

### **GROUP 3**

## **EFFECTIVE MEASURES IN THE COMMUNITY-BASED TREATMENT OF JUVENILE OFFENDERS AND ENHANCEMENT OF THE JUVENILE'S ABILITY TO REINTEGRATE INTO SOCIETY**

---

<b>Chairperson</b>	Ms. Loupua Kuli	(Tonga)
<b>Co-Chairperson</b>	Mr. Braam Paul Korff	(South Africa)
<b>Rapporteur</b>	Mr. Henry Asaah Ngu Ndama	(Cameroon)
<b>Co-Rapporteurs</b>	Ms. Iacy Monteiro Braga Caracelli	(Brazil)
	Ms. Suwa Imai	(Japan)
<b>Members</b>	Mr. Abdelkhoder Mahdi Al-Taher	(Iraq)
	Mr. Cesar Alexis Luiz Rodriguez	(Honduras)
	Mr. Satoshi Imamura	(Japan)
<b>Visiting Experts</b>	Dr. Ann Skelton	(South Africa)
	Dr. Robert Hoge	(Canada)
<b>Advisers</b>	Prof. Tae Sugiyama	(UNAFEI)
	Prof. Haruhiko Higuchi	(UNAFEI)
	Prof. Ryuji Tatsuya	(UNAFEI)

---

### **I. INTRODUCTION**

Group 3 elected by consensus Ms Loupua Kuli as its chairperson, Mr. Braam Paul Korff as its co-chairperson, Mr. Henry Asaah Ngu Ndama as its rapporteur, and Ms. Suwa Imai and Ms. Iacy Monteiro Braga Caracelli as its co-rapporteurs. The group, which was assigned to discuss “Effective Measures in the Community-Based Treatment of Juvenile Offenders and Enhancement of the Juvenile’s Ability to Reintegrate into Society”, agreed to conduct its discussion according to the following agenda:

- 1) The current situation and problems faced by organizations that treat juveniles.
- 2) Measures of assessing the individual characteristics, degree of risk and individual needs of juveniles and classification accordingly.
- 3) Development of an effective programme in accordance with risk and needs assessment.
- 4) Development of an effective treatment programme considering victims and/or restitution of the harm caused to victims.
- 5) Continuous collaboration and maintaining links with institutional treatment services and/or related organizations for the effective treatment of juveniles and their rehabilitation (through-care).
- 6) The creation of an aftercare system which helps maintain the effect of correctional treatment, reduces the risk of reoffending and enhances the juvenile’s ability to reintegrate into the community.

### **II. THE CURRENT SITUATION AND PROBLEMS FACED BY ORGANIZATIONS THAT TREAT JUVENILES**

The group first reviewed the current situation and problems faced by organizations treating juveniles in participants’ countries. The participant from Honduras, Mr. Rodriguez, said that in his country juvenile gang activity is a problem, as is their stigmatization by society. He added that some Christian groups and NGOs support juveniles but there are only eight such groups and they work with few juveniles. Also, one of these NGOs has conflict with the police making it difficult to have complete trust in NGOs because of the difficulty in reaching an agreement. He concluded that cultural and educational change, plus a sense of value, is needed. Reacting to this, the visiting expert from South Africa, Dr. Skelton, said some NGOs have an adversarial position to the government while others do not and actually assist the government in providing services. She said all these roles were important but the government will find it easier to make agreements with the second group of NGOs.

Ms. Caracelli, from Brazil, said that in her country, institutions are overcrowded and the aftercare system is not good, leading to a high rate of recidivism. Dr. Skelton responded that community-based treatment is less costly than institutional treatment and it is therefore easier to convince the government to establish and utilize such treatment.

Mr. Al-Taher said that in his country there is the problem of war orphans and civil organizations which do not do their work properly. These orphans are at great risk of turning to juvenile crime because they have no one to take care of them. The present government is making efforts to take care of juvenile offenders and rehabilitate them.

The participant from South Africa, Mr. Korff, said that in his country police officers are not well trained to deal with juvenile offenders. He also raised the problem of prison overcrowding and the need for more facilities in urban areas for juveniles. Reacting to this statement, Dr. Skelton noted that there is at present a good relationship between NGOs and the government for community-based treatment in South Africa. The only problem, she said, is that accessibility varies greatly between rural and urban areas. She emphasized that NGO activities should be financed by the government since they provide public services. She finally revealed that South Africa is preparing a detailed standard for restorative justice and NGO activities.

