which could be seen in the case of installing better locks for doors and windows to prevent burglary, it means that it will take a longer time to break into the house, and

¹² “Community Prosecution”. Prepared by the American Prosecutors Research Institute’s Criminal Prosecution Division Cooperative Agreement Number 91-DD-CX-0036, from the Bureau of Justice Assistance, Office of Justice Programmes, U.S. Department of Justice.

thus attract a neighbour's attention. Therefore, such an act can be regarded as a measure of increasing the burglar's risk of being caught. It is important to remember that a burglar's decision to commit his crime, as Ekblom and Tilley (2000) explained, is mainly based on considerations of risk, effort and reward.

Good lighting around houses can also deter thieves from merely getting close to them. In some of our countries, police encourage householders to use certain type of exterior lights embedded with an infrared sensor that switches the light on, for a few moments, when it detects something within its range. Target hardening such as installing CCTV, grills on windows and doors, and other security devices act as a deterrent to prevent the commission of crime.

There are some measures undertaken by other agencies, which could be said to be a direct implementation of the SCP theory.

(i) Public telephones

It was realised that public telephones installed in places where they get natural surveillance, such as gas stations, supermarkets, service stations, and rest houses suffer almost no vandalism in comparison with those that do not get this type of surveillance, such as highways. Thus, more telephones have been installed in the former case.

(ii) Town planning

Because it was found that burglars will only target areas that they know, and where it is easy for them to escape; it was therefore concluded that we can reduce the level of crime through our design of our buildings. Poyner (1983) explains this by saying that we should design our houses in such a way that the residents are able to gain control over the space immediately adjacent to their houses; and thus, deter strangers and potential criminals. This is to say that a reduction of crime could be achieved through environmental design; and this is the so-called Defensible Space Theory¹³. Hence, the Ministry of Housing, in some of our countries, will sit with the Criminal Investigation Department, to discuss the planning of any housing estate to be established; in order to get the approval of the latter from a crime prevention point of view.

These measures are normally urged by police forces, in our countries, via brochures distributed to them on different occasions, and also via television and radio programmes, broadcast normally once a week.

C. Inter-Agency Cooperation

It is observed in most of the participants' countries that, it is difficult to ensure cooperation and coordination amongst different agencies and governmental offices. The group discussed this and determined that they should discover new ways to resolve this problem. Two nations have recently started high-level interagency meetings in their governments (Japan and Guatemala). The meetings seek to secure a close cooperation with related headquarters and administrative organisations and also to comprehensively and actively promote efficient and appropriate anti-crime measures. There is a need for the Government as a whole to work together to restore people's trust, and the cooperation of the related ministers. A comprehensive anti-crime programme should be planned in order to have many governmental organisations as well as non-governmental organisations share information and work together¹⁴. In many countries, government authorities have not carried out long-term plans, and they do not have the necessary financial resources to serve the needs of law enforcement, their establishment and management for a flexible disposition and treatment system/measures to prevent crime¹⁵. It was also determined to discuss the strengthening of measures against various crimes and measures to prevent it, including the shoreline measures as its pillars; the current situation with the frequent occurrence of juvenile and heinous crimes which pose an immediate threat to people's daily lives; the promotion of measures to develop a social environment where crime is less likely to occur; and assistance of activities for the people to secure their own safety. In Japan the meeting seeks to comprehensively and actively promote efficient and appropriate anti-crime measures since its establishment in September 2003, and in Guatemala since 2005. They are working on a National Action Plan for the Realisation of a Society Resistant to Crime, and to prevent Crime (in the second country mentioned). The aim of this meeting has been to ensure the coordination and

¹³ This concept was also gathered from a video film played by UNAFEI, on the 17th Jan. 2005. It was explicitly illustrated that houses that can be broken into without the notice of the neighbours always attract burglars.

¹⁴ Japan, Country Report, Mr. Nobuhiko Furuya, 129th Crime Prevention Senior Seminar, UNAFEI. p. 12.

¹⁵ Guatemala, Country Report, Mr. Conrado Reyes, 129th Crime Prevention Senior Seminar, UNAFEI, p. 20.

cooperation of Ministries and Other Governmental Agencies to promote active and omnibus countermeasures to prevent or combat crime.¹⁶ National Action Plans defined the following as essential for the restoration of public security, e.g.; i) assistance of activities for the people to secure their own safety; ii) improvement of a social environment where crime is less likely to occur; and iii) countermeasures against various crimes including the shoreline measures; iv) working with juveniles and minors on risk conditions; v) increasing the exchange of information and resources of interagency government authorities. The Action Plans also established prioritized issues to be tackled by the Government with the cooperation of the people, business establishments and local government, in accordance with the distinctive trend of the current situation of crime occurrence, e.g.: i) efforts to deter or prevent juvenile crime taken by the whole society, etc. Therefore, the government took another step forward by allowing each local area or communities to create their own governments (local government), especially in the area to prevent crime. These individual local governments then made laws (ordinances) such as a curfew ordinance, drinking in public ordinance, etc. With the local ordinances the crime situation has apparently decreased¹⁷. And the government needs to utilize volunteers groups as much as possible so that it can save money, and so ask for the help of local governments in order to plan and implement effective measures to prevent crime.¹⁸ The authorities and residents (communities) are working towards crime prevention through proper environmental design, community development, and education. It seeks proactive measures to address safety issues within the neighbourhoods besides implementing initiatives for crime prevention, the concept also aims at building a strong national identity in our multi-racial and multi-religious society. Another example is the inter-district and inter-provincial police chiefs meetings, to discuss law and order in their respective districts or provinces, and in some cases include the national's or district level police and other agencies, and it is witnessed in our countries.

The Group was thankful to the visiting expert Dr. Waller's introduction of various interagency projects adopted in various cities (such as the project in Bogotá, Colombia), in the world not limited to developed countries, and was interested in his analysis of their success or failure. The participants agreed that studying these examples carefully is very important in formulating their own projects.

The Group also discussed some of the activities carried out by some of the participating countries with regard to children's activities. In some of our countries the Ministry of Education with the collaboration of the Ministry of Manpower (Labour) have arranged a special pack for school children to utilise their summer holidays. The arrangement enables students to take a referral letter from the latter Ministry to be employed temporarily in any Ministry or company, whereby he/she will be taught some clerical work, and receive a reasonable salary.¹⁹ Also the Ministry of Education organises a number of summer clubs, and other activities during the holidays. Thus, activities like these lessen the association of school children with delinquent peers. The meeting agreed to the statements by the visiting experts (Sir Bottoms and Dr. Waller) that one of the most important and effective targets of an interagency crime prevention programme is the youth at risk, and took note with interest of various projects conducted in North America, Europe and South Africa.

V. CONCLUSION

To conclude hitherto, it is important to reiterate that the Criminal Justice System can never, on its own, succeed in combating crime and disorder, without the support of the community. Such support can be gathered by introducing some sort of partnership between the police and the community; hence, by letting the latter bear some responsibility in preventing crime. That is to say, that the establishment of community policing is inevitable. As a step forward, introducing a close relationship between the prosecution and the community is of vital importance (Community Prosecution).

Moreover, the support of other agencies is not to be neglected by any means; as it is well known that causes behind each crime are different and cannot be dealt with by a single governmental organisation.

¹⁶ Japan, Country Report, Mr. Masayoshi Kozawa, 129th Crime Prevention Senior Seminar, UNAFEI, p. 12.

¹⁷ Country Report from Marshall Islands, Mr. Vincent Peter, 129th Senior Seminar, UNAFEI.

¹⁸ Japan, Country Report, Mr. Nobuhiko Furuya, 129th Senior Seminar, UNAFEI.

¹⁹ This arrangement was set-up after police statistics showed that juvenile crimes increase during the summer holidays.

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GROUP 2

EFFECTIVE MEASURES FOR YOUTH AT RISK

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I. INTRODUCTION

At the 129th UNAFEI International Senior Seminar, we discussed “Effective Measures for Youth at Risk” under the topic of “Crime Prevention in the 21st Century”. The purpose of the discussion was to suggest possible directions with which the criminal justice agencies such as the police, public prosecutors, judges, probation officers, and correctional officers can work together to improve their effectiveness in dealing with youth at risk in cooperation with the community.

These proposals are the result of the above-mentioned discussion and were also facilitated by the ardent efforts of each participant and precious advice from the Professors of UNAFEI.

