

Country: The Netherlands

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Introduction

This section provides a broad overview of the issue of juvenile crime and juvenile crime prevention in the Netherlands. A brief account of existing Youth Care and Juvenile Justice structures are presented.

Juvenile Criminal Law in the Netherlands applies to young people between the ages of 12 up until 18 years of age. The Dutch government made it a priority to reduce crime by 25% between 2002 and 2010, which for juvenile crime meant a reduction of 10%. As will be detailed in the sections below, some progress has been made in reducing crimes committed by young people. In The Netherlands, a number of facilities, such as 'Justice for young people' ('Jeugd Terecht') and the Halt programme deal specifically with the implementation of juvenile criminal law.

In terms of prevention of youth delinquency and working with vulnerable young people more broadly, there exists a broad range of organisations and institutions that may intervene in a young person's life, jointly referred to as 'Youth Care' ('Jeugdzorg'). 'Youth Care' encompasses child protection services, care facilities, mental health care services and youth probation services. Organisations and institutions that may become involved in any case of a young person deemed to be at risk (of maltreatment, for example, or youth delinquency) can include a youth welfare institution, the police, local street coaches/neighbourhood teams, as well as a school. The weak coordination of efforts between the various actors that may become involved with vulnerable/at risk young people and/or their families has been a recurring point of attention and discussion in the Netherlands. In response to this shortcoming (as well as, concerns regarding the medicalisation of 'deviant behaviour' and, as a result, the high cost of interventions), the government has decided to devolve responsibility for 'Youth Care', including financial responsibility, to municipal authorities as per January 2015.

At present, responsibility for Youth Care resides at provincial level, which means funding is devolved from central to provincial level and provinces allocate resources to the provincial Youth Care Office and 'buys in' care from Youth Care institutions for young people and families if and when necessary (<http://www.rijksoverheid.nl/onderwerpen/jeugdzorg/jeugdzorg-in-de-wet>). The present study

details services and initiatives designed and delivered within the current set up, although some attention will be given to the upcoming changes as of 2015.

I. Developing prevention at early stages, overview of the systems

For purposes of the current study, ‘early prevention’ is defined as referring to a series of actions which aim to create an environment that deters children from persistent disruptive behaviour and early-onset delinquency. In view of this definition, the study on the situation in the Netherlands focuses on primary and secondary preventive measures and programmes.

The government considers ‘early intervention’ to play an important role in keeping minors from embarking on a life of crime, with ‘[s]wift and consistent punishment for offences’ on the basis of the juvenile criminal law to help reduce the incidence of crime (<http://www.government.nl/issues/youth-crime/reducing-youth-crime>).

Brief overview of Dutch legislation and measures

Early intervention for under 12

Children under the age of 12 cannot be prosecuted. The police either speak to their parents or refer them to a youth care office (Bureau Jeugdzorg). The courts can take measures when there is a risk that the situation could become unmanageable.

Parents of minors required to attend hearings

When a minor is tried for an offence, the parents or guardians are required to attend the proceedings so that the judge can get a sense of the family situation and the minor concerned. If the parents fail to attend a hearing, the court can issue a warrant to secure their attendance in court. In such cases, the police pick up the parents at home and escort them to court.

Parents are also involved before the trial. The police often talk to the parents and the Child Protection Board also establishes contact with them. The Youth Probation Service contacts them after the pre-trial detention order is lifted.

Education order for convicted minors and young adults

Since 2014, it is possible to place a young person (aged 12 to 23) who is convicted of an offence under an education order. An order of this nature would be imposed to ensure that the individual concerned resumes his/her education with a view to earning a qualification.

New criminal legislation for minors and young adults aged 15 to 23

Similarly starting in 2014, young people aged 15 to 23 may be tried either as adults or as minors. The main points of the new legislation are as follows:

Personalised approach

Court judgments will take more account of the individual's development. Some young people respond well to a tough approach, while others may benefit more from guidance, even if they are older.

Order for placement in youth protection and custody after young offenders' institution

A young person who has committed a serious offence can be placed in a young offenders' institution. If the individual still poses a danger after having served his or her sentence, the court can convert the sentence into an order for placement in a youth protection and custody institution.

Combination approach & reducing number of criminal gangs

The government strives to apply a combination of care, punitive, educational and employment measures. According to the Ministry of Security and Justice, this combination has been found to work well in dealing with criminal youth gangs (there has been a drop in the number of criminal youth gangs, from 89 in 2010 to 17 in 2013, but whether this is attributable to the combination approach is difficult to establish). Dealing with these gangs forms a policy priority in view of the threat they pose to society and the serious crimes generally committed by gang members.

Prevention of re-offending

Preventing re-offending by minors forms another important government priority. The government strives to implement the following measures to prevent young offenders from re-offending:

Personalised approach

The government aims to tailor the support provided to young people depending on their needs and stage of development. For example, an aggressive person can be ordered to attend a course to learn how to cope with and control aggression. The Offending Behaviour Programmes Accreditation Committee (Erkenningscommissie Gedragsinterventies Justitie) reviews the courses to determine whether they have actually had the desired effect.

Training and education programmes

When a young person is released from young offenders' institution, he or she needs to reintegrate into society by attending school or university, or finding a job. Training and education programmes provided at the end of the custodial period are intended to help them prepare for this.

Proper support and guidance

Young offenders' institutions, the Child Protection Board (Raad voor de Kinderbescherming), the Youth Probation Service (Jeugdrechtshulp) and municipalities work together in network

and process-related consultative bodies. They arrange shelter, income, education and/or work for young offenders upon release.

Bureau Halt

At the police level a unique form of alternative settlement is offered to young first offenders who have committed certain minor offences: the Halt programme. Juveniles who opt for this type of settlement agree to carry out a project that normally includes damage compensation and/or community service/training up to 20 hours. Even though the Halt procedure is included in the Dutch penal code, it can be regarded as an alternative to the formal justice system because charges are officially dropped once a successful Halt programme is completed, the juvenile is not prosecuted and a criminal record is consequently avoided.

Halt is a Dutch organisation with a national network of offices which aims to prevent and combat juvenile crime. The crime prevention activities of Halt consist of advisory services, educational programmes and the development and implementation of crime prevention projects. The activities are carried out at local and regional levels. Halt is also responsible for the enforcement of alternative punishment given to young people up to the age of 18. About half of the juveniles arrested by the Dutch police are referred to one of the Halt offices to undertake a Halt programme.

Young people under the age of 18 who commit offences such as theft (e.g. shoplifting), vandalism, graffiti, arson, fireworks nuisance, nuisance in public transport and truancy (as an experiment) can be referred by the police to a Halt programme. Each year over 20,000 juveniles are referred.

The Ministry of Security and Justice finances, and devises a framework for these programmes.

Halt is a play on words in the original Dutch, indicating there is an alternative. Juveniles are given the opportunity to address their wrongdoing and avoid prosecution. As an alternative to this out of court settlement, they have to perform training and/or community service tasks, apologise and/or pay compensation to their victims.

Halt calls on their parents to accept their personal responsibility and supports them in their role as educators. When there is a suspicion of underlying problems, Halt will refer the case to the appropriate professional youth care service. As it has built up a lot of expertise in preventing common juvenile crime, Halt carries out preventive actions and gives targeted advice to local authorities, schools and cooperating organisations. Local authorities supply most of the money for the crime prevention activities.

'Task-related punishment' (taakstraf) for young people

In some cases, a court may decide to sentence a young person to a form of punishment which, loosely translated, could be referred to as 'task-related punishment'. This form of punishment of juvenile delinquents may be in terms of unpaid work, a 'learning project' or a combination

of these. Any young person who is sentenced to this form of punishment is supervised by the Council for the Protection of Children.

Youth detention

Juvenile delinquents that are sentenced to youth detention measure are placed in a youth correctional centre. The maximum period of time a young person may be placed in a youth detention centre is two years for young people between the ages of 16 to 17 years. For young people between 12 and 15 years, the maximum period is one year. Whilst in detention, young people have to go to school and are given lessons in social skills and learning to deal with danger.

PIJ-measure (Placement in Youth detention centre/'Plaatsing In Jeugdstrafrecht')

Some juvenile delinquents, for instance those with developmental impairment or psychological difficulties, require intensive treatment and supervision to prevent recidivism. The PIJ-measure is for those that have committed a sex offense or violent crime. Upon receiving the verdict of the PIJ-measure, a young person can be placed in a youth detention centre. The minimum sentence is four years, the maximum seven years. During the final year, a young person may be released on probation during which they are supervised by a probation officer.