The participant from Cameroon said that in his country there is too much emphasis on institutional treatment and there are no policy guidelines or rules for community-based treatment. Probation officers have no legal power to conduct aftercare programmes and they work on a voluntary basis for a few community-based programmes, which are in turn initiated by NGOs and religious organizations.

The participant from Tonga, Ms. Kuli, said her country relied mainly on community-based treatment with good support from seven NGOs. According to her the only problem is accessibility since all NGOs are located on the mainland. The participant from Iraq also raised the issue of reliance on religion. To this Ms. Kuli said home training is more important than religion. The participant from Cameroon added that, religion being a sensitive issue, separation of religion from politics (secularism) is important.

Ms. Imai said about 80% of juvenile offenders' cases are dismissed after Family Court probation officers' investigations (which function as protective measures) so diversion is accomplished and Family Court probation officers, professional probation officers and volunteer probation officers are all well trained. She added that the future need is additional professional assistance for probation officers because cases have become, with regard to juveniles and victims, increasingly difficult to handle.

Mr. Imamura said that there has been a recent discussion of the increasing level of family problems and school problems which have necessitated the revision of the educational system, including the amendment of the Fundamental Law of Education. According to him, the problem lies with probation officers. Also, inquiry by Family Court probation officers is not fully utilized in aftercare and training also requires improvement.

The group afterwards discussed the countermeasures taken by governments to solve the problems raised above. Ms. Caracelli said in her country, age and type of offence are being considered but correction measures are not enough to take care of juvenile offenders and the educational level of offenders is very low.

Mr. Rodriguez said that his government has not established any concrete correction measures. Treatment measures are not adapted to the needs of offenders and personnel in juvenile centres lack training.

Mr. Al-Taher mentioned that young people constitute 60% of the population of Middle Eastern countries. Education, religion, tribe and rehabilitation are therefore important in the treatment of juveniles. He said there are childhood, employment, education and rehabilitation problems.

Mr. Ndama said that in his country a family code has been elaborated and will be sent to Parliament, and a Department of Child Protection has been created in the Ministry of Social Affairs to help pre-delinquent and street children and child protection has become an important aspect of the National Human Rights Commission's job. All of these he said will give probation officers a wider sphere of influence in the treatment of juveniles.

Ms. Kuli said that in her country, there are rehabilitation programmes such as training seminars and workshops, an alcohol and drugs treatment programme and unofficial practice of restorative justice at the *fono*, which is a village meeting where nobles and elders of the village gather to solve community problems.

The participant from South Africa said that in his country, there is need for improvement or creation of more facilities for the custody of juveniles, especially in urban areas, and lectures by the Department of Education to increase children's level of education. There are two One-Stop Child Justice Centres and nineteen other facilities for juveniles. Donors finance learning programmes for the police on domestic violence and child protection and people from the community provide police services on a voluntary basis.

Dr. Skelton said that training on diversion has been provided by the government for judges and prosecutors. The number of people in custody has been decreasing through inter-sectoral collaboration and legal representation. The problem of the budget required for enforcement has been solved by donors convincing the government to continue funding NGO activities and assistant probation officers earn a relatively low salary. Mr. Imamura said the Japanese government is reviewing the professional probation officers' training system and is working on increasing their numbers and criteria of employment. There is also the development of expert, clear, unified and specified services to be provided to clients.

Prof. Sugiyama added that in Japan professional probation officers have three years' training, consisting of lectures and on the job training, and another one month's training after ten years of service to become senior probation officers. Training is also provided six times a year for volunteer probation officers on matters such as the treatment of offenders and juveniles who have difficult problems. She also mentioned that social requests for effective community-based treatment are increasing.

The participant from Brazil said volunteers for several projects, such as the Midnight Programme, come from the Public Safety Secretariat, the police and the community.

### **III. MEASURES OF ASSESSING INDIVIDUAL CHARACTERISTICS, RISK AND NEEDS, AND CLASSIFICATION ACCORDINGLY**

Under this topic the group permitted each participant to mention what elements are assessed in his or her country, the methods of assessment, and how this assessment is used.