II. BACKGROUND

Urbanization has given rise to many crime-related factors such as a weakening sense of community among residents, greater anonymity and more “blind spots” in urban areas. The crime situation in most countries has reached alarming proportions with an increase in crime committed by foreign visitors and street crimes, while the crime deterrence function of our society has decreased in recent years by a weakening sense of community.

In the background of the recent strict view towards Juvenile delinquents, we should realize that community residents often live in fear of becoming victims of juvenile offences and victims and their relatives often have complaints about the juvenile justice system. In order to respond to those needs, we need to promote a new way to take into consideration the victims’ feelings and the situation in the community.

The prevention of disorderly behaviour by juveniles in public places is also a matter of considerable importance in many local areas in contemporary societies. To prevent this kind of disorder, we need skilled mediators who are respected both by the juveniles and by the residents themselves.

Many countries have long been plagued by juvenile misconduct. Although much has been said and debated, the issue has not received its due attention. The problem of misconduct among juveniles is reported to be on the increase. The actual number of cases is estimated to be much higher than that reported. Many factors have been found to correlate with the delinquent behaviour of juveniles. Below, some of those factors are discussed.

A. Individual Factors

Individual factors, namely, attitude, mental and physical health problems, a low level of education, the inability to cope with stress and to solve problems and drug abuse are contributing factors to social deviance among adolescents. Adolescents require guidance and support in the process of developing their identity and to determine their goals in life. Self-esteem is a judgment that individuals make about themselves.

Individuals with low self-esteem are not confident in their own abilities and have problems coping with day-to-day challenges. Individuals who perceive themselves negatively are more prone to participate in delinquent acts. Poverty is also connected with criminal misconduct. The strain of financial burden is often used as an excuse by offenders to commit crimes such as theft, snatch thefts and housebreaking.

B. Family Factors

Family interaction is one of the factors that cannot be ignored in any effort to understand juvenile delinquents. The family is the institution that determines what sort of individual a child will grow up to be and how they cope and react in their social life. So factors, such as poor attachment with the family, non-involvement of family members and a poor parent-child relationship are among the strongest predictors of delinquency.

Many parents of today are distressed and confused. Consumer goods and services are psychologically and professionally marketed so that parents are compelled to purchase them or subscribe to their services. They are persuaded by the marketing strategies that they need them for the well-being of themselves and their families. Hence, parents feel that they have to earn more to purchase the goods and services. As a consequence, they are stressed out and have little time to give love and attention, to communicate, to discipline and monitor their children. While the children want the goodies, they also need love, attention and training.

Marital break-up also plays an important role in predicting delinquent behaviour as it is found that more delinquent adolescents come from divorce or broken families. The stress of divorce or separation on the remaining parent, usually the mother, may cause conflicts between them and their children. This group of divorced women tend to experience problems as a result of reduced social support, financial difficulties, and the lack of relief from household tasks which causes a deterioration in their parenting skills. Children from non-intact families receive less supervision, thus their social bond to either parents or school are not readily developed and they are more prone to becoming delinquent as a result of it. Loss of either one parent through divorce will mean the loss of a trusting relationship in their life and adults and such children are at risk of being influenced by other external factors.

The size of the family residence is another contributing factor to juvenile misconduct. Physical conditions such as living in poor and overcrowded homes complicate the situation. Parents with more children experience greater stress, face difficulty in disciplining them and their children receive less supervision. A majority of social degradation cases among adolescents are those who live in small and overcrowded homes which have an insufficient number of rooms. The discomfort of living in such a residence causes the occupants to seek comfort outside the home, particularly in shopping complexes and places of entertainment which encourages them to mix among other adolescents.

C. Environmental Factors

The environment refers to a wide area. With regards to school experiences, factors such as school failure and the individual's poor commitment to education goals have been implicated as contributing factors towards the development of juvenile delinquency. Those who have poor reading skills, lack social skills to meet classroom demands and to form peer relations, fail in school and become alienated and hostile to the school system are more likely to play truant and leave school early.

Peer group influence is another contributing factor to social deviance among juveniles. The urge to try something new and provocation from the peer group often results in the juvenile being involved in criminal activities. The habit of imitating a certain culture for example the 'Punk' and 'Skinhead' cultures, without evaluating the good and bad of the culture concerned, can also lead juveniles to involve themselves in social deviance. In the process of searching for their self-identity, Juveniles make mistakes in their choice of a role model. They are more inclined to be influenced by their peer group and treat advice and criticisms from their family as something that restricts and bores them.

With the advancement of mass media, which includes the electronic media and printed material, most individuals are exposed to media influences and rituals that are difficult to exclude from our daily lives and this is especially true for juveniles who are still exploring and questioning the world. The media has a strong effect on juveniles' behaviour mainly due to their lack of mature understanding of what they see on television. They tend to be more easily influenced and it has been found that watching violent films increases the aggressiveness of juvenile delinquents. Television and the internet expose children to all kinds

of experiences and values. Where the parents are busy, children have more contact hours with the television and the internet than with their parents and siblings. As the television programmes are produced to attract an audience, children are therefore more attracted towards the values portrayed in the programmes and computer games than those of their parents.

The neighbourhood climate also has an effect on juvenile delinquency. Living in an environment with unhealthy social circumstances can lead to the development of delinquent acts by those around them, because such unhealthy ways of life could be considered as a means of releasing anger and dissatisfaction towards authority or even to themselves.

III. EARLY INTERVENTION FOR YOUTH AT RISK

The problems of juvenile delinquency need to be addressed early. This is necessary as it is becoming a high frequency problem and such individuals are known to have a higher risk of committing more serious crimes in the later years. As such, strategies for intervention and especially for prevention, need to be looked at.

Intervention will mean doing something to the adolescent or to the adolescent's family after the adolescent has been identified to have demonstrated the problem behaviour. If Juveniles make risky lifestyle and routine choices, they are regarded as those who are at particular risk of delinquency. There could be some merit in trying to identify this group and giving them and their parents' appropriate advice and help.

The objective of intervention in an adolescent with delinquent problems is also to prevent the chance of repetition and its progression towards more serious crimes.

A. Educational Initiatives

1. Education of Youth (Juveniles)

(i) Talks to schoolchildren

To stimulate interest and instil awareness about social deviances, talks about the dangers of drug abuse, involvement in criminal activities, etc. should be given to children in schools. Schoolchildren should be provided such skills as anger management and problem-solving skills in a non-violent way. This can avoid bullying cases.

Truancy is one of several social problems. It needs to be treated at its root cause. Eradication of truancy needs a long-term approach — that is prevention and intervention. The measures taken to control truancy require the assistance and cooperation of various parties including education, welfare authorities, community and NGOs. Reducing truancy will help reduce juvenile delinquency.

(ii) Counselling/Mentoring

Counselling activities should also be provided to solve individual delinquent problems, e.g. increasing the delinquents' self-esteem. This includes working with the family through regular family therapy sessions. The delinquent will need to feel accepted again, not only by the immediate family but also by society. Helping the delinquents work towards independence and self-esteem and to be able to find a reasonable job once they leave home should be the target, even if the family continues to reject them.

Fostering an adult mentor is also a useful way of limiting the involvement of delinquency. "Big brothers and sisters" programmes are widely known in Japan and have shown the effectiveness of mentoring in building protective factors in young people.

2. Educating Parents

(i) Parenting skills

Knowledge and skills for positive parenting will help raise children soundly and enable them to acquire the ability to be law-abiding persons. Unfortunately those parents who attend parenting courses are those that are doing relatively well in their task as parents. Those who need the knowledge and skills are staying away.

(ii) Counselling skills

Social problems and juvenile delinquency have their roots in the home. Counselling of students without involvement of parents is likely to be ineffective especially if the values upheld at home differ from those in schools.

(iii) "Moral Education" of parents

Criminal and anti-social parents tend to have delinquent and anti-social children. Children follow the model they see in their family. In some cases, we can see one or both parents with bad habits and behaviours such as alcohol problems, drug abuse and domestic violence. Because of such parents, children have a tendency to follow or imitate those bad habits.

3. Educating the Community

(i) Emphasis on poor areas

Generally speaking, being poor and criminality have some correlation. While an effective social welfare policy is required to financially assist people in poverty, we should pay more attention to promote integration of juveniles into society and avoid stigmatization. For example, Japan was successful in overcoming serious problems of juvenile delinquency in the chaotic and poor period just after World War II. During that period, there were campaign activities under the auspices of the Ministry of Justice in which people in the community actively participated in helping juveniles' sound development. The purpose of these activities was to warm-heartedly accept juveniles who committed delinquent acts and promote their rehabilitation with the assistance of people in the community.

