

20. THE NETHERLANDS

Area in sq. miles . . .	12,761
Population	7,213,000
Capital	The Hague
Population of Capital . . .	366,000

The Netherlands have a probation law, 13th December 1915, for minors eighteen to twenty-one years and for adults, also a probation law, 24th November 1922, for children under eighteen years. Criminal responsibility for those under eighteen years of age is nil.

Probation officers are paid partly by the State, but are not trained. There are voluntary social workers, including workers from the Salvation Army. There is a professional association of children's probation officers.

The juvenile courts have a specialised judge. There are observation homes, clinics for children. The courts deal with offenders, abandoned and neglected children, removal of parental authority and *correction paternelle*.

Patronage societies, subsidised and partly controlled by the State, co-operate with the courts. (See Appendix.)

Two questionnaires have been filled in for The Netherlands:

I. From the Minister of Justice (through Mr. S. L. Veenstra, of The Hague) dated 25th May 1925, with replies in English.

II. From my friend Mr. G. T. J. de Jongh, Kinderrechter of the Juvenile Court at Amsterdam, dated 18th April 1925, also written in English. Judge de Jongh will be remembered by the paper he contributed to the International Prison Congress, London, August 1925, on Reformatory School Work, and for his paper on the establishment of a period of semi-liberty before the definite release of those who had been sent to reformatory establishments. His hostel for working girls under civil guardianship is now erected and stands as a monument to his work for social welfare. (See Appendix.)

I. Mr. Veenstra's replies on behalf of the Minister of Justice deal with probation from the adult angle.

1. There is a law which permits the release of offenders on probation.

2. This law is dated 13th December 1915, Statute 247.

3. It is applicable to minors from eighteen years to twenty-one, and to adults.

4. Offenders in ordinary cases may be placed on probation in their families under a probation officer, but in difficult cases under a society acting through their probation officer, if they have one.

5. (a) Probation officers are not trained.

(b) Their salaries are paid partly by the State,

(c) not by the Municipality.

(d) The societies pay salaries to the officers whom they employ for probation work.

6. Offenders are not, as a rule, examined to ascertain their mental, physical, etc., condition.

7. There are no clinics for examinations under question 6, and questions 8-12 are therefore not applicable.

13. There is an association of probation officers.

14. There are thirty-three probation officers to deal with adult cases.

Mr. Veenstra adds an interesting note to the above. He says that their probation service is to be divided into two main sections—minors and adults. The information which he has given above applies to adults, and to those minors who are treated in the same way as adults. For the minors there is an extensive system comprising educational institutions, Borstal prisons (or institutions comparable with the same), etc. A great number of private societies are at work in this field. For adults they have a large number of societies which maintain paid officials in many centres. The work of these societies is subsidised by the State. Besides these, the State has appointed five officials, one of them a lady, who advise the courts where a conditional sentence is considered, and who inspect the work of such societies on behalf of the State. The superintending of the whole is brought under the Department of Justice, which spends 300,000 guilders annually on these efforts.

II. The replies sent by Judge G. T. J. de Jongh are interesting as dealing more especially with minors.

1 and 2. There is a probation law, Statute 247 (1915) and Statute 612 (24th November 1922), the latter dealing with children.

3. The law for minors is applicable to those under eighteen years of age.

4. Such offenders are in ordinary cases placed on probation in their families under a probation officer, but in difficult cases the offender is dealt with under an approved society.

5. (a) Probation officers are trained only practically, i.e. there is no special course of training; officers learn from experience.

(b) The State pays about 70 per cent. of the salaries of probation officers.

(d) The societies employing probation officers pay about 30 per cent.

(e) From one-third to a quarter of the officers are paid in other ways.

(f) Members of societies may be employed as unpaid probation officers.

6. Adult offenders are examined only in doubtful cases, but children are always examined, especially in the large towns, where this work is better regulated.

7. Mental and physical clinics are not attached to the courts, but children in some towns may be sent to observation homes.

8. Examinations of offenders take place before the trial.

9. Various intelligence tests are used.

11. There are no special courses for the training of probation officers.

12. The judge sometimes refers offenders for medical and mental examinations.

13. There is an association of those probation officers who deal with children.

14. The officers of the Salvation Army serve as probation officers and there are in addition thirty-three regular paid probation officers. Amsterdam and Rotterdam have about twenty officers between them, The Hague about six, and the rest work in the country districts.

Judge G. T. J. de Jongh, in a recent letter (14th October

1926), gives the following information as to the age of criminal responsibility, etc. :

The Dutch law does not acknowledge any limit of age in connection with the criminal responsibility of the child. We are lawfully and theoretically absolutely free to make dispositions with a view to the best interests of the child. For a young neglected child of nine years of age it is as necessary to do this as in the case of an older child. We do not think in terms of his punishment, but exclusively in terms of his education. Criminal children over eighteen years of age do not fall under the children's law (criminal). From eighteen to twenty-one years they fall under the articles of the civil law for children. (To understand this distinction would carry us too far into an explanation of the differences between the Dutch penal and civil legislations.)