Mr. Korff said age, type of offence, family background and personal history constitute elements of assessment in his country. To this, Dr. Skelton said emphasis should be placed on the juvenile's abilities and interests. Professor Sugiyama added that considering the juvenile's abilities and interests is very important for reintegration. Ms. Caracelli, from Brazil, said that in her country the type of offence and age are the primary factors for consideration. The mental and physical development of the juvenile and his or her family situation are also taken into account. For the participant from Honduras, family background is a very important factor. The participant from Cameroon said assessment by probation officers is based on the traditional elements of age, type of offence, criminal history etc. The medical approach is used in age determination and type of offence is important in determining diversion.

Ms. Kuli said that in Tonga there are two kinds of assessments; one for pretrial diversion programmes and the other for court. Six elements are used: family background, health status, criminal history, social circumstances, educational status and economic status. Marks are allocated as follows; 0-9 is low risk; 10-17 is moderate risk; 18-25 is high risk. Drug abuse is a subtitle under the social circumstance category.

The participant from Iraq said the political situation is an important element in assessment in his country. Mr. Imamura said the social and economic situation should be also considered.

Concerning methods of assessment, the participant from South Africa said that in his country the assessment is conducted via interviews with the juvenile. The interviewers are probation officers, schoolteachers and parents. This is the same for Brazil.

In the case of Iraq, interview is carried out after identifying the juvenile suspect. The Honduras participant said police officers in his country carry out such investigations. In Cameroon and Tonga assessment is carried out through interviewing of juvenile offenders, family members, teachers, friends, church leaders, employers or any person who can provide useful information.

In Japan, as revealed by Mr. Imamura, interviews and questionnaires are used. Professor Sugiyama added that psychological tests are used by the juvenile classification home officer. To this, Professor Higuchi said psychological tests are not always effective because they do not guarantee that juveniles will speak the truth; therefore, professional judgment is very important. Still on assessment methods, the visiting expert from Canada, Dr. Hoge, said assessments should be standardized, the people who administer them should be well trained, and assessment of juveniles should be different from that of adults. He gave the example of the Case Management Index method which gathers and mixes information. In addition there should always be room for professional judgments and flexibility, and he emphasized that school officers should be taught basic risk/needs assessments because there is a danger that they may overestimate risk, especially risk of violence.

On the use of assessment, the participant from South Africa said the scoring sheets are used to determine level of delinquency, peer influence and other characteristics. In Cameroon probation officers have discretion to decide on the use of assessment results. This decision influences future determinations on diversion and premature release. In the case of Tonga, assessment results are used to evaluate the juvenile's characteristics and from this make an individualized treatment plan. They also enlighten on the composition of the panel members who will attend the juvenile hearing, the appropriate disposition and the elaboration of an appropriate rehabilitation programme. In Japan assessment results are used to determine the appropriate disposition and elaboration of treatment programmes.

#### **IV. DEVELOPMENT OF AN EFFECTIVE TREATMENT PROGRAMME IN ACCORDANCE WITH RISK AND NEEDS ASSESSMENT**

Under this topic the participants discussed the characteristics and circumstances of each juvenile which ought to be considered in order to develop a treatment programme, the kind of treatment programmes that could be introduced, and the kinds of resources that could be used.

Concerning the characteristics of the juvenile, the participant from Honduras said the juvenile's abilities and interests should be a primary factor for consideration, to which all participants agreed. Mr. Ndama added that in complement to the juvenile's skill and ability, community opinion should be considered since the community's acceptance of the juvenile favours his or her reintegration. Therefore, in determining risk there is a need to strike a balance between juvenile risk and social risk.

In Japan, as expressed by Mr. Imamura, evaluation of a juvenile's characteristics are based on the following classification elements: drug dependency, relationship with gangs, sex offences, psychological disorders (including mental disability), unemployment, level of education, school violence, and domestic violence. Professor Sugiyama mentioned that emotional maturity was also an important characteristic to assess.

Ms. Kuli explained that in addition to needs, skills, and the disposition of the community, the juvenile's health, physical condition and possible changes in his or her circumstances if he or she moves from one community to another, should be considered. All participants concurred.