(ii) Providing criminal data to the community (by the police)

Paying due attention to the victims' rights, the identification of areas where crimes are being committed is channelled through the committee to promote awareness of people in the community.

(iii) Providing "Moral Education" for schools

Schools are supposed to play a key role as a liaison in the community, because the majority of juvenile usually go to school, especially elementary and junior high school. When juveniles are in school, there are many opportunities for relevant agencies to have direct contact with them, such as police officers delivering so-called "Safety Classes" to them.

Moral education in schools is very important for the sustainable sound development of juveniles; however, school teachers do not have enough resources and knowledge. In those circumstances, it is very effective for the police, religious groups and welfare organizations to provide such resources for children in elementary, junior high and high schools.

B. Implementation of an Education Programme

1. Use of Government Resources

Government institutions have many professional personnel such as psychologists, social workers and counsellors. It is cost-effective to utilize such professionals who have gained relevant experience and knowledge in their daily work, because we can avoid hiring new professionals.

2. Revitalization of the Community

There is a necessity for the socio-economic integration of youth at risk into the community. Sometimes financial assistance from the private sector such as the "Godfather" Programme in Panama should be utilized to successfully integrate youth at risk into the community.

3. Cooperation with NGOs

Non-Government Organizations which are involved in youth programmes have to work closely with government agencies to assist in conducting research and surveys as they have financial resources.

4. Cooperation with Religious Institutions

In some countries, religious institutions such as the Catholic church, Buddhism and Islam are a big help for juveniles, because they give them informal education outside of schools. For example, in Malaysia, religious groups conduct short courses to enrich their fundamental knowledge about religion and moral education.

C. Implementation of Early Identification of Juvenile Delinquents

There are several different ways of implementing early identification and intervention of juvenile delinquents such as:

1. Police patrolling late at night especially “hot spots” such as amusement areas on foot, by motorcycle, bicycle and boat in order to prevent crime.
2. Police/Prosecutors visiting “problem schools”, with the permission of school principals.
3. Deployment of school councillors to (elementary) junior high schools to provide advice to teachers and counselling to juveniles and their parents.
4. Tackling truancy with the assistance and cooperation of various parties including schools, welfare authorities, community, religious institutions and NGOs.

D. Advantages of Early Intervention

Early intervention with families can be implemented by:

1. Maintaining active participation in education and employment.
2. Keeping focus on their peer group.
3. Providing drug treatment.
4. Incorporating various cognitive behavioural and skill oriented techniques.
5. Passing all relevant knowledge from the government to the community to facilitate information flow.

Early intervention “works”, because it diverts attention away from the narrow issue of crime. However, it should be noted that intervention has to focus not only on juvenile delinquents but also their families. The government seeks to redistribute its resources to children and families who are often struggling with disadvantages. Early intervention is a concrete, promising way to deliver needed services where none now exist.

IV. THE ESTABLISHMENT AND MANAGEMENT OF A FLEXIBLE DISPOSITION AND TREATMENT SYSTEM/MEASURES TO TACKLE JUVENILE DELINQUENCY

There has been a traditional and strong recognition that juveniles who have committed very serious crimes should be held accountable in the same way as adult offenders. Since there is a notion that seriousness of delinquency gradually advances, we should effectively intervene at the early stage of delinquency, before they are committed to prisons just like an adult. For offences committed in the early stages of delinquency, the delinquents are often not tried and no action is taken. In regard to offences where correction in society is feasible, the offenders are basically given community-based treatment. It means that various flexible measures and dispositions should be discussed. Especially, focus is placed on educating offenders, while due attention should be paid to the victims’ feelings and/or damages.

A. Juvenile Justice System

There are many different types of juvenile justice system in the world which are influenced by the criminal justice system in each country. For instance, in Zimbabwe only serious crimes are referred to the public prosecutors by the police, on the recommendation of the Welfare Officers. In general, there are four stages of law enforcement in the juvenile justice system.

1. The police are a formal institution when a delinquent juvenile faces the legal process for the very first time, which will constitute whether the juvenile should be released or face the next process.
2. A Public Prosecutor and/or Probation system will decide whether the juvenile should be released or face the juvenile court.
3. Juvenile court (Family court) is the stage where children will be placed in options, whether he/she will be free or put under correctional treatment or Community-based treatment.
4. Institutional treatment or Community-based treatment.

“Juvenile” is any person who is under the age of 18 years old in most countries, except Japan in which it is designated as anyone under 20 years old. In most countries, the Family (Juvenile) court has jurisdiction over juvenile delinquent cases, except for Laos where the ordinary criminal courts handle juvenile delinquent cases. The age of criminal responsibility varies among the Group’s countries. The minimum age of criminal responsibility is fifteen both in Indonesia and in Laos, although it is only seven in Zimbabwe. It is fourteen in Japan and Panama, and ten in Malaysia.

Court Disposition

• *Indonesia*

Juvenile Court

- (i) Sent back to parents or their family
- (ii) Sent to a government institution without any sanctions

For serious crime

- (i) Criminal sanction (Imprisonment, detention, fine, supervision)
- (ii) Sent to the state in order to receive education (Delivered by the Social Department) or other society organization in the field of education and training

• *Japan*

Family Court

- (i) Dismissal without/after the hearing
- (ii) Protective Measures by Family Court
 - Probationary Supervision
 - Commitment to Support Facilities for the Development of Self-sustaining Capacity, etc.
 - Commitment to Juvenile Training School
- (iii) Referral to the Chief of Child Guidance Centre
- (iv) Case is sent to the Public Prosecutors

• *Laos*

Criminal Court (Family and Children Department)

For serious crime

- (i) Probation
- (ii) Imprisonment

• *Malaysia*

Court for Children

- (i) Admonish and Discharge
- (ii) Sent to an approved school
- (iii) Discharged on condition of good behaviour
- (iv) Order the child to be placed in the care of a relative or fit person
- (v) Whipping, if male, with not more than ten strokes of a light cane
- (vi) Imprisonment (fourteen or above)

• *Panama*

Juvenile Court

- (i) Supervision order
- (ii) Community activity order
- (iii) Imprisonment

• *Zimbabwe*

Juvenile Court

- (i) Order of community service
- (ii) Whipping (male)
- (iii) Sent to reformatory school

All cases are referred to the Public Prosecutor by the Police on the recommendation of the Welfare Officer.

B. Necessity of Flexible Disposition

As shown above, it seems that it is not uncommon that a criminal penalty is imposed on delinquent juveniles. In addition, recently, policies designed to increase criminal punishment of juvenile delinquents have been demanded in the media or by the public, especially by victims of juvenile crimes, because juvenile crimes have been increasing and become more brutal in most of our countries.

However, modern criminal laws have provided various flexible dispositions as well as punishing juvenile offenders who commit offences. Flexibility of disposition has the following advantages. For example, when we give juveniles community service orders, they can avoid stigmatization and also continue to live a normal life at home. In other words, this kind of flexible disposition enables the juveniles to keep their jobs. And in

their free time they work for the community. Under the supervision of psychologists or counsellors, with the consent of parents, juveniles increase their self-esteem and feel a sense of belonging in the community. A flexible disposition can avoid overcrowding in prisons and is often less costly than imprisonment.

This encourages a process of behavioural changes; helps juveniles feel accountable for their actions and fosters integration rather than alienation, avoids involvement of the formal court system and places importance on community-based solutions.

On the other hand, there are disadvantages, when we talk about flexible disposition. Juvenile offenders who are sent back to the community may not regret their conduct unless they are aware of the purpose and significance of this disposition. Sometimes, victims complain, if they are not made fully aware of what a flexible disposition is. These disadvantages should be carefully considered in administering a flexible disposition. A Flexible disposition is emphasized in the United Nations Standard Minimum Rules.

United Nations Standard Minimum Rules for the Administration of Juvenile Justice (“The Beijing Rules”), G.A. res. 40/33

Article 18

A large variety of disposition measures shall be made available to the competent authority, allowing for flexibility so as to avoid institutionalization to the greatest extent possible. Such measures, some of which may be combined,

Include:

- a) Care, guidance and supervision orders*
- b) Probation*
- c) Community service orders*
- d) Financial penalties, compensation and restitution*
- e) Intermediate treatment and other treatment orders*
- f) Orders to participate in group counselling and similar activities*
- g) Orders concerning foster care, living communities or other educational settings*
- h) Other relevant orders*

When we think about a flexible disposition, this large variety of disposition measures and their combination are good examples.