If a young person is older than 23 years of age, a judge can change the PIJ-measure into a TBS-measure. The acronym TBS stands for 'placement under a hospital order'. TBS is a treatment measure the court imposes on people who have committed serious offences and suffer from a psychiatric illness or disorder, which influences their behaviour to a greater or lesser extent. As a result the court does not hold these people fully accountable for their actions. However, for the part of the offence for which the person in question can be held responsible, the court can impose a prison sentence; the so-called combined sentence (e.g. eight years imprisonment in combination with TBS). In order to treat the disorder and prevent repeat offences (recidivism) TBS is imposed in addition to the sentence. The objective of TBS and combined sentences is to protect society (<http://english.justitie.nl/themes/tbs/>).

In deciding whether to sentence a young person to a PIJ-measure, a judge will consider the judgments of two behavioural experts and, in some cases, that of a psychiatrist.

Night detention

Night detention is a temporary form of detention for young people between 12 and 18 years. A young person goes to school or work during the day. S/he spends time after school (including nights) in a youth detention centre. In this way, the day-to-day life of a young person is disrupted less than if s/he spends entire days in detention. This measure is only applied in cases where a young person spends her/his day in a 'meaningful' manner, i.e. by attending school, in employment or taking part in a treatment programme. The location of the day programme has to be in the vicinity of the night detention centre and a young person is required to commit to the conditions of the sentence by signing a contract.

Behaviour modification measure

In cases where placing a young person in detention is considered to severe but a conditional sentence insufficient, a young person may be required to 'undergo' a behaviour modification measure. This kind of measure entails a young person participates in one or more training sessions or treatments, e.g. geared to dealing with anger or drug rehabilitation. A youth probation officer supervises the behaviour modification process.

Youth & crime in the Netherlands; trends

In the Netherlands, various methods are used to examine the developments in the number of young people who commit crimes. These methods may be divided into methods on the basis of self-reported delinquency on the one hand, and police and judicial statistics on the other hand. By means of self-reporting, insight can be obtained into the number of young people who stated that they had been guilty of committing an offence in a specific period. Police statistics provide insight into the number of arrested suspects of an offence. Judicial data, finally, provide insight into the number of prosecuted offenders.

Each of the sources has its merits and restrictions. Police and judicial statistics relate to all possible offences and relate to the entire population of suspects – arrested or otherwise – or prosecuted offenders of crimes. However, an important restriction of police and judicial statistics concerns the fact that not all offences (or offenders) are known to the police. These statistics strongly depend on criminal investigation efforts and the priorities set in terms of types of offences and groups of offenders. The method on the basis of self-reporting is independent of these efforts, but is limited mainly to minor offences and offences committed frequently. In addition, the disadvantages of self-reporting are that people may over- or underreport their offences, that it was not possible to verify all offences, and that only a limited number of young people are generally be asked for information.

Police statistics show that out of a population of 1,000 minors, the number of arrested suspects amounted to 18 in 1960. In 1985, this number had increased to 32, in 2007 to 57. Since 1985, 4% of all minors living in the Netherlands are apprehended by the police on suspicion of having committed a crime. In 2010, the cities Rotterdam and Groningen had the highest proportion of male suspects between the ages of 12 and 25 years (6%), whilst for girls (under the age of 18 years), the highest proportions were found in Leiden and Groningen (2%).

Most arrested/prosecuted juveniles commit crimes against property. The number of young men apprehended by the police roughly outnumbers young women five to six times, although the proportion of girls registered by the police as having been arrested has increased over the past years (<http://www.jeugdcriminaliteit.net/#aanpak>). By way of comparison, data emerging from research based on self-reporting reveal that between 55 - 65% of all young people between the ages of 12 and 18 years will at some time commit a criminal offense.

As reported in Laan, van der & Blom (2011a), there was a growth in the number of juvenile suspects of violent crimes registered in the period 1997 - 2007. A possible explanation,

according to the authors, may relate to reduced levels of social control on the streets and selective law enforcement, namely aimed at young people and risk areas. A recent study by the Scientific Research and Documentation Centre (Ministry of Security and Justice) and the Central Bureau of Statistics found the number of juvenile delinquents had decreased since 2007 (Laan, van der & Blom, 2011b). The decrease is especially noticeable in theft and handling stolen goods. This latter study details developments in the proportion of juvenile offenders among minors of 12 to 18 (and 18 - 25) years of age on the basis of self-reporting, and police and judicial data. The proportion of offenders refers to the number of offenders in relation to the total number of persons in the relevant age group.

Minors (12 to 18 years of age)

In 2011, a total of 54,000 young people below the age of 18 were suspected of having committed a crime. This represents a decrease of roughly 33% when compared to 2008 figures.

According to Van der Laan and Blom (2011b), the most important development in the most recent years of measurement (namely 2010) is the decrease in the proportion of offenders among minors of 12 to 18 years of age compared to the preceding year, irrespective of the type of data source used.

In 2010, the percentage of self-reported offenders of one or more offences was lower than in 2005. 2008 saw the first decrease in the proportion of minor suspects of offences that were arrested by the police following many years of rising numbers in the period up to and including 2007. This finding applies to various groups of suspects, such as first offenders, habitual offenders, and recidivists. In addition, the proportion of prosecuted offenders was lower in 2008 than in the preceding year (Laan, van der & Blom, 2011b).

Young adults (18 to 25 years of age)

The number of suspects and offenders among young adults has been assessed using police and judicial statistics, both yielding comparable developments. The most important findings were:

* In the most recent year of measurement (2010), the proportion of arrested suspects and prosecuted offenders among young adults decreased for the first time in years.

In the period 2003-2008, the proportion of arrested suspects and prosecuted offenders among young adults whose offence had been settled in court initially showed an annual increase; it subsequently stabilised, and was followed by a decrease in the most recent year of measurement. It is not known whether the decrease in the number of offenders among young adults concerns 'real' crimes, as findings are based on police and the judicial authority statistics. It should be noted that despite the decrease, the proportion of arrested suspects and prosecuted offenders among young adults has not yet returned to the lower levels registered in 2003.

* The recent decrease occurred among men and women and among most groups of origin, with the exception of young people of Moroccan descent.

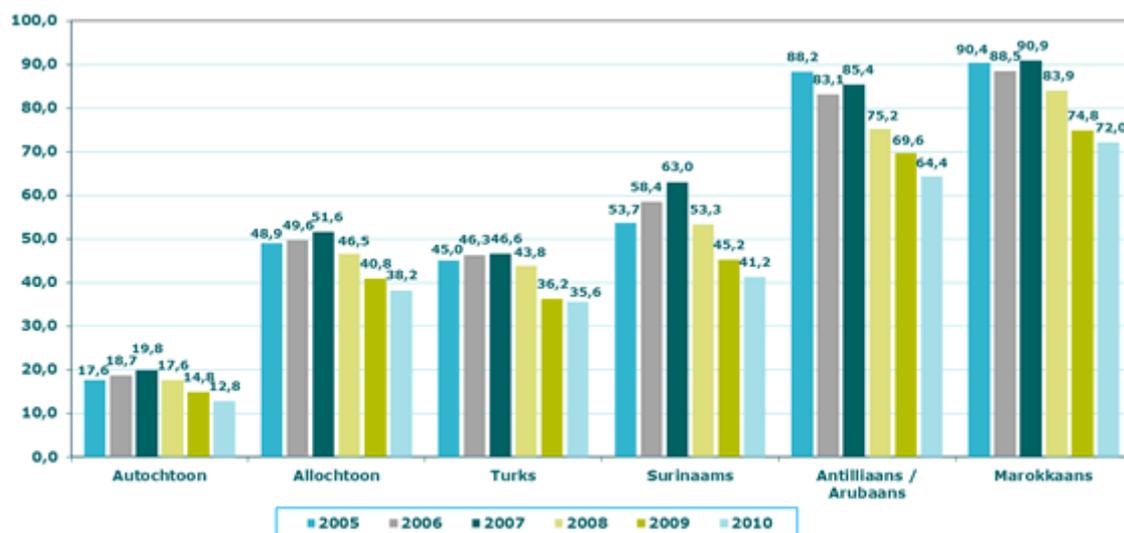
* The proportion of offenders who had committed offences against property has decreased while the proportion of offenders of violent offences remained more or less stable in the last few years.

* The proportion of community service orders among young adults imposed by the Public Prosecution Service showed a decrease for the first time after many years of increasing numbers.

* The proportion of court-imposed community service orders continues to rise.

* The proportion of orders for deprivation of liberty imposed on young adults continues to decrease.

Juvenile suspects and ethnic background (2005-2010)



Source: NJI (undated)

The number of non-Dutch natives that is arrested by the police is considerably higher than native-Dutch young people; in 2010 12,8 per 1,000 native-Dutch young people was arrested, while among non-native Dutch young people this amounted to 38.2 per 1,000 young people. Of all the young people living in the Netherlands, those of Moroccan descent are most frequently arrested upon suspicion of having committed a crime: in 2005, 90 out of 1,000 young people of Moroccan descent had been apprehended by the police, although in 2010 this decreased to 72.