Regarding treatment programmes to be introduced, participants agreed that they should be individualized as much as possible. This is the case in Japan where there are different treatment programmes according to different behavioural patterns and characteristics, such as sex offender treatment programmes, drug treatment programmes, vocational training, etc.

In addition, many participants admitted the insufficiency or poor enforcement of treatment programmes in their countries. In the case of Honduras there are 12 programmes for at-risk juveniles and a passive minors' programme. These programmes face problems such as lack of finances and inadequately trained personnel. They therefore need to be improved. In Cameroon, there is a need for a treatment programme for girls and drug offenders as the numbers of such offenders are increasing.

Finally, participants agreed that in addition to taking into account juveniles' abilities and interests, such as sports or music, treatment programmes should incorporate, as much as possible, elements of juveniles' former environments. For example, for juveniles who have links with gangs, the rites and role types that

feature in gang life can be used in the elaboration of a treatment programme for them.

Referring to possible resources the group unanimously agreed that institutional and community resources are necessary. In Japan, this involves professional probation officers and VPOs; in South Africa, it means assistant probation officers and probation officers; and in other countries it refers to probation officers.

Mr. Imamura asked what material is to be used by these officials and proposed the establishment of unified manuals to provide the same quality of treatment across all institutions. Mr. Ndama thought such a manual could minimize differences in knowledge and experience of probation workers, while Professor Higuchi thought that since crimes are varied, an excessively detailed manual would discourage independent thinking and initiative, thereby promoting incompetence. Professor Sugiyama expressed the view that a guideline rather than a manual was necessary and this should be associated with experience and discussion between professionals. This was agreed upon by participants.

The use of community resources was considered very important in community-based treatment, for example, in Iraq community treatment involves religious and tribal leaders with strong influence in the community. This may require political and financial aid. The *fono* in Tonga, where nobles and elders in the village meet to solve the juvenile's problems, is a further example.

It was noted that in many countries NGOs and religious organizations are the major providers of community-based assistance to juveniles. Workers in these bodies usually assist offenders on a voluntary basis and the organizations themselves usually face financial problems and lack of access to information. Given the above situation group members were unanimous on the fact that it's important for governments to provide necessary information and financial aid to these bodies. The role of the government in providing incentives to companies who employ juveniles and that of the mass media in sensitization of communities on the need, importance and advantage of community-based treatment as against prejudice and rejection of juveniles was highlighted. To this end, the Japanese example regarding incentives for employers was considered an example to emulate.

In relation to this topic certain difficulties were raised. Dr. Hoge mentioned that although community opinion is important, it is difficult to consider it in a large community where there are few or no relationships between community members.

Another problem raised by Professor Sugiyama was sectionalism, which makes it difficult for PPOs, VPOs and police to co-operate with schools. Nonetheless, she said this is changing due to co-operation from the community. In reaction to these difficulties presented, the group unanimously agreed that the use of opinion leaders within the community is crucial, coupled with media sensitization of the community. Nevertheless, the difficulty of how to sensitize the media to advance this aim remains.

## **V. DEVELOPMENT OF AN EFFECTIVE TREATMENT PROGRAMME CONSIDERING VICTIMS AND/OR RESTITUTION OF HARM CAUSED TO VICTIMS**

Under this topic, the group discussed the victim's feelings, expectations and needs; how, where and when offenders and victims should relate; and the third parties that should be involved in victim-offender contact.

On the aspect of victim's feelings, Dr. Hoge said anger and sorrow were common emotions experienced by victims. Also, victims may blame themselves, lose interest in their lives and isolate themselves from society, as mentioned by the participant from South Africa. Other concerns are cases where victims don't want to talk at all, even after a minor offence. This has happened in many cases in Brazil. With the victims having these feelings it is important to know what they want. The participant from Cameroon in relation to this said some victims may want justice to be done while others may not bother much about the offence. Still on this, Professor Higuchi said victims want severe punishment and they expect the government to provide such punishment. In order to take the victim's interest into consideration, compensation is important. Dr. Hoge said this could be monetary compensation or community work. Also, Mr. Ndama mentioned that victims may require only symbolic compensation, such as an apology. Professor Sugiyama added that victims want some information about the offender, the circumstances and facts constituting the offence. It is

noteworthy, as Ms. Imai mentioned, that in cases where the victim is seriously injured as a result of the offence and needs continuous medical assistance, or is permanently handicapped, the issue of receiving compensation becomes very serious.