The dates of the Juvenile Court Laws are 11th February 1901 and 5th July 1921. There is a single judge. The children's judges deal with criminal and civil cases. (See Clarke Hall's "Children's Courts," p. 227 *et seq.*) Not only do they deal with criminal cases, but also with morally abandoned children who are not necessarily "offenders," but who are liable to become so for various reasons (civil cases).

The Guardianship Councils (*Voogdijraaden*) correspond to the *Conseils de tutelle*. They consist of corporations or committees of private persons with a secretary paid by the Government. The children's police, any other sort of official corporation, or any private person (father, mother, etc.) may bring to the notice of the Council any case of moral abandonment, neglect by parents, etc. The Council makes searching enquiries and, if necessary, brings it before the children's judge, who gives a verdict, e.g. putting the child under a new guardian, discharging the case or depriving the parents of their parental authority.

SUPPLEMENTARY INFORMATION

CHILDREN'S POLICE

Commissary C. E. G. Hogendyk, in the course of an article on "Children's Police in Amsterdam," gives some interesting facts concerning this novel feature of Dutch civic life.

In 1920 the organisation of this new force of children's police came into existence as a subdivision of the Amsterdam municipal police force.

So successful has the venture proved that in three years the staff has been trebled, and now includes one commissary, two inspectors, three inspectresses, four women officers, eighteen men officers and three clerks. These form the centre of all police intervention in civil and social questions so far as minors (i.e. those under eighteen years of age) are concerned.

The duties and powers of the children's police are distinguished from those of the regular police, though the distinction does not appear to be clearly defined yet. The new force—all plain-clothes officers—has a triple view-point, viz. the protection of the child where necessary against himself, against his guardians and against the dangers he may meet in social life.

Day and night officers supervise minors in the streets, railway stations, markets, cinemas, dancing saloons, public-houses, etc., for the prevention of mendicity, truancy, vagrancy, and for the maintenance of those prohibitive regulations especially established in the interests of the child. Their work is preventive, corrective and, where necessary, repressive; their prime object is to be counsellor, helper and protector to the minor brought before the court of first instance. General police who come into touch with a juvenile offender give notice to the children's police.

The headquarters of this service is as unlike a police-station as it is possible to make it. Here the harassed mother brings her obstreperous son for guidance as to his management. Here the pre-trial investigations are prepared for the children's judge, and the arrangement for placing in an institution or under other guardianship carried out. The collection of data for research work is filed together with information concerning offenders.

The English Children Act and others of a similar nature enjoin the separation of juveniles from contact with adult offenders, and the Dutch scheme seems to carry out this principle to its logical conclusion.

The idea of children's police is not new. The 1924 report of the "Juvenile Court and Juvenile Detention Home," Cook County, Illinois, U.S.A., which refers principally to Chicago, shows that the staff consists of 152 probation officers. Of these 123 are investigating and supervising officers paid by Cook County. The remaining 29 form a distinct division of the probation staff, one for each "precinct" or police district and are a charge on the police force. They receive complaints filed at the police-stations, etc., and appear in court. They are plain-clothes officers commissioned as volunteer probation officers. All cases of children involving the protection of life and property are dealt with through police channels, but social investigation is made by probation officers of the family supervision, or delinquent boys' division prior to the court hearing.

In Birmingham, England, prior to the passing of the Probation of Offenders Act 1907, probation officers were already employed, but there were difficulties in the way of the payment of their salaries. These difficulties were overcome by appointing suitable policemen to the office, or in other cases securing their appointment as policemen in the first instance, so that the necessary financial help should be forthcoming. The incompatibility of the police function with the

probation function does not need emphasis here (see Cecil Leeson, "The Probation System," pp. 42-4 and 91-2: London, P. S. King & Son, 4s. net).

CHARITY STAMPS

In Holland and in certain other countries (Germany, Switzerland, Belgium, and Luxemburg) revenue for welfare work is forthcoming from the sale of postage stamps; e.g. for the month 15th December 1924—15th January 1925 Dutch postage stamps to the extent of 2,300,000 florins were sold, of which 59,000 florins were allocated to the societies dealing with the protection of children.

In these countries charity stamps are sold at a small premium, the purchase being of course optional. The excess revenue from the charity stamps is handed over to the welfare organisations. According to *The Times*, 24th December 1926, that admirable society Pro Juventute of Zurich receives between 300,000 fr. and 400,000 fr. per annum from this source, the present being the thirteenth year of issue.

Another method adopted for the purpose of raising revenue for welfare work is to devote a national tax to this end. For example, a tax of 5 per cent. is levied on the takings at public performances and exhibitions in Spain, and the proceeds of this tax furnish the financial support required by the "Higher Council for the Protection of Children" to carry on its work.