Van der Laan and Blom (2011b) report the decrease in the proportion of suspects applies to all groups of origin (native-Dutch young people, Surinamese, Antillean, Turkish, or Moroccan). On the basis of self-reporting, however, the decrease in self-reported delinquency only appeared to apply to native-Dutch young people.

Juvenile suspects and gender (2005-2010)

The data did not reveal a decrease in all groups. Among boys, only the proportion of arrested suspects and prosecuted offenders decreased, among girls the decrease was only seen in the proportion of arrested suspects.

In the period 2003-2008, the proportion of young female suspects was highest among young women of Antillian descent, followed by Moroccan and Surinamese women. The proportion of female suspects was smallest among native Dutch women and young Turkish women. While crime rates have appeared to decrease among all groups of young people toward the end of the 2003-2008 period, the number of female suspects of Moroccan and Turkish descent has continued to increase.

Youth Justice, and Child & Youth Care and Protection System

Some historical background to situate the information to follow, i.e. to help understand the specific context in which, for instance, the child protection system has evolved

Particular attention should be paid to issues of gender, ethnic background and similarities/differences between rural - urban areas throughout the research* If people want to read more - there must be some references, researches (titles should be translated from national languages to English) etc.

A. Youth Justice System

The following section details the broad principles of legislation, paying particular attention to the extent to which children and young people have a say in decisions concerning their lives, and children and young people's rights are respected and put in practice more broadly. The section ends with a discussion of some of the primary alternatives to detention currently used in the Netherlands.

1. Broad Principles of the Youth Justice System

Juvenile sentencing is historically largely pedagogic and corrective in nature. In the Netherlands, juvenile criminal law can also be applied to 18 to 21 year olds if the Court decides that this is appropriate for the particular offender, or if there were special circumstances relating to the crime. By the same rationale, 16 to 17 year olds may be subjected to adult law.

The Youth and Crime Prevention Department of the Ministry of Security and Justice requested the Research and Documentation Centre (WODC) to describe and interpret developments in juvenile delinquency in relation to and specifically aimed at juvenile offenders and juvenile suspects. The reason for this is to be found in the offender-focused approach that has been chosen by the Ministry in its approach to tackling crime (Laan van der & Blom, 2010a).

In the Netherlands, the following groups of youth offenders are recognized (by the police):

- At risk youth: These have not yet offended, but the risk is there that they will do.

- First offenders: young people who have been arrested by the police for the first time for a criminal act.
- Light criminal youth: these have been arrested more than once
- Repeat offenders ('veelplegers'); young people that commit many criminal acts, but of a less serious nature than the 'hard core'
- Hard core youth: children and young people 12 to 21 of age who have committed serious criminal offences and have been in contact with police and justice before.

While, in principle, juvenile criminal law applies to all those below the age of 18 years a judge may decide to persecute a 16-17 year old according to adult criminal law, which allows for sentencing to longer prison sentences. Young people aged 16-17 years who receive a prison sentence under adult criminal law may be imprisoned in a youth section of an adult penal institution (DCI, 2012). Reasons for applying adult criminal law include the severity of the crime (e.g. murder) and the personality of the perpetrator. Child Protection Services will always give advice to the judge in these cases. A judge may equally decide to use juvenile criminal law for young people between 18 and 21 years of age. Here too the personality of the perpetrator may constitute a decisive factor if and when a choice needs to be made between juvenile and adult criminal law.

Currently the government is working on a new law for young people from the age of 15 to 23 years (inclusive). The new 'adolescent criminal law', which is expected to enter into force in April 2014, will allow the courts greater discretionary power in relation to cases which involve young people. The new law will allow judges to decide whether to apply youth or adult criminal law to all young people between the ages of 15 and 23 years, depending on young person's developmental stage and needs.

2. The right of children and young people in conflict with the law

Child Rights organizations in the Netherlands are critical of policies and programmes of the Dutch government. Defence for Children, for example, notes that in the Netherlands, policies have become more repressive and the capacity of youth custodial institutions (YCI) has grown exponentially (Detrick et al., 2008). The numbers of children in YCI have increased. The length of the sentence of youth detention has been increased for 12-15-year-olds from a maximum of six months to 12 months. For 16- and 17-year-olds, the maximum sentence increased from six months to two years, and this group may, furthermore, also be tried and sentenced under adult criminal law.

As Detrick and colleagues (2008) note, the Convention on the Rights of the Child (art. 37(b)) states that the arrest, detention or imprisonment of a child 'shall be used only as a measure of last resort and for the shortest appropriate period of time'. However, in the Netherlands each year more children are being deprived of their liberty. In 2002, 3,900 children were held in a youth custodial institution (YCI). In 2005, it rose to 4,965, then falling slightly in 2006 to 4,726 children. Despite this 'stabilisation' of the numbers of children held in YCI, the government increased the capacity of youth custodial institutions with 172 new places in

2008, 127 places in 2009 and 146 in 2012. The increase in YCI capacity is, furthermore, at odds with the decrease in youth criminality detailed in the sections above. As the increase in YCI capacity may be seen as illustrative of the increasingly punitive regime has come into practice during the last decade, in which, overall, more and more severe punishments are given and a substantial number of children is held in pre-trial detention (in 2006, for example, 40% of the average population of children in YCIs were in pre-trial detention).

The UN Convention on the Rights of the Child and custody in police cells

In 2011, DCI published the report 'A few nights in the cell', documenting findings with regard to the (high) numbers of minors that were held in custody in the Netherlands and their treatment whilst in police cells.

Over the past few years Defence for Children has received alarming signals on the high number of minors being held in custody in police cells in the Netherlands, and on the way these minors are treated during their custody. DCI analysed the extent to which policy and practice in the Netherlands met the UN Convention on the Rights of the Child (UN CRC) and other UN-rules and regulations concerning juvenile justice.

Based on its analysis, DCI concluded that, for a number of reasons, the Netherlands can be seen to have failed to comply with the UN CRC in relation to the custody of minor suspects in police cells. To begin with, according to the UN CRC minors have a special legal status, meaning that the Netherlands should, where necessary, alter laws, policies and practices to bring them in line with Convention. DCI found that treatment of a minor suspected of having committed a crime barely differed from that of adult suspects. There are few separate departments or child friendly cells and minors were often found to be ill-informed as to their rights (e.g. the right to make phone call).

According to the DCI study, crime detection was of higher interest than the (best) interest of the child. The UN CRC states that the arrest, detention or imprisonment of a child will be in accordance with the law and shall only be used as a measure of last resort and for the shortest possible period of time. DCI found that particularly during the first three days of pre-trial detention, the best interest of a child was given insufficient attention. There are no clear criteria in use to decide whether detention of a minor is actually necessary, meaning that the meeting with the judge - which might only be after three days - may be the first moment the grounds for detention are examined.

Pre-trial detention, duration of stay in police cells and alternatives to detention

While the number of minors that has been interrogated between 2008 and 2010 has decreased from 59.750 to 49.015, the number of minors that has been detained has increased over that same period, namely from 8.261 in 2008 to 9.316 in 2010. This suggests policies in the Netherlands are not geared toward decreasing frequency of detention of minors in police cells.

According to the UN CRC a child should be detained for the shortest possible period of time. In the Netherlands, minors can be detained in a police cell for a maximum of sixteen days and fifteen hours. In surrounding countries, such as Belgium, Germany and England, the

maximum length of stay is under 24 hours. Another critical issue raised by DCI concerns the lack of alternatives for detention. DCI reports that there are few possibilities to settle matters out of court during the three-day pre-trial detention period. In addition, there is no national diversion system, and no alternatives to detention are offered. There is no legal system for restorative justice and mediation, and, contrary to neighbouring countries, these methods are rarely used after first contact with the police.

The right to information and legal assistance

Minors have the right to be informed about their rights in a manner consistent with their age. The DCI study revealed that, in practice, this rights is not always respected. It was found that, at times, information was not readily available, or was not presented in a manner that was comprehensible to a minor. Additionally, access to legal assistance was not always free of cost, which it ought to be. Finally, there is no national protocol or set of instructions to guide police in their work with young people, DCI finding that minors were often confronted with police and judicial authorities that were not specialised in working with children.

Coercion and violence are not prohibited by Dutch law

The use of coercion and violence is not prohibited by Dutch law, and is there no guarantee that these methods are not applied in police dealings with young people. The risk posed by the absence of legislation around this issue is compounded by the lack of adequate supervision of the circumstances under which young people are held in police cells.

DCI concludes that, at present, Dutch laws, regulations, policies and practices do not comply with the UN CRC, and particularly what the convention stipulates in relation to (pre-trial)

detention of minors.