Referring to how offenders and victims should relate, Dr. Hoge said that face-to-face meeting is the most useful but it is very difficult and needs to be applied carefully. In some cases, victims do not want to see the offender. Ms. Caracelli said that in Brazil, communities are shown a video on how juveniles are serving the community through voluntary work. Some victims feel more satisfied and less afraid after watching the video. Dr. Hoge added that although compensation is very important, restorative justice has to continue after restitution because there are needs of juveniles which need to be addressed.

The discussion that followed was on the matter of where victims and offenders should meet. Mr. Al-Taher said that in his country, they meet in a tribe guesthouse, a countryside place called the "Senate", or tribe police affairs where meetings are organized in conformity with the desires of the victim. Other participants proposed that the meetings should be held at the victim's house and or an administrator's office. Participants finally agreed on Ms. Kuli's proposal that a neutral place where both parties could relax, chosen through consensus and accepted by them both, was preferable.

Ms. Kuli also asked whether offenders could write letters to victims. Participants agreed that this was possible where victims were ready to read the letters. Participants discussed the inability of many offenders to write comprehensive letters due to their low level of education. It was unanimously agreed that face-to-face meeting between victims and offenders in a convenient place accepted by both parties is most desirable. Speaking on when victims and offenders should meet, Mr. Imamura said that victims' feelings usually show the following progression: firstly confusion; secondly anger and revenge when he or she finds out the facts constituting the offence; and thirdly wanting to act to achieve solutions. As such, the best time for the meeting between the victim and the offender is after the second stage. This opinion was unanimously accepted by all group members. Talking about third parties who should be included in victim-offender meetings, Mr. Rodriguez said the victim should be accompanied by a friend or somebody he or she trusts. The participant from Cameroon continued that in cases of sexual offence victims are often in a very sensitive situation and in the case of murder the bereaved family's feelings are very severe and this should be considered when deciding on the presence of third parties. Dr. Hoge highlighted the fact that the healing of the victim is a process and should be considered as such. Ms. Kuli was of the opinion that the victim's and offender's choices should be considered when deciding on the presence of third parties.

The group finally agreed that third parties were necessary for the successful conduct of victim-offender meetings but stipulated that they needed to be chosen carefully, taking into account the desires of both victims and offenders.

## **VI. CONTINUOUS COLLABORATION AND MAINTAINING LINKS WITH INSTITUTIONAL TREATMENT SERVICES (THROUGH-CARE)**

Under this topic the group discussed three issues: how to strengthen the relationship between related treatment agencies to create an integrated system; the efforts communities can make before they receive the juvenile, and the institutional change that can be introduced to enhance inter-agency co-operation.

Relating to the first issue, participants agreed that communication and exchange of information between treatment agencies and the community was crucial in increasing collaboration and co-operation between them. This nonetheless requires due regard for the juvenile's right to privacy and should be done in the juvenile's best interests. In this regard, information should not be given to just anybody and should be given for a good reason. Ideally information will be provided only to persons or bodies who have a positive stake in the juvenile's rehabilitation. In the case of Japan, there is a juvenile support team in which VPOs, police officers, child welfare centre officers and school teachers discuss juvenile aftercare treatment.

In Honduras, officials and bodies involved in treatment have access to only part of the information on the case of the juvenile; full access is the exclusive preserve of the judge. Ms. Kuli proposed in this regard that the probation officer should be responsible for information on the juvenile.

136TH INTERNATIONAL SENIOR SEMINAR  
REPORTS OF THE COURSE

Mr. Korff said depending on the country situation, the courts of the Social Welfare Department could be in charge of information on the juvenile. No matter what the facts of the case, it is desirable and in the best interests of the juvenile that the probation office has a perfect mastery of this information. Professor Sugiyama, from her Kenyan experience, posited a situation in which different agencies may use differently formatted documents, thereby creating misunderstanding. In this case the challenge of ensuring the use of identically formatted documents by all agencies is very important, because this enhances co-operation and collaboration. The participant from Honduras said this situation exists in his country, where NGOs use differently formatted documents, but agencies exchange information with them and everything works well. Exchange of personnel between agencies as a means of enhancing collaboration was also mentioned by Professor Sugiyama.