C. Diversion

As mentioned above, a get-tough policy should not be applied to all juveniles, because there might be a good chance of reformation and they should not be subject to adverse effects of incarceration in prison. Except for cases in which imprisonment is unavoidable due to the seriousness of the offence, alternative measures such as commitment to an approved school or community-based treatment programmes should always be sought. A flexible disposition will help juveniles acquire necessary education, knowledge and skills and promote reintegration into society without being labelled as a criminal offender.

Diversion is a typical form of flexible disposition. The definition of “diversion” has different meanings in different countries. In this report, we define it as treating juvenile delinquents in a different way outside a formal criminal justice system, referring to the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (“The Beijing Rules”), G.A. res. 40/33.

Article 11

- 11.1 Consideration shall be given, wherever appropriate, to dealing with juvenile offenders without resorting to formal trial by the competent authority.*
- 11.2 The police, the prosecution or other agencies dealing with juvenile cases shall be empowered to dispose of such cases, at their discretion, without recourse to formal hearings, in accordance with the criteria laid down for that purpose in the respective legal system and also in accordance with the principles contained in these Rules.*
- 11.3 Any diversion involving referral to appropriate community or other services shall require the consent of the juvenile, or her or his parents or guardian, provided that such decision to refer a case shall be subject to review by a competent authority, upon application.*

There are different processes of diversion in our countries. For example, the police in Malaysia, Indonesia, Laos and Zimbabwe can give juvenile delinquents a caution, if necessary. Diversion by public

prosecutors and judges by way of caution is carried out in Indonesia, and Zimbabwe. On the other hand, in Japan all juvenile delinquency cases must be referred to the Family Court by the Public Prosecutors or by the police. This is based on the principle that the Family Court shall play a pivotal role in the juvenile justice system. However, more than 70 percent of cases are dismissed by the Family Court.

The diversion procedure varies in each country as follows.

(By the prosecutor)

Sent back home subject to certain conditions (He/she has to sign a paper three times a week in the prosecutors' office. He/she is prohibited from going to bars, discos and must be home at 6 pm. This diversion is implemented in Panama.)

(By the court)

Community Service order by the Family court in Panama, by Juvenile court in Zimbabwe.

Sent back to parents or family or government institutions without any sanctions in Indonesia.

As mentioned above, in Japan, the majority of juvenile delinquency cases are dismissed by the Family Court.

(By others)

Mediation between juvenile offenders and victims by the Lao women's union and Lao youth union. It is used only when a young person under the age of eighteen years has admitted he/she committed an offence or has been found guilty of committing an offence.

V. EFFECTIVE INSTITUTIONAL TREATMENT FOR JUVENILES

A. Core Treatment

The main purpose of institutional treatment is to rehabilitate the juveniles by solving their individual problems and by developing a positive attitude toward their life, in order to develop a stable life and live independently in the community in a more socially acceptable way. Considering the needs of juveniles, intensive treatment should be provided, based on the special knowledge and skills of psychology, sociology, pedagogy, medical science, etc.

Japan has thirteen different types of treatment courses in Juvenile Training Schools (JTS). At the family court hearing, the court specifies the type of JTS and sometimes makes recommendations for the length and/or contents of the treatment programmes if it is deemed necessary and appropriate for the juvenile. In addition, the Juvenile Classification Home sends detailed recommendations concerning the individual treatment to JTS based on the results of the classification. Correctional education of JTS consists of social education, guidance, vocational training and medical treatment, all of which are organized in the individualized treatment scheme.

Malaysia has three categories in the Juvenile Rehabilitation Module: rehabilitation of students below the age of 18 years, rehabilitation of students above 18 years and rehabilitation of those without basic education. The purpose is focused on attitude building and knowledge and skills development as the core objectives through a religious approach, moral and civic awareness, counselling, nationalism and co-curricular activities to ensure their rehabilitation.

In Panama, according to Law 40, the core treatment is re-socialization of the juveniles, based on psychological studies, regular studies and recreation for the juveniles.

Zimbabwe has several types of core institutional treatment for juvenile offenders such as carpentry, knitting, sewing and farming. Laos has similar programmes such as education, vocational training and medical treatment for drug and alcohol problems in detention centres for juvenile delinquents. Indonesia has a mentor programme and also medical treatment for drug abuse juveniles in detention houses under the supervision of welfare officers.

B. Operational Problems

Malaysia, Indonesia and Panama have a shortage of professional human resources, especially counsellors and social workers. Malaysia also has overcrowding in their prisons and does not have enough school teachers and sufficient support from parents/guardians.

Zimbabwe and Laos have difficulties in financing institutions for juvenile offenders and purchasing necessary materials for institutional programmes.

C. Effective Measures

Individualized treatment corresponding to the juveniles' own characteristics and problems should be developed, as it has been done in Japan.

To implement effective institutional treatment for juveniles, the support and involvement of their family, such as once-a-week visits to them is crucial. Volunteers from the community such as religious chaplains and experts of various fields will help the juvenile's smooth rehabilitation.

Although implementation of the above-mentioned treatment needs extensive human and financial resources, progress has been seen in most countries. For example, increasing the budget allocation for the institutional treatment of juvenile offenders led to significant progress in Zimbabwe.

D. The Smooth Transition Back into the Community from Institutions

In terms of their adjustment to society, smooth transition programmes are indispensable in institutional treatment, especially for juvenile offenders who need special rehabilitation programmes due to the complexity and seriousness of their problems, resulting from the gravity of their delinquency. For example, a weekly-visit is effective in helping juveniles to adjust to society after their release. If the institution provides information regarding juvenile offenders to probation officers to start environmental adjustment, such as their relationship with their family or guardians at an earlier stage of the institutional treatment, it could make the institutional treatment of the juvenile more effective. In addition, effective institutional treatment of juveniles should require the understanding and cooperation of people in society. We should develop transition programmes which involve those who are very knowledgeable about juveniles such as teachers and neighbours, in addition to their parents. Sending juveniles to a private company or a public service in a vocational training programme and any other community-based programmes will promote a smooth transition into the community after their release from the institution.

VI. EFFECTIVE COMMUNITY-BASED TREATMENT FOR JUVENILES

There are many juvenile delinquency problems not only in our countries, but all over the world. However, the causes of each case are different. In the context of the sound growth of juveniles/youth, it is not effective to deal with them only by a single government organization such as the police, schools and so on. Many government organizations both at the national and a prefectural/provincial/state level should share information regarding juveniles/youth at risk. It means that an integrated approach (multidisciplinary approach) for youth/juveniles at risk must be taken with the cooperation and collaboration of multiple agencies such as the criminal justice system, schools, welfare services, hospitals and others.

But even though relevant agencies focus on the role of the community in terms of crime prevention, most local residents may not be willing to be engaged in juvenile crime prevention activities in the community.

A. Types of Community-based Treatment

Zimbabwe has some programmes for the prevention of pre-delinquency such as knitting, welding and agriculture supported by the Ministries of Social Welfare and Youth, UNICEF and Non-Government Organizations (NGOs). One of the programmes implemented and monitored by the Ministry of Social Welfare of Malaysia is the District Children Welfare Committee. Throughout Malaysia there are 110 such committees with 1430 members (volunteers). Among the role and responsibilities of the committees are to assist in getting adoptive parents and guardians for juveniles under supervision, training and job offers for juvenile delinquents and to encourage the involvement of the community in crime prevention and juvenile welfare. There are also eleven Probation Hostels in Malaysia, in which two are community based. The only way an individual juvenile can be placed in this institution is by a court order. The main objective is to educate the juvenile to develop a positive attitude towards life, develop a stable self and to prepare them to live independently in the community in a more socially acceptable way. Structured activities are designed to achieve these objectives whilst living in these institutions which include academic education, moral and religious education, vocational training such as carpentry, welding, hair dressing, motor mechanics, etc., and sports and counselling services.

In Laos, the Ministry of Labour and Social Welfare has a programme called "Protection of Children" in cooperation with UNICEF. The Lao Youth Union has a programme "For Children Development" in

cooperation with UNICEF and the Ministry of Justice has a programme called “Legal Protection and Justice for children” in cooperation with the UK NGO, “Save the Children”.

In Indonesia, Pre-delinquent juveniles are supervised by the Social and Welfare Ministry with the cooperation of an NGO.