Adapted from: Berger & Kroon (2011)

3. Diversion measures

Besides a prison sentence or a monetary punishment, it is also possible that young people in this age group are given a monitoring/support measure through the Youth Parole System or that they get an ‘educational punishment’.

B. Youth care system from the scope of juvenile crime prevention

Introduction

The following section describes the youth care system in the Netherlands. Child protection, as part of a larger youth care system, has a long history in the Netherlands. Until the 1950’s,

1960's the care for children who could not stay within their own families (for whatever reason) was mainly in the hands of institutions representing the different (religious) pillars in Dutch society. There were, for example, orphanages for catholic kids, for protestant kids (with subdivisions amongst those protestants) and for children from socialist families (strangely enough 'socialism' was kind of a separate pillar in Dutch society). Those days are now long gone. The Netherlands has followed a similar route as many other so called well-developed countries, and very close to what has happened in Scandinavia, whereby care provisions for children and youth have become accessible to all, irrespective of background, and with as their primary aim to provide family type forms of care. Prevention of all kinds of negative developmental pathways for children, including juvenile crime prevention, has been considered of primary importance. The Netherlands is also one of a few countries where the International Convention on the Rights of the Child has been made integral part of its constitution. Another important trend in the past hundred years, has been a shift from mostly community based, volunteer care for children, towards an almost complete professionalization of such services. Recently there is some reversal of that trend, but it's too early to know if and how this will continue. Overall one can say that in the Netherlands there is an elaborate system of youth care, which includes measures to prevent juvenile delinquency, and is linked to other systems, such as juvenile justice. This however does not necessarily mean that the current system is very effective, either in protecting children against violence or in preventing kids from committing criminal acts.

1. Description of the youth care system & monitoring mechanisms

Dutch definition of Youth

In the Netherlands, the term youth is applied to children and young people from 0 up to the age of 24. In 2011, there were almost 5 million children in this age group. One in five young people in Holland have an ethnic background. As in most other industrialized countries, the proportion of youth in the total population is decreasing. More statistical information about the situation of youth in The Netherlands can be found on the national Youth Monitor website (<http://jeugdmonitor.cbs.nl/en-gb/>).

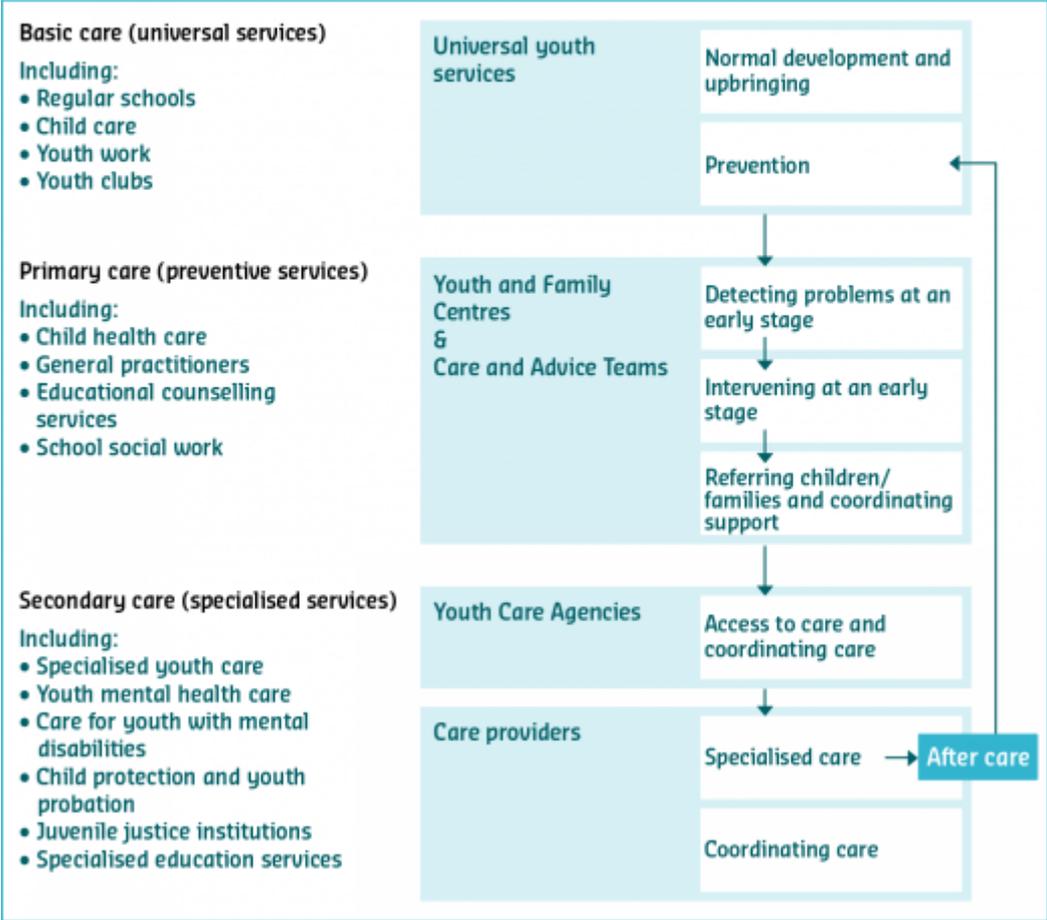
Child welfare and child protection

In The Netherlands the Ministry of Health, Welfare and Sport is responsible for overall youth policy and most specialised services for families and children. The Ministry of Security and Justice is responsible for juvenile justice policy (<http://www.youthpolicy.nl/yp/Youth-Policy/Youth-Policy-subjects/Child-protection-and-welfare/Juvenile-justice-policy>) and related institutions. The Ministry for Security and Justice is responsible for the Child Care and Protection Board.

The 15 provincial authorities/large urban areas and 408 local authorities also have responsibilities regarding youth policy and related services. They carry out their tasks with a great degree of autonomy. The Dutch youth care system consists of different services:

The Dutch Youth Care System

The Dutch youth care system



Source: www.youthpolicy.nl

In The Netherlands the Ministry of Health, Welfare and Sport is responsible for overall youth policy and most specialised services for families and children. The Ministry of Security and Justice is responsible for juvenile justice policy and related institutions. The 15 provincial

authorities/large urban areas and 408 local authorities also have responsibilities regarding youth policy and related services. They carry out their tasks with a great degree of autonomy. The Dutch youth care system consists of universal services, preventive services and specialised services. Different layers of the Dutch government are responsible for coordinating these services.

General and preventive youth policy

Municipalities in the Netherlands (of which there are 408 in total) are responsible for universal and preventive youth policy.

Universal services (basic care)

Universal services are for example youth work, child care and regular schools. These services aim to facilitate the normal development of children and to prevent small problems of children and families turning into severe problems.

Preventive services (primary care)

The municipalities are also responsible for preventive youth policy. Preventive services (or primary youth care services) are for example child health care, general social work, parenting support and the Youth and Family Centres. These preventive services aim to detect problems at an early stage, to intervene at an early stage, to coordinate support and to refer children and families to the provincial youth care services.

Specialised services (secondary care)

Both the regional and national government are responsible for the specialised services for youth and families. Specialised services are for example the provincial youth care services, youth mental health care services and child protection services. In The Netherlands, 12 provinces and 3 large urban areas are responsible for the so-called Youth Care Agencies and the youth care services.

Youth care agencies

The provincial Youth Care Agencies are access points for the provincial youth care services. These independent agencies assess the needs and the situation of children and families with serious development and/or parenting problems and refer them to these services. The provincial Youth Care Agencies are also responsible for the coordination of care, youth protection and youth probation.

Care providers

In contrast, several kinds of care providers provide specialised care, coordination of care and aftercare. This includes the provincial youth care services that provide specialised youth care, such as intensive ambulatory support and specialised pedagogical support at home for multi-problem families, semi-residential care, residential care, foster care and secure care. Other

kinds of specialised care includes for instance youth mental health care and care for youth with mental disabilities as well as youth probation as child protection.

Relevant Dutch legislation on children and young people

In the Netherlands there is no encompassing law for issues on children and young people. However, two laws are very important:

The Social Support Act

On 1 January 2007 the Social Support Act (in Dutch: Wet maatschappelijke ondersteuning - Wmo) came into force. The Social Support Act (2007) holds municipalities responsible for setting up social support. The aim is participation of all citizens in all facets of society, if necessary with help from friends, family or acquaintances. The local authorities have a high degree of freedom regarding the implementation of the law's nine so-called 'performance areas'. Regarding preventive development for children and parenting support for parents all municipalities must:

- offer information and advice;
- identify possible problems;
- give guidance to help;
- offer pedagogical help;
- coordinate care.