Concerning the efforts communities should undertake before they receive the juvenile, participants focused on community sensitization in order to ensure preparedness. The participant from South Africa said that in his country there is a "police forum" involving police officers, community members and invited experts, where juvenile offenders' issues are discussed and common solutions are sought. This makes the community more prepared to receive and accept the juvenile, and prevents stigmatization. Social events are also organized in the community for sensitization.

The participant from Brazil revealed that the above-mentioned approach is also used in her country and this raises community awareness of and co-operation with the reintegration of juveniles. To this, the participant from Tonga said that police officers and probation workers have connections with people who are influential in the community, to whom they can turn for help in sensitizing the community. She also underscored the important role of the mass media in community sensitization. Enhancing community preparedness also requires that the community has some information about the juvenile that they will receive. In this connection, Professor Sugiyama said the community needs to know what the juvenile wants to do after release, and it needs to understand what training the juvenile has received by visiting the institution or exchanging letters with staff.

Mr. Ndama proposed that the community be involved in activities of vocational training and living guidance within the institution. This will ready the community to receive and accept the juvenile because it can already identify with the juvenile when he or she is released.

With reference to what institutional change should be introduced to enhance inter-agency co-operation, the group had a heated discussion.

Mr. Ndama highlighted the fact that the link between the institution and the community is difficult to establish, but it is nonetheless desirable to continue treatment after the juvenile's release. It is therefore necessary to establish a formal public institution for aftercare. He continued that in Japan there is a formal link between institutional treatment and community-based treatment, but this is not the case in many other countries, like his, where commissions have been proposed in each province to act as a link between the institution and the community. Professor Sugiyama said in that in Japan, the parole board decides whether or not the juvenile will be paroled. Also, in some systems, such as that of Hong Kong, correctional institutions have a section in charge of aftercare activities such as job searching. Ms. Kuli said that in Tonga, the probation office is the link between institutional treatment and community-based treatment. Mr. Imamura mentioned the fact that establishing a good system of information was most important given that providing information to the community is more necessary than setting up a new government institution. Regarding the juvenile's right to privacy, he said information can be provided on an anonymous basis, on request. For example, when a company requests information for recruitment, the juvenile's name is not disclosed.

Mr. Ndama next proposed the establishment of a government agency which co-ordinates several community resources regarding the juvenile because he believes that an overly complicated system would be unclear and vague. He also said that the Japanese system is too dependent on volunteers. The participant from South Africa said to change institutions you must have good benchmarks and communication between agencies and everyone has to assume responsibility. In relation to the proposal to establish another institution which is mainly in charge of aftercare, the participant from Cameroon said it was an excellent idea, but mentioned one difficulty. According to him, most of the time corrections tend to be regarded as a consuming department and to convince the government to provide a budget for institutional change, it is

important to use cost-benefit analysis. This opinion was also shared by Mr. Imamura. To this, the participant from South Africa said that before carrying out institutional change it is necessary to carry out an impact study to show how corrections can decrease recidivism and save money.

## **VII. AN AFTERCARE SYSTEM WHICH HELPS MAINTAIN THE EFFECT OF CORRECTIONAL TREATMENT AND PROMOTES REINTEGRATION**

Under this topic, the group dwelt firstly on how aftercare should maintain the effect of correctional treatment; secondly on how it reduces the risk of reoffending; and finally how it enhances the juvenile's ability to reintegrate into the community.

Relating to the first subtopic, Ms. Caracelli said that in her country finding a job for juveniles is very difficult, and there is no aftercare treatment. She continued that there is an agricultural training school but it is not for juveniles. This school, she said, may be useful for juveniles and does not require a large government budget.

Ms. Kuli said continuous communication with the juvenile's family, school authorities and community is necessary. To this end, in her country, probation officers continue to keep in touch with family members and school members for at least six months. Ms. Caracelli mentioned that it is possible to work on continuous aftercare where the community can collaborate with the police and schools to help juveniles.