In Japan, the Family Court can put juveniles on probationary supervision as a protective measure instead of committing them to JTS. In addition, juveniles who are released on parole, are also put on probation for their smooth reintegration into society. Volunteer Probation Officers (VPOs) who are community-based, carry out the probation/parole supervision and crime prevention activities in collaboration with Probation officers. There are about 50,000 VPOs and they provide day-to-day supervision services in most probationary supervision cases.

B. Problems

There are funding problems in Laos, Zimbabwe and Panama, in terms of finances, materials and human resources. There is a little international assistance to implement local government programmes in Laos. There are shortages of correct statistics and treatment plans for juveniles in Indonesia and Panama and there is a shortage of vocational schools in Malaysia.

We found that in most countries, company owners do not want to hire juvenile ex-offenders as employees and their family cannot control their conduct. Juveniles are likely to have a tendency of repeating the same behaviour patterns instead of quitting them.

Since there are budgetary limitations, the most practical countermeasures will be an approach to make the best use of existing resources; an integrated approach.

C. Necessity of Implementation of an Integrated Approach

Maintaining public safety and order has been primarily the responsibility of the police. The police have been making efforts to harmonize itself with the current severe situation. Besides police efforts, it is necessary and important for effective regional crime prevention activities to produce a sense of community with a common recognition that communities should keep an eye on the youth in their neighbourhood and help raise them. To develop such a common understanding, the establishment of a network for juveniles and an information exchange, on a daily basis, are required among the police, other agencies and community residents.

D. Recent Measures for Effectiveness

There are various effective measures which have recently been taken by most governments.

The Ministry of Youth has a new programme for juveniles in cooperation with universities and juvenile civil organizations in Panama.

The Mayor of Harare formed a committee that is comprised of the police, Ministry of Social Welfare, Ministry of Youth and an NGO in order to solve this problem in Harare, Zimbabwe.

The relevant ministries in Malaysia injected additional funds for the District Childrens Welfare Committee.

The Lao government is supporting the drafting and dissemination of a new law regarding children sensitive investigation procedures.

The Indonesian government made a treatment plan for the juvenile system in collaboration with an NGO and universities.

The Government of Japan promotes implementation and outreach of a “Support Team” which was described and recommended in the “Action Plan for the Realization of Society Tough-on-Crime” which was adopted by the Cabinet Meeting regarding Measures Against Crime. A “Support Team” is composed of the police, schools, the Board of Education, the probation office (including Volunteer Probation Officers) and

correctional institutions on a case by case basis. It aims at supporting activities in the community to secure deterrence of juvenile crime which needs to be tackled by society as a whole.

VII. FUTURE PROSPECTS

Social deviance among adolescents cannot be separated from the fact that the problem has its source at all levels of community and involves all members of the community. Thus, each programme, module, approach and activity whether in the form of prevention, rehabilitation, policy or social system development, must involve a role that is united, thorough and continuous, requiring the full commitment of all levels including individuals, families, society, social institutions, rehabilitation institutions, non-government organizations, private agencies and the government.

Many new initiatives should be taken by the government, foundations, businesses and non-government organizations to combat juvenile delinquency, youth crimes and unemployment as follows:

1. Emphasis on staff training and development, cross-disciplinary training should be increased.
2. Professional development opportunities for staff and officials at all level of the system including correction officers, police officers, probation officers, social workers and public prosecutors, especially juvenile prosecutors and judges.
3. Overcoming the negative perceptions of juvenile offenders. Negative public reaction to violent offences committed by youths creates great obstacles for them to seek access to community services including education, employment and practical training.
4. Providing public forums that enable young people to tell their stories is an effective way to engage the media, public officials and the public. Public forums can highlight positive outcomes for juvenile delinquents and present them as a part of the general youth population.
5. More extensive diversionary measures with more respect for victims should be discussed in the criminal justice system.
6. Institutional vocational training education programmes should offer training only in occupations and industries for which there is current and projected future demand in the country. Efforts to reach out to employers should also extend to public sector employers and small and medium businesses.
7. To ensure that the necessary community based services and support for juveniles are available and accessible in the community.
8. Youth correctional facilities, local workforce development, education and youth development providers should work closely together to connect youth to appropriate services prior to their scheduled release date.
9. Identifying adequate resources. Policymakers should be informed about the outcome of effective programmes and the cost savings they achieve. Joint advocacy by juvenile justice, workforce development, and most particularly the business community may increase resources.
10. Develop common understandings and goals and desired outcomes through a multi-disciplinary approach involving law enforcers, educators, judiciary, social workers, correction officers, community-based organizations and non-government organizations.

Prevention of crimes committed by juveniles is a critical task to be tackled in our countries facing the difficulties of limited financial and human resources. Each country has taken various measures as mentioned above. The government should put an emphasis on implementing effective early prevention measures; executing criminal justice procedures with more extensive diversionary measures including more respect for victims; and promoting re-integration of juveniles into society with any court disposition. In addition to the above mentioned, an example of an integrated crime prevention and criminal justice policy is the formation of a legislative board, such as the "Youth Justice Board (YJB)" which was established by the Crime and Disorder Act in 1998 as a permanently funded public body mandated to prevent crime and re-organize the youth justice system in the UK. Crime prevention is a permanent part of the youth justice structure of each country.

GROUP 3

ROLE OF THE COMMUNITY IN THE REINTEGRATION OF VICTIMS AND OFFENDERS INTO THE COMMUNITY

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I. INTRODUCTION

A. Background

In a rapidly changing society, urban crime, youth crime and juvenile delinquency are becoming a complex issue experienced by developed and developing countries, the world over.

Crime prevention and treatment of offenders should not be left entirely to the criminal justice agencies but, requires close cooperation and collaboration with other sector agencies, organizations, community institutions and every individual, to minimize crime and disorderly behaviour in the community.

Group Three was assigned the task to discuss the 'Role of the Community in the Reintegration of the Victim and Offender into the Community.'

The Group set out to report on the 'Holistic' and 'Restorative Justice' approach in the reintegration of offenders and victims in society. We provide views and current practices experienced by participating countries, and propose recommendations regarding the topic under discussion.

B. Topics Examined and Analyzed

Based upon the above-mentioned topic, we examine the following issues: (a) a holistic approach for the reintegration of offenders and victims into the community through processes such as the restorative justice approach; (b) ways for the active involvement of the community toward effective treatment of offenders; (c) establishment of a community network with relevant agencies and organizations for an integrated aftercare system; and (d) methods of recruitment and utilization of community resources and citizen volunteers.

C. Holistic Approach

1. What is a Holistic Approach?

Given the background of the UN principle, we agreed to proceed with defining the notion 'What is a Holistic' approach in more practical terms, and in the context of a restorative justice approach. A Holistic approach basically means; promoting collaboration between CJS, other relevant agencies and community resources, mobilizing community resources and improving partnerships with CJS, other relevant agencies and community resources in the community.

In this instance, the community would include family, religion, community groups and relevant agencies such as schools, etc. and organizations involved in tackling the causes of crime in providing services and support to both the offender and the victim.

2. Why We Need a Holistic Approach?

We then looked at why we need a holistic approach? The common reason that we felt necessary and appropriate to adopt this approach is as follows. Since the causes of crime are multiple, criminal justice agencies alone cannot tackle and solve the issue of crime. As mentioned in the introduction part of this report, it will require the cooperation and collaboration of all relevant sector agencies, organizations and community institutions to tackle this pressing issue. A common problem experienced in the respective countries, is a lack of collaboration and cooperation among criminal justice agencies, other relevant sector agencies and community resources in participating countries.

D. Community

1. What is Community?

During the first plenary presentation, we discussed the notion of “What is Community”. Is it community in the urban or rural setting?

In the light of the context of this seminar entitled ‘Effective Prevention of Crime associated with Urbanization based upon Community Involvement and Prevention of Youth Crime and Juvenile delinquency’, the ‘Community’ should therefore be viewed in the context of urbanization taking into consideration the emphasis of community involvement in urban areas for the prevention of crime.

2. The Role of the Community

Rule 1.3 of the United Nations Standard Minimum Rules for the Administration of Juvenile (“The Beijing Rules”) stipulates that, “sufficient attention shall be given to positive measures that involve the full mobilization of all possible resources, including family, volunteers and other community groups, as well as schools and other community institutions, for the purpose of promoting the well-being of the juvenile, with the view to reducing intervention under the law”.