The Youth Care Act

The Youth Care Act (in Dutch: de Wet op de Jeugdzorg), introduced in 2005, is the legal framework of youth care services for youth at risk and their families. It aims to ensure that high-quality care is available to young people and their parents and to strengthen the position of young people and their parents. According to this law, children that received an admission to care from a Youth Care Agency can claim their right to actually receive youth care. This act will be replaced by the Youth Act at some point at the end of 2013.

Separation of child protection and youth justice placement

Until a few years ago, young people with severe behavioural problems with a child protection measure were placed in the same institutions as young people who have committed an offence and who have been sentenced. This was not a satisfactory solution. Therefore, new secure institutions have been created in The Netherlands for the care for the group of young people with severe behavioural problems.

Future of the child welfare system in the Netherlands

The Dutch government plans a decentralisation of all administrative and financial responsibilities related to youth policy from the national and regional government to the local government in 2015. This means that municipalities will become responsible for a wide range of services for children and families, ranging from universal and preventive services to the earlier mentioned specialised (both voluntary and compulsory) care. This is expected to enable municipalities to develop integrated policies and to offer care made to measure and support, geared to local and individual situations and needs. This decentralisation should also lead to a cost reduction. Within the new youth care system it is the local government's duty to help a child, within the range of its possibilities, in such a way that it can grow up safely and healthy.

The document 'The decentralisation and transformation of the Dutch youth care system' outlines the planned changes in the Dutch youth care system.

Related changes

The changes in the youth care system do not stand alone but is interdependent with decentralization measures in the budget and policy for special health care, employment (work according to ability) and suitable education. The government wants to enable youth to participate in a civil society. Important criteria are the own power of civilians, the application of social networking and work as demand driven as possible.

Generalist teams

Many professionals and local policy makers are now experimenting with new ways of working, for example in the so-called generalist teams. These teams consist of professionals from various social work and public health disciplines that work together to support children and families.

The document 'Generalist working with youth and families in The Netherlands' offers a first glance at these generalist teams, their aims and objectives. It also outlines the necessary competences of the professionals working in these teams.

From well-becoming to well-being

Within the Netherlands, there is also a growing emphasis to work towards strengthening the 'well-being' rather than the 'well-becoming' of all children and young people between 0 and 25 years. To work from a merely 'risk-oriented' towards a more 'development-oriented' approach. The focus is therefore to create a more inclusive policy for children and young people within the context of their families, on the streets, in school, in their leisure time in sports and cultural activities or within their youth (work) networks and associations. Programmes and projects do not only implement the values but it is crucial to realize that the view on wellbeing, on development and on participation is the basis.

The brochure 'Including all children and young people' contains several examples of this so-called positive youth policy.

Stakeholders' advice

In the last few years, many stakeholders in The Netherlands expressed their views on the ideal youth care system. Several stakeholders plead for a transformation of the youth care system, not just a decentralisation. For example, in its report 'De-caring and Normalisation' of April 2012 the Council for Social Development (RMO) advocates reinforcing primary services for youth and families. It also argued for normalising parenting problems, empowering families, activating families' social network, continuously investing in a strong social pedagogical environment and increasingly relying on professionals in the universal and preventive services.

The document 'Decaring and normalisation: towards strong primary services for youth and families' (Dorien Graas 2012), outlines the views of the Council for Social Development (RMO) in more detail.

2. Criteria for placement or supervision

Child Care and Protection Board

The Child Care and Protection Board has several tasks, including child protection. It can become involved with the family in cases where other forms of assistance have insufficient or no effect. The Ministry for Security and Justice is responsible for the Child Care and Protection Board. In some cases, the circumstances of a child and its family are so alarming that voluntary assistance is no longer sufficient. Sometimes, a family does not accept the assistance.

In such cases, the Child Care and Protection Board (Raad voor de Kinderbescherming) will be called in. It reviews the necessity to impose a protective measure. During an investigation, the child welfare investigator of the Board will thus determine whether the child's development is indeed at risk, and if so, to what extent. When the Board concludes after an investigation that the child should be assisted, it will advise the court to impose child protection measures.

Child protection measures

There are different kinds of child protection measures the court can impose, namely family supervision order and a consensual or non-consensual divestment of parental responsibility.

Family supervision order

The most frequently implemented child protection measure is a family supervision order ('ondertoezichtstelling'/ OTS). The objective of the family supervision order is to find a solution for the problems that threaten the development of the child. With this order, a family supervisor from the Youth Care Agency is assigned to the child. The family supervisor

provides help with a child's care and upbringing and counsels the child and the parents when resolving parental problems. The family supervisor draws up a plan for this purpose, together with the parents and remains involved until the situation of the child has improved. The family is required to accept this assistance of the family supervisor. In such cases, parents retain parental responsibility. They remain ultimately responsible for the child's upbringing. If necessary, their parental authority may be restricted at the request of the family supervisor.

The maximum duration of a family supervision order is one year. If necessary, it can also be extended for a maximum of a year. In principle, a child who is under a supervision order continues to live at home. In some cases it is in the best interest of the child to be placed in a children's home or foster home, at least temporarily. This requires agreement of the court in the form of a custodial placement authorisation.

(Non) consensual divestment of parental responsibility

In some cases, parents prove to be incapable of taking charge of the care and upbringing of their child. If this is the case, the parents may be deprived of parental responsibility by court.

- Consensual divestment of parental responsibility (relief)

Parents may temporarily lose their parental responsibility if they have shown themselves to be incapable of bringing up their child through incapacity or unsuitability. This is called consensual divestment or relief. The parents will remain involved with their child. The court cannot issue consensual divestment of parental responsibility without parental consent. However, there are some exceptions, for example when the parent has a mental disorder that impairs his/her judgment.

- Non-consensual divestment of parental responsibility (discharge)

The court may decide that parents should lose their parental responsibility if they have culpably ill-treated their child. In this case, the court may issue an order divesting them of parental responsibility without their consent. This is also called discharge.

In case of consensual as well as non-consensual divestment of parental responsibility, the authority of the child is delegated to someone else (a guardian). In most cases, the parental responsibility is delegated to the Youth Care Agency. The child will go to a foster family or residential care. After some time, parents may apply to the court to have parental responsibility restored. If it is in the interest of the child, the court will grant this application.

Child protection: figures

Family supervision orders

After an earlier increase, the number of implemented family supervision orders has been decreasing in The Netherlands since 2009. More specifically, from 2005 until 2008, the number of implemented family supervision orders increased by 34% and the number of extensions by 48%. The past decade, the number of family supervision orders reached its high of 33,168 at the end of 2009. Since then, the number decreased by around 2 percent per year.

At the end of the third quarter of 2012, the number of implemented family supervision orders was 30,973.

Custodial placement authorisations

Because of recent changes in the way of registering custodial placement authorisations, it is difficult to describe trends for this topic. What we do know is that at the end of the third quarter of 2012, there were:

- 11,978 custodial placements authorisations with a supervision order
- 7,202 custodial placements authorisations with a guardian

In addition, the number of implemented custodial placement authorisations rose by 47% from 2005 until 2007 and the number of extensions by 58%. During the 2008-2009 period, this effect has levelled off or even decreased.

Possible explanations for earlier increases

There are three possible explanations for this temporary increase in the number of child protection measures:

1. An improvement in the detection of families at risk
2. A lowered threshold for reporting
3. A temporary so-called Savana effect: an increased fear in the escalation of problems that resulted in quicker reports and quicker applications for measures. Savana was a toddler who died after a long period of serious abuse by her mother, despite that she was under supervision of the child protection services.

Sources and additional reading

The English summary of a 2010 report about developments and regional differences in the number of family supervision orders and custodial placement authorisations contains these data about these child protection measures in the period 2005-2009.

A letter (in Dutch) from the State Secretary of Security of Justice to Parliament of January 2013 contains more recent data.

The data about increasing rates of out-of-home placements were taken from Gilbert's (2011) article 'A comparative study of child welfare systems: Abstract orientations and concrete results'.

3.Recreational activities and the issue of budget

As was clarified above, the youth care system as well as measures to prevent juvenile delinquency in the Netherlands are in a state of flux. It is difficult to predict how things will look and play out in practice after the transition of responsibilities to the municipalities takes

effect in 2015. But the general expectation amongst professionals is that there is a time of confusion upon us.

Prevention and community-based actions seem to be at the forefront, also because severe budget cuts will necessitate authorities and service providers to change many of their current approaches. If that will lead to more recreational activities for children and young people in their neighbourhoods, with the aim of preventing youth crime and so forth, is again impossible to predict. The effects of prevention are always the hardest thing to proof, and politicians are usually more interested in short-term impact, so it remains to be seen if more preventive approaches really will gain ground.