Mr. Korff said an impact study is very important to see whether the treatment was effective and if juveniles have re-offended. The participant from Cameroon was of the opinion that there is a big gap between community-based treatment and institutional treatment, and it is necessary to make efforts to reduce this gap since treatment has to be a continuous process.

Ms. Caracelli next highlighted the fact that it is important for juveniles to attend community-based activities, while for Tonga's participant it is also important to solve family problems before release and it is desirable for juveniles to attend counselling once or twice a week.

Professor Sugiyama said that in Japan it is necessary to provide many medical follow-up programmes such as hospital or clinic visits to treat the juvenile's mental disorder or psychological problem. Additionally, there is need for professional support to supervise the juveniles after release because supervising them is difficult for their family members. According to Professor Sugiyama, family support is very necessary and VPOs work in liaison with families, medical doctors, counsellors and other experts. The problem here is that very few of these professionals provide these services and the insufficiency of medical follow-up programmes makes it difficult to release the juvenile. Some people are thus of the opinion that a juvenile should remain in the institution for a longer period so as to get full treatment before he or she is released.

To this the participant from Cameroon said that a longer stay in the institution defeats the very purpose of juvenile justice which demands that juveniles be in institutions for the shortest possible time. This, according to him, is a controversial issue and should be a matter of public policy.

For the participant from Iraq, whether or not the juvenile has the support of family members after his or her release is very important. If he or she has no family member there is a need to provide a particular programme. This in his opinion is because when the juvenile is released, he or she may be taken care of by the probation officer for a few months but if there is no family member to take over he or she will go back to the streets and resume a criminal or delinquent lifestyle. The government therefore has to take care of such juvenile offenders and oversee their rehabilitation. He added that in his country the government provides counselling to increase the self-esteem of juveniles and the community has to accept him or her. Also, the government provides money to juveniles without jobs to get married and to start a small business.

Professor Sugiyama was of the opinion that establishing facilities requires a large budget. She said that in Japan the government gives compensation or financial aid to companies which employ juveniles. This was proposed as a good approach by the participant from Tonga.



136TH INTERNATIONAL SENIOR SEMINAR  
REPORTS OF THE COURSE

The participant from South Africa revealed that his government gives subsidies to certain organizations which provide free accommodation and food to released juveniles and the juveniles in turn do community work. Also, most churches carry out weekend activities where social workers and other professionals provide counselling, communication and social skills to juveniles.

The participant from Cameroon said that public opinion is sometimes very critical of government provision of facilities for offenders which are much better than those available to the law-abiding community. It is therefore necessary according to him to provide minimum service; this is the responsibility of the government because over-reliance on volunteer systems does not set a solid basis for aftercare.

He added that private individuals or companies can provide aftercare services and manage them under the supervision of the government, like the privatization system underway in Hong Kong and Japan. To this, Professor Sugiyama said halfway houses in Japan were established by private persons, but now the government provides about 70% to 80% of their budgets. She added that Japan is now planning to establish national halfway houses for offenders who are difficult to deal with and this may be useful to other countries.

For Mr. Imamura, the important thing is improving the juvenile's ability or awareness rather than giving any particular kind of aid. Also, Ms. Kuli said a post-release legal system is needed because most aftercare activities are carried out through personal or group initiatives.

On how aftercare can reduce the risk of reoffending the participant from South Africa asserted that the probation officer's role is very important. He continued that his country has a programme for adult and juvenile sex offenders called "Say Stop". This is an NGO programme, which aims at preventing offenders from committing further sex offences. He also emphasized the importance of stopping juveniles from engaging in relationships with peers, especially adults, who influence them negatively. The above-mentioned programme provides advice and counselling to them in this regard.

Mr. Rodriguez said that in Honduras there is no aftercare system. Co-ordination between NGOs and the government is therefore necessary. In his opinion, police officers could call such meetings. Ms. Imai said it is also important for NGOs to receive budgets from the government. This is because without such budgets, it is difficult for the government to supervise NGOs and they can't work effectively.

According to Ms. Kuli, an aftercare system has to accommodate the problems of the juvenile. This needs continuous assessment after release and the information has to be shared with family members. She added that aftercare has to continue until the juvenile is completely corrected or becomes an adult.