Given the basis of the UN SMR (“The Beijing Rules”) Group Three has attempted to provide the current practices, common problems and countermeasures proposed by participating countries.

**II. MEASURES FOR EFFECTIVE TREATMENT OF OFFENDERS
UNDER THE HOLISTIC APPROACH**

A. Current Situation

1. General Situation

Participating countries of the current group workshop; namely, Morocco, Thailand, Malaysia, Japan, Fiji and Papua New Guinea have various programmes and services provided by agencies, organizations, religious institutions, and individuals in the reintegration of offenders in society. These organizations provide the necessary support in many different ways for the mentioned purpose with little or limited support from relevant Government agencies.

2. Summary of Each Participating Country’s Situation

(i) *Morocco*

Bayti Association for the Assistance of Youth (BAAY) was founded in 1994, whose main objective is to ‘Protect the Rights of Children,’ provide assistance and education to children living in difficult circumstances, especially juvenile delinquents and sexually exploited children. With its multidisciplinary team including educators, social workers, psychologists, instructors, artists and students, BAAY sets up original and specific programmes for social reintegration, parental education, individualized pedagogy workshops and adapted professionalism. One of the main focuses of its programme is to ‘prepare the juvenile delinquent’s exit to society’. In this area, BAAY is working with the Moroccan Correctional Services to provide help to juveniles in custody and facilitate their reintegration into society after completing their sentences.

BAAY which is located in Casablanca and whose activities are medical treatment, schooling, workshops, sports, theatre and art, has two branches in Essaouira (the west), and Meknes (the centre). Another is expected to open in Tetouan (the north). These centres account for a total capacity of 100 beds. To date, more than 4970 children have benefited from the association’s various workshops. Two hundred and fifty of

these children have been reunited with their families, 43 are currently attending school, 40 are involved in personalized workshops, 50 are taking professional training and 15 are currently employed in the private sector.

Its staff consists of 47 salaried employees, and 20 volunteers. Its annual budget is around 400,000 Euros, and is sustained by other partners such as the schools, the State, national and international NGOs, and the private sector. BAAY intends in the future to orient its action towards prevention, education in the rural milieu and women's status.

(ii) Fiji

Social Welfare Probation Officers (PO) supervise probation conditions (PC) and follow-up visits to ensure compliance of PC by PO. The Prison Department (PD) provides counselling and advice to offenders, furthermore PD liaise with stakeholders and the private sector for possible employment of the offender. Fiji Police befriend offenders when released from prison and involve prisoners in community projects and crime prevention activities. Hospitals provide therapeutic services to drug addicts and the Ex Prisoners Association provides opportunities to offenders in income generating activities.

(iii) Malaysia

The Discharge Prisoners Aid Society (DPAS) is composed of respected people, selected from the community who voluntarily support and assist ex-prisoners. They receive a grant of RM2,000 (US\$ 700) per society per year for operational costs, such as stationary, etc.

- Provide possible job employment depending on the skill acquired.
- Organize and coordinate activities such as seminar talks to the public for acceptance of offenders by society.
- Encourage ex-prisoners' involvement in programme activities conducted in the community.

The District Children Welfare Committee (DCWC) is monitored by the Social Welfare Department (SWD). The committee members, including the Chairman, are appointed by the Minister of the SWD. The committee consists of 7-15 members with an operational grant of RM2,000 (US\$700) per year to the society. The roles of DCWC are as follows:

- Encourage the involvement of the community in crime prevention.
- Assist in identifying appropriate responsible persons such as adoptive parents for supervision of juveniles.
- Assist POs in the performance and supervision of juveniles attending appropriate approved secondary schools (lower).
- Ensure care and protection of juveniles in detention centres.

(iv) Thailand

Volunteer Probation Officers (VPO) have been utilized in the community to assist the Probation Office in their work for juvenile and adult offenders in the prevention of crime. VPOs are located in provinces and work side by side with probation officers under the jurisdiction of the Probation Department.

(v) Japan

In Japan, juveniles are placed on tentative probationary supervision by the Family Court. The Family Court can place the juveniles on tentative probationary supervision under the guidance of a suitable institution, agency or individual. Among about 2,200 tentative probationers, 315 juveniles were placed under the guidance of such agencies, organizations and individuals, etc. Most juveniles who are placed on guidance are rehabilitated under tentative supervision by the Family Court Probation Officers.

Volunteer Probation Officers (VPO), who are community-based, carry out the probationary/parole supervision in collaboration with Professional Probation Officers (PPOs) under the direction and supervision of the Chief Probation Officer. There are approximately 50,000 VPOs around the country. VPOs provide day-to-day supervision services with most probationary/parole supervision cases (excluding short-term traffic probation for juveniles).

The VPO Association, including VPOs, perform various community-based crime prevention activities and exercise their local knowledge in strengthening partnerships through networking to effectively promote and support the offenders rehabilitation and aftercare.

One hundred and one Halfway Houses (HH) are run by 99 juridical persons for offenders rehabilitation services (non-profit and non-government organization). The HH accommodate offenders released from Correctional (prison) institutions who have no proper place to live or have serious family conflicts, addiction to substances and lack of financial management skills. A quarter of parolees depend on HH as a bridge between prison and society.

Halfway houses succeed in networking for the treatment of offenders and their aftercare, involving welfare, health and medical agencies and organizations, self-help groups, related professionals and various volunteers.

(vi) Papua New Guinea

In PNG, there are community groups, non government agencies and religious institutions that provide various programme activities and services in the reintegration of offenders and victims towards the prevention of crime. The City Mission provides unemployed youth with spiritual, social, mental and physical counselling, skills training, recreational activities and possible employment with the private sector.

B. Common Problems Encountered by Participating Countries

According to the participating countries, there are problems encountered by such organizations and institutions in effectively delivering appropriate programme activities and services in the reintegration of offenders into society. Some of the common problems experienced are identified as follows:

- The community's lack of knowledge and understanding of the roles and responsibilities of appropriate agencies, non-government organizations and relevant institutions in the programmes and services provided for offenders in the community;
- As a result, there is lack of family, community, private and public support for offenders;
- Difficulties experienced by courts in identifying organizations and institutions that provide appropriate programmes and services to enable courts to make referrals accordingly;
- The Government's lack of recognition and necessary support of relevant agencies, including organizations and institutions in the reintegration of offenders in the community;
- The lack of capacity experienced by appropriate government agencies is having an adverse effect on the quality of supervision provided to volunteers, including offenders in the community;
- Difficulties experienced by participating countries of the group where the volunteers are utilized, namely, Japan, Thailand and PNG in the recruitment of volunteers, especially in urban areas in the supervision of offenders; and
- Other obstacles experienced in the coordination of relevant agencies, organizations and institutions, in the effective reintegration of offenders in the community.

C. Common Countermeasures for Participating Countries

- Explore and consider incentives for volunteers in the performance of voluntary services for the reintegration of offenders and victims in the community;
- Develop appropriate offender treatment models;
- Develop appropriate policy guidelines to improve coordination and collaboration among relevant sector agencies, organizations and institutions;
- Consider developing policy guidelines to utilize the services of retired public servants or other respected individuals commonly referred to as Volunteers who are willing to volunteer their services for the reintegration of offenders in the community;
- Consider embedding appropriate policies into legislation; thus giving effect and recognition to volunteers, organizations and institutions in the performance of their voluntary services for offenders in the community;
- Establish appropriate Technical Committees, Taskforces or Working Groups in respective countries to improve coordination, sharing of ideas, and the discussion of issues to improve practices and consider the limitations of agencies, organizations and institutions;
- Encourage income generating opportunities for offenders;
- Strengthen, promote and encourage the work of volunteers;
- Improve and strengthen the cooperation and networking among relevant agencies, provincial and local level governments, NGO's and community groups;
- Improve training systems of appropriate organizations and institutions with the view to provide effective delivery of programme activities and services. This would further improve the provision of effective supervision and monitoring of offenders and victims in the community;

- Provide and raise public awareness of the role and responsibilities performed by agencies, organizations and institutions including the role of volunteers in the reintegration of offenders and victims in the community;

III. MEASURES FOR VICTIM SUPPORT UNDER THE HOLISTIC APPROACH

A. Background

Participants expressed similar views in that the current Criminal Justice System (CJS) practiced in respective countries does not consider the views of victims under most circumstances. Instead, there was a general consensus among participating countries that the fundamental rights of the victim to be heard in the CJS practiced by developed and developing countries play a minimum role in considering the victim's views.