Youth work and participation

Youth work is a low-threshold provision for all young people. Youth work in the Netherlands is divided into age groups. There is work with children (4-12 years), work with teenagers (10-14 years) and youth work (12-23 years). A youth worker is a coach and counsellor for young people in their own living environment.

According to the Netherlands Youth Institute, youth work:

- takes place outside school, work and family
- focuses on (groups of) young people
- focuses on the age-group 12-23 years
- organizes activities for and with young people
- has a pedagogical purpose: promoting the personal development of youth and confront them with their own behaviour
- has a social target: promoting social inclusion of youth, and democratic citizenship, and preventing behaviour problems (vandalism, crime, school drop-out)

The main goal of youth work offered by professionals and volunteers is to offer trust-based guidance, support and group interventions to enable all young people to develop their competences and to participate fully in society. The job of a youth worker is varied and the work addresses the promotion of youth participation, non-formal training, education inside and outside schools, parenting issues, reinforcing of social connections in the community and meeting people and creating opportunities for recreation.

Youth participation

In The Netherlands, there is no specific definition of youth participation. Participation is a generic term. On one hand, participation can be described as young people's opportunities to influence decision making structures. On the other hand, it also relates to young people's opportunities to take initiatives to be actively involved in society.

The responsibilities for preventive youth policy, including participation, are laid down in various sections of the Social Support Act. In practice, youth participation is getting more and more attention in the Netherlands due to the growing positive approach to youth policy.

Volunteering

Leisure time and volunteering work are primarily the responsibility of the local authorities in the Netherlands. The way young people spend their leisure time has changed dramatically over the past decades. One important change is that where in earlier times many leisure time activities took place in public places – in the street or on the sports field – and often involved other people, today leisure time activities are far more individual in nature. As a result, social-cultural facilities and volunteer youth work have suffered a decline in interest.

C. Education system (10 - 18 years old) form the scope of Juvenile crime prevention

Access and levels of attainment

In the Netherlands, everyone has a right to education. The obligation to attend school is laid down in the Compulsory Education Act 1969. Each child must attend school full-time from the first school day of the month following its fifth birthday, although in practice, most schools accept children from age four. The participation in education of 5 to 14-year-olds in the Netherlands is 99 percent (Versteeg, 2013). The participation in education of the 15 to 19-year-olds is 86 percent. Compulsory education is free of charge. From the age of sixteen, education is partially compulsory (partiele leerplicht), meaning a learner must attend some form of education for at least two days a week. Compulsory education ends when learners turn eighteen years old or when they attain 'basic qualification' ('start kwalificatie'). This basic qualification allows them to enter the labour market and/or pursue further education.

The education system in the Netherlands is structured around interlinked trajectories of general and vocational education. The linkages between the general and vocational trajectories offer young people and adult students a variety of pathways to the labour market and/or further studies. In elementary and secondary schools, pupils are assessed annually by a team of teachers who determine whether they advanced enough to move on to the next grade. Making a learner retake a year is considered to have a profound impact on a person's life and decisions regarding this matter are, therefore, not taken lightly. Mechanisms are in place to avert retaking years, such as remedial teaching and other forms of guidance. As a result, retaking a year is uncommon.

At the age of 12 years and having completed primary education, 94% of learners enter what is referred to as continued education (VO). Following completion of VO course year two, the majority (53% of all pupils) continue to Vocational Education and Training Preparation (or 'VMBO'), 39% go on to HAVO or VWO. HAVO and VWO are two different levels of general education, HAVO preparing young people for Higher Professional Education (HBO), and VWO preparing learners for university (WO) level studies.

Most VET (or 'MBO') students come from VMBO. They can finish at International Standard Classification of Education (ISCED) levels 1, 2, 3 or 4, the latter offering the possibility to

enter Higher Vocational Education (i.e. HBO). Sixteen percent of any cohort of school starters continues education at HBO level. Another sixteen percent enters the labour market directly from VET (i.e. MBO).

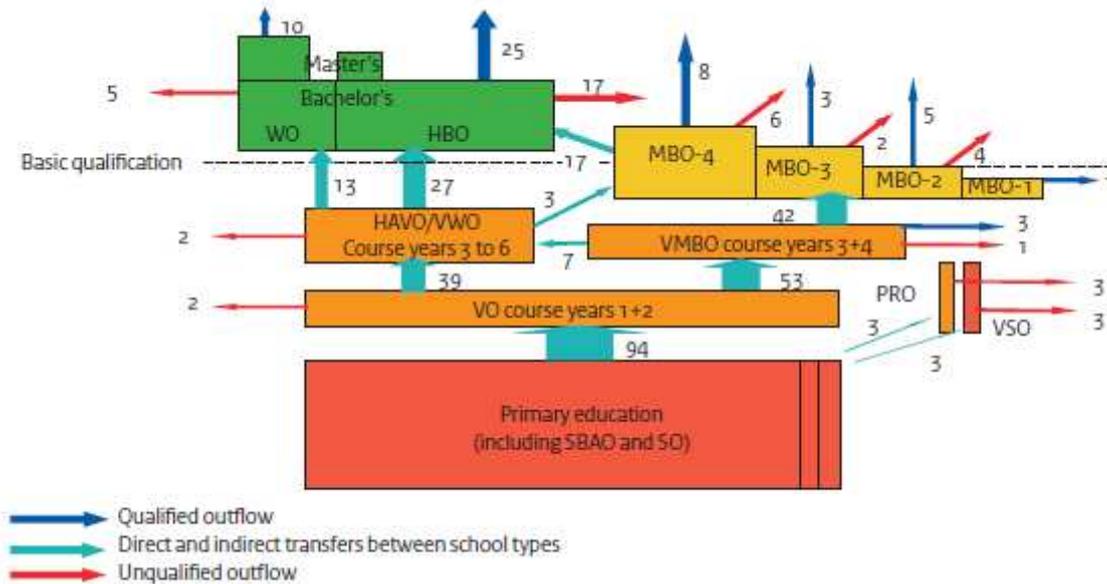
The Law on Compulsory Education stipulates that young people need to obtain ISCED level two qualification before entering the labour market, which is equivalent to the ‘basic qualification’ referred to above. In practice, attaining ISCED level two means a learner has completed MBO2, HAVO, VWO or higher. Those who do not make this level are considered to be early school leavers. Young people who have not yet reached ISCED level two are required to study until the age of eighteen or until they reach this basic qualification (‘start kwalificatie’).

Education is seen as an important tool to combat poverty, social exclusion and marginalization. Early childhood education (Voor- en Vroegschoolse Educatie/VVE), the detection of potential disadvantages among young children and increased enrolment in pre-schools of children from disadvantaged backgrounds are important priority areas in educational policy in the Netherlands (Thijs e.a., 2009). By offering free early childhood education (during half of the regular school day and largely only to children from disadvantaged backgrounds), the government strives to address language and/or other educational disadvantages at an early stage.

International studies show that while overall scores of Dutch students are good, at secondary school level 2009 results in Dutch language and arithmetic show a decrease when compared with results from 2003 (Versteeg, 2013). To increase school retention and address disadvantage, the Dutch government is, therefore, paying particular attention to learners’ abilities in terms of Dutch language and mathematics. Several policy initiatives are being taken to improve results, such as ‘benefit focused work’ (opbrengst gericht werken), which entails systematic evaluation of the benefits of the school programme in relation to a learner’s needs and adaptation of the programme if and when necessary. Other initiatives that have been found to improve learners’ achievements include the development of community schools (‘brede scholen’), i.e. schools that collaborate with other social services such as health and welfare services, police, and sports and cultural institutes in order to enhance pupils’ opportunities for development.

Overall, the enrolment of learners from ethnic minority in primary education is satisfactory (Versteeg, 2013). At the start of compulsory education at the age of 5, all children are enrolled in primary education. All pupils complete primary education, though, on average, their achievements in language and mathematics are lower than those of native Dutch pupils. Because of these lower accomplishments, more immigrant pupils enroll at lower levels of secondary education compared to native Dutch pupils. Pupils from non-Western origin more often enroll in a pre-vocational secondary education program and also qualify more often for learning support, than native Dutch pupils and non-Dutch pupils of Western origin (Thijs e.a., 2009).

Figure 1: Diagram of the Dutch education system, including transfers within the system



Source: Key Figures 2005-2009 (Ministry of OCW).

Basic qualification = at least a VWO, HAVO or MBO-2 diploma.

Explanation of abbreviations: WO = wetenschappelijk onderwijs – scientific education; HBO = hoger beroepsonderwijs – higher professional education; MBO (4 levels) = middelbaar beroepsonderwijs – upper secondary vocational education; VWO = voorbereidend wetenschappelijk onderwijs – pre-scientific education; HAVO = hoger algemeen voortgezet onderwijs – upper secondary general education; VMBO = voorbereidend middelbaar beroepsonderwijs – lower secondary general and pre-vocational education; VO = voortgezet onderwijs – (general) secondary education; PRO = praktijkonderwijs – labour-oriented education; VSO = voortgezet speciaal onderwijs – secondary special education; SBAO = speciaal basisonderwijs – special primary education; SO = speciaal onderwijs – special education.