To this Mr. Korff reaffirmed the importance of continuous assessment to see if the juvenile is progressing and the crucial role of the probation officer.

Mr. Imamura said when we assess the risk and needs of the juvenile both before and after release, not only family problems but relationships with supportive persons are important. In addition, whether or not the juvenile has a job is important, not only because of money but also because it is important for him or her to contribute to society.

Mr. Al-Taher agreed with Mr. Imamura's opinion and added that the juvenile should also feel forgiven and not have a sense of guilt anymore in order to consider himself or herself accepted and admitted into the community.

Mr. Ndama was of the opinion that bad peer influence and recidivism can be reduced by changing the way the juvenile uses his or her free time. In this connection, treatment programmes should involve juveniles using their free time for healthy distractions and hobbies, such as the Midnight Programmes in Brazil. In this regard it is important to take the juvenile's interest into consideration and not impose on him or her activities which will not work.

Professor Higuchi said that in his experience, the juvenile is relatively psychologically, mentally and even physically weak. This makes him or her want to belong to a group and he or she tends to return to detrimental peer groups after release. It is therefore necessary to provide the juvenile with another group,

such as legal motorcycle riders or an agricultural activities group, which is involved in constructive activities.

Following this the participant from Brazil said that in her country, juveniles always talk about groups and they say the group is waiting for them. She agrees therefore, that it is very important to provide them with another group.

On aftercare enhancing the juvenile's ability to reintegrate into the community, Professor Sugiyama said the juvenile's parents always need continuous support because they tend to conceal the juvenile's case from their wider social circle. They are also afraid to ask for help because they are always criticized by other community members. She mentioned that in the case of Japan each prefectural police office has a support centre which the juvenile's parents can consult at no cost. Ms. Caracelli also added that the juvenile's family needs support in looking for a job and counselling by probation officers is very important for them. For Ms. Kuli, to make aftercare treatment effective, connecting with family and community members is very important and there is need for a legal system of aftercare treatment.

The participant from South Africa said that in his country, there is a "Skill Development Programme" which provides juveniles with skills so that they can find employment.

Referring to the family, the participant from Cameroon said it is one of the most important elements in ensuring that the juvenile is reintegrated into the community. According to him, counselling parents increases their ability to help the juveniles after release, making it a vital element of aftercare treatment. He went ahead to underscore the role of the victim in aftercare treatment. He said when the victim and offender are in the same community, the victim will be an important element in facilitating the juvenile's reintegration in cases where he or she has forgiven the juvenile. The victim can convince the community members to accept the juvenile as he or she has done.

Mr. Al-Taher said the volunteer system is very important because it has a direct influence on the community. He added that Iraq has a child adoption system which works very well.

### VIII. RECOMMENDATIONS

1. Community-based treatment measures must be in line with the needs of offenders. A board or governmental institution may screen these programmes before allowing implementation by NGOs and other community organizations. By doing this, the government may also need to set guidelines or regulations;
2. A treatment programme for the type of risk and need assessment should be developed by specialists and role players in co-operation with the police and departments of justice, social welfare, correctional services and prisons;
3. Considering the protection of the human rights of juveniles, governments must prioritize financial support of treatment programmes and concerned organizations;
4. Aftercare agencies should co-operate and collaborate with all institutional organizations. Communication and exchange of information and community resources between treatment agencies and the community is crucial in increasing collaboration and co-operation between them. This should take into consideration the juvenile's right to privacy, and should be in the juvenile's best interests. Identically formatted documents should be used by all agencies to enhance co-operation and collaboration among stakeholders;
5. The use of community resources such as religious groups, community leaders and police community forums should be highly considered for community-based treatment;
6. Third parties are necessary for successful victim-offender meetings but they need to be chosen carefully, taking into account the desires and situations of both victims and offenders;
7. Aftercare residences (halfway houses, etc.) should be established or increased to continue effective treatment of the juvenile within the community;
8. Continuous supervision, assessment and treatment of juveniles, and supports to their parents and families, should be maintained;
9. Treatment programmes should provide juveniles with healthy distractions and hobbies in which they have interest so as to reduce negative peer influence and recidivism.