Many victims face insensitive treatment by the police, prosecutors and court officials, thus causing a "second injury". This applies particularly to certain especially vulnerable categories of victims, such as migrants, minorities, juveniles and victims of sexual offences.

Even if the offender is apprehended and brought to trial, the experience of victims in many jurisdictions is that they have been marginalized and do not have the opportunity to express their views and concerns in the criminal justice process or in human rights courts or international tribunals. Many countries in the group do not allow the victim to present his or her civil claim in conjunction with criminal proceedings.

It appears that the present reintegration process practiced by CJS in participating countries is more offender-focused, while little consideration is given to the victim.

Considerable attention is quite justifiably paid to ensuring due process for the defendant, who is, after all, threatened with State-imposed punishment, and should therefore, be afforded every possibility of establishing his or her innocence, and/or other considerations in his or her defence. This degree of attention is not, however, paid to the victim. The State was assumed to be representing the interests of the victim, and accordingly no need was perceived for direct victim involvement in the proceedings.

In 1985, the United Nations (UN) General Assembly adopted the 'Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power'. The Declaration defines who the victims of crime are. It recognizes that crime is not just against the State but also inflicts loss, injury and psychological trauma on its immediate victims and families.

Also, in 1999, the UN adopted the Handbook on Justice for Victims on the use and application of the Declaration. (UN, 1999) This handbook is designed for criminal justice and other relevant agencies that come into contact with victims.

B. Current Practices

In Japan, the victim's situation and sentiments are taken into account in judging the necessity of prosecution under the principle of discretionary prosecution and establishment of relief measures for the case of non-prosecution by public prosecutors offices and also in sentencing in the trial process. The court shall also give victims the opportunity to state their opinion on the trial day.

Additionally, victim relief measures are taken by the police agency and consideration for victims such as the notification of the content of disposition and the state of its execution are implemented in cooperation with related criminal justice agencies.

Furthermore, "The Law for Victims of Crime" has been enacted of which Article 24 provides that in the Cabinet Office, as a special organ, a committee for promoting policy for the victims is established.

With regard to Fiji, and including PNG, there is a Sexual Offences Squad established within the Police Department that deals with victims of all forms of sexual abuse (SA) and domestic violence (DA). A crises centre has also been established in Fiji for victims of SA & DV. Also, in Malaysia, there is a special protection facility for women and children. This facility falls directly under the responsibility of the Department of Social Welfare with the support of the Royal Malaysia Police (RMP). In addition, the RMP also has a special child protection unit for handling child abuse cases.

In PNG, the victim's view is provided through what is called the 'Pre-Sentencing Report' (PSR). When the offender is found guilty by the court, and if the court feels this case may warrant a PSR, the court makes a request to the Probation Office to provide an objective PSR. The report will include views obtained from the victim and members of the family to be submitted before any criminal proceedings.

C. Problems Encountered

Due to minimal involvement of players in the current CJS practiced, it would be fair to make a general comment that little attention has been given to also provide similar support and assistance to victims of crime by participating countries.

Most participating countries expressed similar views that although there are programmes and services provided for victims of crime in the respective countries, however these are minimal and vary from one country to another. As expressed, participants in the CJS are more or less focused on the treatment of the offender and his subsequent reintegration in society.

Recognition given to victims of crime is minimal: there is limited support and assistance provided to organizations and institutions that promote such programme activities and services for the victims, apart from the efforts of agencies directly involved in the protection of children and women, and individual organizations committed to the reintegration of victims in society.

We are also mindful of the fact that an offender can be a victim one way or another or vice versa. For example, a female suspect arrested for stealing, may be subject to sexual abuse whilst going through the formal process.

A vertically structured administration is considered to be an obstacle to the implementation of concrete measures expressed by participating countries.

The magnitude of victimization is not fully known to the authorities due to an unwillingness to report incidents.

D. Countermeasures

- Consider the establishment of a horizontal committee composed of related agencies for promoting policy guidance for the reintegration of victims in society;
- Develop an appropriate policy guideline with a clear statement of objectives and guiding principles for practitioners in their respective professions;
- Deliver appropriate training for practitioners in agencies, organizations and institutions;
- Incorporate UN principles in appropriate domestic laws and regulations of respective countries and implement appropriate programme activities;
- Establish an appropriate National Crime Prevention Council by respective countries;
- Consider reforming the CJS, if necessary, to incorporate or amend relevant provisions in the appropriate legislation with the view to give effect to the victim's right to be heard and protected; and
- Consider the re-distribution of discretion, authority, budgetary resources and human resources for victim support.

IV. RESTORATIVE JUSTICE

A. What is Restorative Justice?

"Basic principles on the Use of Restorative Justice Programmes in Criminal Matters (ECOSOC R 2002 12)" adopted by the Economic and Social Council, the United Nations (July 2002) used the term 'Restorative Process' to mean, any process in which the victim and the offender, and, where appropriate, any other individuals or community members affected by a crime, participate together actively in the resolution of matters arising from the crime, generally with the help of a facilitator.

Restorative processes may include mediation, reconciliation, conferencing and sentencing circles.

'Restorative outcome' means an agreement reached as a result of a restorative process. Restorative outcomes include responses and programmes such as reparation, restitution and community service, aimed

at meeting the individual and collective needs and responsibilities of the parties and achieving the reintegration of the victim and the offender.

'Parties' means the victim, the offender and any other individuals or community members affected by a crime who may be involved in a restorative process.

While we discussed the concept of RJ, the following key issues and limitations were raised for consideration.

1. Modern RJ

The notion of modern RJ emerged after the establishment of the modern criminal justice system. Therefore, modern RJ is not a revitalization of traditional RJ. Under the Modern RJ, we always should respect the fundamental human rights of victims and offenders based upon the principle of the due process of law.

2. Limits to RJ¹

It is not straightforward to apply RJ where there is no direct victim, e.g. drugs offences, drunk driving. Corporate victims such as large companies are also sometimes thought to be difficult to accommodate within standard RJ procedures.

3. Victim Attendance

This is obviously desirable for the proper functioning of RJ procedures. But victims clearly must not be coerced into attending, especially if they are in a vulnerable state.

4. Procedural Justice vs "Restorativeness"

Kathleen Daly (Australia), an RJ researcher, has drawn attention to this important conceptual distinction. "Restorativeness" refers to a genuine emotional meeting of hearts and minds between victim and offender within the RJ procedures. Daly's research in South Australia suggests that it is significantly easier for RJ conferences to achieve procedural justice (which they do better than courts do) than it is to achieve true 'restorativeness' (though this definitely does sometimes happen). Moreover, restorativeness cannot be easily orchestrated, e.g. if the victim is not ready to engage emotionally with the process, then restorativeness is unlikely to be achieved.

5. Offender Recidivism

The evidence on this is mixed. The best evidence comes from the RISE project in Canberra, which has four samples. In the initial results, RJ did better than courts in reducing recidivism in one sample (the violence sample) but not the other three. However, later (unpublished) RISE results are apparently less favourable to RJ, especially for aboriginal youth.

There is also some limited evidence, from RISE and elsewhere (see research review by Kurki) that better results are obtained re offender recidivism where the victim is present at the RJ procedure. This makes good theoretical sense in terms of the likely mechanisms involved.

B. Why do we Need RJ?

Under the current CJS, the authority to punish an offender is monopolised by the State. However, in recognition of the need to restore harm caused by the crime and reintegration of the victim and offender into the community, the modern form of Restorative Justice started to be discussed. Above all, in the current CJS, the status of the victim is merely a part of the evidence in the trial. But the victim of crime has an initial concern about the harm caused by crime. Therefore, we have to respect the status of the victim. On the other hand, the offender is also affected by the crime, which he/she committed. The reintegration of victim and offender fully is achieved through the RJ process.

C. Current Situation

In accordance with the terms of the 10th UN Congress on the Prevention of Crime and the Treatment of

¹ The Group takes note that the arguments on the limitations of RJ are inspired by Professor Bottoms, one of the advisers to the Group.

Offenders (Vienna 10-17 April 2000,) the Moroccan *Code of Penal Procedure* (CPP), promulgated in October 2003, stipulates in Article 41 as to the victim-offender process in the CJS, the following:

For example, before the prosecution process, the victim and offender, in case of an offence sanctioned with not more than two years imprisonment, can register their reconciliation upon agreement in the presence of the Public Prosecutor. The statement is signed by all parties involved and submitted to the President of the first proceedings tribunal. This new CPP considers restitution in the form of compensation to the victim.