Special schools

In the Netherlands, the term ‘special education’ refers to education for children and young people with a physical or intellectual disability and/or serious behavioural or learning difficulties. Pupils with special needs may be educated either in special schools or in mainstream schools. Current policy is to encourage integration of special needs pupils into mainstream schools, wherever possible, with extra support provided. Four types of disability-specific special schools exist, namely:

- a) children with a visual disability or children with multiple disabilities and a visual disability,
- a) deaf children or those that are hard of hearing, children with serious speech impairment or children with multiple disabilities who also have one of these disabilities,

- b) children with a physical disability, with severe learning difficulties and children that have been ill for a long time and have a physical disability, or children with multiple disabilities who also have one of these disabilities, or
- c) children with severe behavioural difficulties, psychiatric condition, such as ADHD, autism or Gilles de la Tourette.

The national policy is moving towards "suitable education" (passend onderwijs), whereby a learner's strengths and weaknesses are identified with a view to selecting the most appropriate educational pathway and level of qualification. A strong emphasis is placed on the specific needs and positive capabilities of the individual, rather than on limitations.

Early school leavers

Recent data shows that the number of young people leaving school without basic qualification is decreasing. In the school year of 2012-2013, 27,950 young people left school without a basic qualification. During the academic year of 2011-2012, the total number of early school leavers amounted to 36,560, while in 2002 it stood at 71,000 young people. The government intends to further reduce school drop out to a maximum of 25,000 young people by 2016 (Rijksoverheid, 2014).

In secondary education there is a reduction of new early school leavers from school year 2005/2006 1,7% to 2011/2012 0,9%. In vocational education there is a reduction of new early school leavers from school year 2005/2006 9,3% to 2009/2010 6,9%. The number of learners between 18-25 years old leaving education without basic qualification was 34.728 or 8,5% in 2005-2006, decreased to 29.796 or 6,9 % in 2011-2012 (Ministry of Education, Culture and Science, 2013).

Suspension and expulsion

At secondary level, a school may suspend a learner for a maximum of five consecutive school days (i.e. one school week). When the suspension is longer than one day, school management is obliged to inform the School Inspectorate in writing and provide a clarification of the reasons for the suspension. A secondary level school may expel a learner in certain cases, i.e. permanently refuse her/him re-entry into the school. Reportedly, this usually only happens when a learner has 'seriously misbehaved' (<http://www.onderwijsinspectie.nl/onderwerpen/leerplicht/Schorsen+en+verwijderen#verwijderen2>) and judgments of this kind are made on a case by case basis. While it is the school board that is in charge of the process of suspension and expulsion, in case of the latter, a judge has the final say. In principle, schools are only permitted to expel a learner when s/he is assured of placement in another school. In practice, however, learners may find themselves without an alternative placement (<http://www.ouders.nl/artikelen/zittenblijven-en-van-school-gestuurd>).

The number of school expulsions and suspension has increased over the years, although in 2009/2010 a decrease was noted (Inspectie van het Onderwijs, 2011). Schools reported 4839

suspension and 629 expulsions. Most cases take place at the level of VMBO, and in the (four) major cities. Suspensions last an average of three days. 75% of cases of suspensions and expulsions concerns young men. Key reasons for suspension or expulsion include violence against school staff or other learners, intimidation of staff or other learners, bullying of other learners to the extent they feel unsafe at school, verbal violence against staff or other learners, theft, vandalism, fraud, and 'other'. Schools report suspensions and expulsions using an electronic form, with the 'other' category being used most frequently to justify decisions to suspend or expel, followed by physical violence against other learners, disruptive behavior during lessons, and verbal violence against staff (Inspectie van het Onderwijs, 2011).

D. Short presentation of health system

Early screening of mental health and intellectual disabilities

Children aged 0 to 18 years are given free juvenile health care through juvenile health care centres (JGZ), which are part of the public health department (GGD). Municipalities are responsible for the management of child and youth health care services at local level. JGZ centres are responsible for screening of children and young people's physical, social and cognitive development, as well as mental wellbeing. In order to ensure all young people are regularly screened, a series of set 'contact moments' have been set, e.g. to correspond with a standard vaccination.

JGZ has five interlinked areas of responsibility:

- a. Prevention: e.g. of illness, addiction, abuse and obesity through, for instance, vaccination programmes, parenting support, providing advice on safety in the home and healthy lifestyles.
- b. Early screening: given not all problems can be prevented the JGZ screens all children for illnesses, and any problems or developmental issues that can be addressed relatively easily.
- c. Support: the JGZ supports parents and caregivers in the day-to-day care for children and young people, as well as in case of special circumstances. For instance, the JGZ can advise parents on how to deal with a 'difficult' toddler or young person.
- d. Additional diagnostic and other support: where necessary, the JGZ can involve or refer caregivers to external experts.
- e. After care: the JGZ follows up with families after completion of a particular treatment or support programme. A JGZ might, for example, support families to learn to live with a child with a chronic disease so that a child is able to take part in society to the best of her/his ability.

The JGZ is embedded within the community and maintains contact with others that play a role in children and young people's lives, such as schools, sport clubs, neighbourhood teams, and local general practitioners.

Prevention of psychiatric problems in the form of parenting support services and early screening constitutes a central priority of the Ministry of Health, Wellbeing and Sport (VWS). Given municipalities are responsible for the management and delivery of child and youth care, they also carry responsibility for the prevention of psychiatric problems among children and young people.

Prevention of drugs consumption and support for addicted children

Although there are no specific national level guidelines to diagnose and treat drug (ab)use by young people in the Netherlands, there are guidelines to support the early identification of drug abuse by and drug dependence of young people. The objective of these guidelines is allow for interventions to take place as early as possible to prevent possible harm caused by drug abuse. The guidelines are designed for young people between 12 and 24 years of age. In addition, a set of guidelines on addressing alcohol (ab)use is in place. The guidelines engages with a broad range of issues relating to the diagnosis, pharmacotherapy and psychosocial interventions of alcohol related problems. While the guidelines do contain some recommendations for dealing with young people and young adults, the guidelines are not specifically targeted toward young people only (i.e. they are also used to support work with adults). The Netherlands Youth Institute (NJI) manages a databank which details ‘acknowledged interventions’ with regard to the prevention or treatment of drug (ab)use, i.e. interventions that have been assessed and accredited. Examples of preventive interventions that are delivered through schools include ‘Action anti-dote’, ‘The Cannabis show’ and ‘The Healthy School’. In addition, there exist a range of accredited prevention initiatives aimed at parents/ caregivers, teachers and staff working in bars and restaurants, e.g. ‘Growing up smoke-free’, ‘Home party’, and ‘Dealing with alcohol and drugs in restaurants, bars and hotels’. See <http://www.nji.nl/nl/Kennis/Databanken/Databank-Effectieve-Jeugdinterventies/Erkende-interventies> for more information (in Dutch only).

II. Promising practices in early juvenile crime prevention

Promising interventions in the Netherlands aimed at the prevention and reduction of delinquent behaviour can be divided in:

- a) interventions for a full population of children or juveniles (i.e., schools or neighbourhoods) (primary prevention);
- b) interventions for juveniles showing minor antisocial and delinquent behaviour, who are not yet classified as serious delinquents (secondary prevention) and
- c) interventions for juveniles who can be classified as chronic or persistent delinquents (tertiary prevention).

With regard to programme content, behavioural and cognitive-behavioural methods appear to work best for both juveniles and adults (reference). The following three types of intervention offer the best starting points for effective intervention:

- Life-structuring skills training and behaviour-therapeutic interventions, individual as well as group and system-interventions;
- Family- and system-oriented interventions in which staff members make use of different strategies and techniques in a flexible way;
- Multimodal intervention which draws on several complementary strategies of change oriented towards more than one context.

In addition, it has been found that, if possible, priority should be given to the following (reference):

- Ambulatory forms of intervention, so that members of the offender's family can be closely involved in the intervention.
- Interventions are most likely to succeed if children and juveniles are still young and have not gone too far astray.
- For most young people at risk, intensive forms of intervention seem to work best, especially if continuity of personal contact with the juvenile is pursued through his/her developmental stages and expanding social domains.
- A distinction is made between treatments of observed behavioural disorders and interventions primarily meant to prevent recidivism. For juveniles with serious behavioural disorders, Kazdin (1997) advocates a model in which both aspects are dealt with. First, the disorder is tackled. Then treatment is continued in order to prevent backsliding.