In Thailand, the practice of restorative justice through what is called 'Family Community Group Conferencing' (FCGC) began in June 2003. The Community involvement through Family Group Conferencing is practiced and encouraged in diverting minor offenders from the CJS and reintegrating them into society.

This programme (FCGC) is aimed at restoring the harm caused by the juvenile and provides the victim the opportunity to participate in the process of reconciliation.

Traditional RJ is not a new concept in PNG. It embodies the values and practices familiar in many traditional PNG societies. The RJ approach is concerned with balancing the needs of the victim, offender and the community and draws on traditional and contemporary international practices to achieve a balanced approach among all relevant parties involved. But Modern RJ must be established through the protection of fundamental human rights of the person concerned.

Village Court System (Informal)

The primary role of the Village Court System (VCS) in PNG is to 'ensure peace and harmony', and endeavour to obtain an 'amicable settlement of disputes' and apply custom as determined in accordance with the *Village Court Act* 1989. It is important to emphasize that the VCS is arguably the most significant community-based restorative forum in PNG.

D. Problems Encountered

- There is gender bias in the appointment of VC magistrates (PNG).
- There are instances whereby VC magistrates go beyond their jurisdiction (PNG).
- Difficulties experienced of prevention of re-victimization and assurance of compensation and restoration by offenders in CJS.
- Insufficient evidence on crime in RJ.
- Limited cooperation of the community in implementation of the RJ process.
- Difficulties in ensuring the offender's activities of restitution and reparation restoration in RJ.

E. Countermeasures

- Consider the recruitment and appropriate training of selected facilitators.
- Courts to be involved in the Judgment of establishing guilt prior to referral to any restorative justice programme.
- Formation of a group of selected and competent officers; including volunteers to facilitate appropriate restorative justice programmes.
- Mobilization of community resources and implementation of a training system for facilitators.
- A selected agency to provide supervision and monitoring to ensure compliance and fulfilment of the agreement between the offender and victim in the restorative justice programme.
- Referral to CJS in case of the offenders' failure in implementing the outcome of RJ process.

V. RECOMMENDATIONS AND CONCLUSION

A. Recommendations

Based upon the discussion of the group, we identified common problems with relevant countermeasures. The group, therefore, submit the following recommendations.

1. Rehabilitation of Offenders

(i) Diversification treatment, support and aftercare of offenders

Develop appropriate offender treatment, support and aftercare measures by utilizing community

resources. In developing offender treatment, special attention should be given to the relationship between substance abuse and offending behaviour.

(ii) Education and training

Improve the training systems of appropriate organizations and institutions with a view to providing effective delivery of programme activities and services. This would further improve the provision of effective supervision and support of offenders in the community.

(iii) Legislation

Develop appropriate policy guidelines to improve coordination and collaboration among relevant sector agencies, organizations and institutions and the Government to consider embedding appropriate policies into legislation; thus giving effect and recognition to volunteers, organizations and institutions in the performance of their voluntary services for offenders in the community.

(iv) Utilizing proven evidence

Introduction of evidence based practice for offender treatment, support and aftercare. Promote utilizing proven evidence from other countries' studies and encourage further research and surveys in participating countries.

2. Victims of Crime²

(i) Education and training

Develop standards for police, lawyers, medical professionals and others as well as establish appropriate training and educational courses. There is also a need to raise public awareness on avoiding victimization, promoting understanding of the victims' situation and so on.

(ii) Victim assistance programmes

Invest in projects to implement victim assistance and support, including services provided to women and children by non-governmental organizations, health and police professionals.

(iii) Legislation

Develop appropriate policy guidelines to improve coordination and collaboration among relevant sector agencies, organizations and institutions.

Adopt legislation to incorporate the principles of the UN Victim Declaration into appropriate language of Members State countries in a form that provides a framework for the implementation of the Declaration.

(iv) Research and surveys

Invest in research to assess the extent to which victims receive services and justice as well as surveys to measure the extent of victimization and its impact, including the international victim survey and a regular survey focused on domestic violence and establish a permanent network of centres concerned with research, training, education and action for victims.

3. Restorative Justice Approaches

(i) Education and training of facilitators

Consider the recruitment and appropriate professional training of selected facilitators.

(ii) Development of appropriate RJ programmes

The establishment of an expert group of selected and competent officers and facilitators; including volunteers to develop and facilitate the implementation of appropriate restorative justice programmes.

(iii) Implementation of the RJ outcome

An agency mandated and authorized to provide supervision and monitoring to ensure compliance and fulfilment of the agreement between the offender and victim in the restorative justice programme.

² The Group was greatly inspired by Professor Waller, an adviser to the Group, to develop recommendations under this heading.

(iv) Legislation

Develop appropriate legislation to provide a basic legal framework for the restorative justice system to protect fundamental human rights as practiced in New Zealand, Australia and other countries.

4. Other Relevant Issues³

(i) National crime centre

Implement national crime prevention programmes consistent with the UN Guidelines and the recommendations of the World Health Organization to significantly reduce violence and criminal victimization prioritizing violence within the family.

(ii) Policing

Foster policing that is focused on strategic approaches to the reduction of crime and partnerships with agencies such as schools, social services and local government that are likely to lead to real reductions in victimization specifically focused upon youth at risk.

(iii) Local government

Establish local level government crime prevention strategies to diagnose crime problems, develop plans, and implement strategies and monitor success in reducing crime.

The Group stressed that the recommendations reflected are not exclusive and participating countries are encouraged to continuously endeavour to explore best practices from other countries to consider improving upon them.

B. Conclusion

The issue of youth crime and juvenile delinquency associated with urbanization is a critical challenge experienced by countries worldwide.

There is no single or easy solution to combating crime, especially as we confront the transition into a new knowledge based economy and all that comes with it. The challenge is for us to continue to explore best practices, and draw from lessons learnt from other countries, and consider improving the current situation of evidence-based best practices.

The Group discussed the role of the community and the concept of a restorative and holistic approach. We strongly felt that the re-integration of offenders and victims based upon community involvement is the best vehicle to support evidence-based practice in reducing the crime levels in the respective countries.

³ The Group was again greatly inspired by Professor Waller, an adviser to the Group, to develop recommendations under this heading.

APPENDIX

COMMEMORATIVE PHOTOGRAPH

- *129th International Senior Seminar*
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UNAFEI

The 129th International Senior Seminar



Left to Right:

4th Row:

Mr. Tada (staff), Mr. Saito (chef), Mr. Dai (staff), Mr. Yamagami (staff), Mr. Miyake (staff), Mr. Miyakawa (staff), Mr. Sano (staff), Ms. Yanagisawa (staff), Ms. Inamasu (staff), Ms. Ishikawa (staff), Ms. Fujimura (staff)

3rd Row:

Ms. Yamashita (staff), Mr. Yano (Japan), Mr. Takayama (Japan), Mr. Kassim (Malaysia), Mr. Kozawa (Japan), Mr. Peter (Marshall Islands), Mr. Pondo (Zimbabwe), Mr. Nakatani (Japan), Mr. Nyombi (Tanzania), Mr. Bulainacagilaba (Fiji), Mr. Isouve (P.N.G.), Ms. Miyagawa (staff), Mr. Koyama (staff)

2nd Row:

Mr. Iida (staff), Mr. Tanaka (Japan), Mr. Hajjam (Morocco), Mr. Nishioka (Japan), Mr. Chiba (Japan), Mr. Furuya (Japan), Mr. Boupoua (Laos), Mr. Cheokul (Thailand), Mr. Sagastume (Guatemala), Ms. Kauvu (P.N.G.), Ms. Robiah (Malaysia), Ms. Gomez Serrano (Panama), Ms. Khotcharit (Thailand), Mr. Mardite (Indonesia), Mr. Al-Riyami (Oman), Mr. Fasihuddin (Pakistan), Mr. Tanaka (JICA), Mr. Cornell (L.A.)

1st Row:

Prof. Uchida, Prof. Sakata, Prof. Noguchi, Prof. Someda, Deputy Director Akane, Ms. Staiano (U.S.), Dr. Henry (U.S.), Prof. Kerner (Germany), Director Sakai, Prof. Bottoms (U.K.), Prof. Waller (Canada), Ms. Sanidad-Leones (Philippines), Prof. Senta, Prof. Shinkai, Prof. Sato, Prof. Yokochi, Mr. Ezura (staff)