A meta-analysis (Put et al., 2013) showed that secondary prevention programmes are more effective if the following components are part of the intervention:

- a) Positive role models;
- b) Behavioural contracting;
- c) Parenting skills training and;
- d) Stimulating positive use of leisure time in a group setting.
- e) In addition, more effective interventions target the family system, including siblings.

The tables below provide a more detailed description of two promising practices in the Netherlands, namely the New Perspectives initiative, which is delivered in major cities in the Netherlands by Youth Care institutions, and The HALT Peer Mediation programme, which is

delivered by HALT, a Youth Care institution that has a natin wide network of offices (linked to police regions).

1. New Perspectives (Nieuwe Perspectieven)

CONTEXT

New Perspectives is aimed at different groups of young women and men between 12 (sometimes 10) to 23 years of age who show what is considered to be socially unacceptable or delinquent behaviour and have problems in different areas of life (e.g. within the family, school or free time). Youth who are considered ‘hard core’ criminals are not a target group of the New Perspectives initiative. New Perspectives aims to provide young people new opportunities via a short-track mobile trajectory during which the young person learns to draw on ‘positive contacts’ within her/his social network.

New Perspectives is an accredited programme that has been positively evaluated and is included in the Netherlands Youth Institute data bank on effective interventions.

GOALS

On the assumption that the future perspectives of young delinquents or young people that are seen to display socially unacceptable behaviour are sub-optimal, the initiative strives to change the behaviour and circumstances of these young people by supporting them to develop new perspectives.

The goal of the initiative is to work towards a situation whereby young people at risk are or continue to be actively involved in society, get their life ‘back on track’, and offer them new social perspectives. More concretely, the primary goal of the initiative can be described as the prevention of criminal and risky behaviour, as well as the prevention of repeat criminal behaviour.

The programme strives to achieve this goal by giving young people “new perspectives” in different areas of life in which they have problems, such as housing, health, family life and friends, or budget control. Solving problems in these different areas can be understood as the sub-goals of the programme.

Where possible, parents and caregivers are included as much as possible. New Perspectives is not designed to resolve all of a young person's problems in the space of three months but rather strives to serve as a bridge to regular care and support institutions and services.

DESCRIPTION

The initiative consists of 3 phases:

1.Meeting, enlisting and intake, resulting in a 'social environment' analysis and a plan of action for different areas of life identified as problematic. The young person and intervention worker commit to the action plan.

2.Working on solutions. The young person is provided intensive, individual support to realize the various sub-goals identified. In addition, the young person is given support to build her/his social network that s/he can draw on after the intervention has been rounded off. New Perspectives also serves as a bridge between the young person and follow-up trajectories and (regular) support services, for example with regard to employment, education, training and care.

3.After care. During a period of three months contact is maintained between the young person, the intervention worker and other members of the social network. If necessary support is given to the young person to resolve (new) issues.

BUDGET

The youth care organisation 'Spirit', which also offers NP gives a figure of roughly €5.000 per young person (Municipality of Amsterdam, 2007).

OUTCOMES

Spirit reports that only 6% of young people that have taken parting the New Perspectives trajectory moves into hard-core crime in a two-year period (Municipality of Amsterdam, 2007).

PROFESSIONALS INVOLVED

Young person

Youth care worker

‘Very Important Persons’ identified by young person and professional (youth care worker) within social network of young person

INSTITUTIONAL PARTNERS

Government (Municipal level)

Police

Youth care institutions

Justice system

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<http://www.nji.nl/nl/Kennis/Databanken/Databank-Effectieve-Jeugdinterventies/Nieuwe-Perspectieven>

Practice Evaluation			
Criteria	Satisfactory	Average	unsatisfactory
Programme relevance	X		
Programme efficiency and effectiveness	X		
Programme impact		X	
Programme sustainability		X	
Programme transferability	X		
Translating evaluation findings into statements	X		

of good practices			
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N.B. The results reported above are based on a review of three evaluation studies that were reviewed by the NJI accreditation commission in 2009 (see: <http://www.nji.nl/nl/Kennis/Databanken/Databank-Effectieve-Jeugdinterventies/Nieuwe-Perspectieven>). It should be noted that according to the NJI the methodological approach of the three studies may not be sufficiently robust to give definitive answers (e.g. as to programme impact).

Peer Mediation

CONTEXT	<p>Peer mediation is a form of conflict mediation in which pupils learn to find a solution under the supervision of one or two other students.</p> <p>Where people work together and live together differences of opinion, conflicts and arguments will arise. While conflicts are part of daily life, they can sometimes it gets out of hand and affect the atmosphere in a group, class or even the entire school.</p> <p>Schools cannot avoid conflicts but they can strive to manage them and work towards resolving them. Peer mediation can make a positive difference in this respect. Practice has shown that pupils are more inclined to listen to their peers. Children of the same age group find it easier to communicate with one another as they do not have to adapt their language and can just be who they are.</p>
GOALS	<i>Which short, mid, long-term objectives? Why?</i>

DESCRIPTION	<i>How is organised the programme?</i>
BUDGET	<i>Which amount? Comparison with other programmes? Who pays?</i>
OUTCOMES	<i>Data?</i>
PROFESSIONALS INVOLVED	<i>Who works?</i>
INSTITUTIONAL PARTNERS	<i>Who supports?</i>
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Practice Evaluation			
Criteria	Satisfactory	Average	unsatisfactory

Programme relevance	X		
Programme efficiency and effectiveness	X		
Programme impact		X	
Programme sustainability		X	
Programme transferability	X		
Translating evaluation findings into statements of good practices	X		

II. Evaluation mechanisms for early juvenile crime prevention programs

As discussed earlier, considerable attention is paid to ‘evidence-based’ interventions in the Netherlands. The Netherlands Youth Institute (NJI) collects a database of such interventions and applies certain ranking system based on how rigorously a certain programme has been researched (whereby a Randomized Control Trial set up is usually considered as the “highest” form of evaluating impact). In addition, the Ministry of Justice has a system of accreditation of certain interventions, which is similarly geared to identify and document initiatives that have proven a degree of efficacy.

That said, there are very few examples of (preventive) juvenile crime prevention programmes that have been researched rigorously in terms of effectiveness. Where attempts have been made to conduct this kind of analysis few can show substantial proof of impact. To name one example: Bureau Halt, which can be considered as the largest scale programme geared to preventing juvenile crime in the Netherlands, was evaluated for its effectiveness in 2006 by the Commissioning Research Division (EWB) of the Research and Documentation Centre (WODC). One of the conclusions was that Halt measures had no positive effect on recidivism

(source: <http://www.halt.nl/index.cfm/site/Halt%20English/pageid/D9989BCF-E081-2F5B-42151D164C61CC4D/index.cfm>).

In the Netherlands, responsible Ministries and other partners involved in the field of juvenile crime prevention are interested in, and give support to, evaluation of (preventive) interventions aimed at reducing juvenile crime. The question remains of course ‘When do we consider a programme to be effective?’ Is this when a programme does 10%, 20%, 30% etc. better than another programme or no intervention? And how do we measure results? Are only RCTs considered to provide sufficient evidence? And what do we do with the difference between ‘statistical evidence’ and ‘clinical evidence’? And most importantly: how are findings translated into practice? We do not have the answers to these, but neither do other stakeholders seem to have those answers (or they may not even be asking all the right questions!). The result is that there are a lot of different initiatives taking place in different places in the Netherlands, without this leading to a combining of efforts and results. It thus remains unclear if all the different policies and practices that have been developed and implemented in the past decades have in any way impacted on juvenile crime figures in the Netherlands.

Conclusion and Recommendations

In our view, the most effective ways of preventing juvenile crime may not be through juvenile crime prevention programmes, but early childhood interventions. One might think of ensuring access to good quality Early Childhood and Care Provisions for children from disadvantaged backgrounds and disadvantaged neighbourhoods. In addition, in the long-run the most effective interventions might be those that, at the earliest stage possible, provide support to parents in taking care of their children, particularly parents that are at risk of not being able to do so without help. This requires early monitoring and the availability of support services that are able to reach these various target groups and that have effective means and methods to their disposal. It goes without saying that tackling social and economic inequalities are crucial, such as preventing social exclusion and segregation, addressing income disparity, reducing poverty, improving access to and quality of education, and improving job opportunities and chances on the labour market for young people.

Maybe a better way of putting it would be: only a country that can provide a rigorous implementation of all the articles of the UN Convention on the Rights of the Child to all its children will, in all likelihood, be able to show impressive reductions in juvenile delinquency. While this sounds “utopic”, if we talk about true juvenile crime prevention - which entails improving opportunities and rights for all - we believe that addressing these broader societal issues would be most effective. As it stands, what we have is primarily ‘patchwork’; a wide tapestry of policies and programmes which even when put together may not be truly ‘effective’.

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