

# An insight in the work of a juvenile judge

CEP international conference

Working with Jeveniles and Young Adult offenders

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# My work with the juvenile and young adult offenders

- Pre trial detention in the first fase for max two weeks after the policedetention as investigating judge: juvenile, young adult (18-23) and adult
- Penal cases brought to court, mostly juvenile, but also young adult and adult suspects

# Developments

- Decrease of juveniles in contact with the penal law
- Diversion
- The youth probation service
- Mildly mentally limited persons
- Young adult offenders

# Some numbers

Juvenile offenders for the judge

1995	7.017
2008	13.508
2015	5.520

Persons going in a youth prison

2009	2.300
2015	1.400

Most of them boys

# Explanation???

- Diminishing juvenile crime by the WODC the Research and Documentation Centre of the Dutch ministry of justice
- [https://www.wodc.nl/binaries/JV1701-Summaries\\_tcm28-248444.pdf](https://www.wodc.nl/binaries/JV1701-Summaries_tcm28-248444.pdf)
- Registered from 2007 minus 60%
- Decrease in self report and in self reported delinquency

# Challenges of the system

less youth prisons

far away from home

reintegration/night detention

Rethinking

level of security needed differs

need and kind of treatment differs

# VIV JJ

- Exploratory survey of the filling in of the detention of youth (verkenning Invulling Vrijheidsbeneming Justitiële Jeugd (VIV JJ))
- Ingredients of a future systems:
  - Small local institutions
  - Few highly specialised institutions
  - Efficient diagnosing, placement and action plan

# experiments

- Three different kind of small local institutions
- Two places with experimenting diagnosing and action plan making
- 2017/2018 results

# diversion

- Halt (the Alternative) <https://www.halt.nl/en/>
- Outside the penal system, education programmes, community services, apologise (first offenders small crimes, fireworks too early)
- Child protection law
  - The younger the sooner (criminal liable from 12 years)
    - Deliberation prosecutor, police, childprotection service, local council and sometimes more

# Other responses to criminal behaviour

Restorative justice and mediation

Sexting

LIJ, structured risk assessment tool

# The case of Nico

- Nico, 16 years, lives in Utrecht with his mother and half sisters
- Suspected of an armed robbery
- Wire tapping the telephone (investigation judge)
- House search (led by an investigation judge)
- Pre trial detention (first two weeks investigation judge)

# Nico II

- Within two weeks a panel of three judges
- An action plan made by youth protection service and youth probation officer

# Developments youth probation

Since 2015 the municipality is responsible for the youth probation and the family guardian.

- differences in my district, more complex
- adjustment period
- budgetcuts

# Mildly mentally limited

- IQ 50-85
- AND
- Limited adaptability
- AND

additional problems (e.g. learning problems, psychiatric problems physical problem, family and social problems)

# Nico???

- Very often in contact with penal system
- Different approach
  - Less talking, more doing
  - Repeating a lot
- Screener Scil
- <https://www.hsleiden.nl/binaries/content/assets/hsl/lectoraten/lvb-en-jeugdcriminaliteit/factsheetjuli2015.pdf>

# Young adult offenders

- Four boys (aged 17,8; 17,10; 18,1; 18.5) assault in the night a man. The man is beaten several times by the group. This group meets often near a playground and neighbours complain a lot.
- The prosecutor wants them to stay in pretrial custody.

# Impression up till now

- More awareness, but mostly among youth law practitioners
- Monitored by wodc, first impressions
- [https://www.wodc.nl/binaries/O%26B317\\_Summary\\_tcm28-182594.pdf](https://www.wodc.nl/binaries/O%26B317_Summary_tcm28-182594.pdf)
- Increase of applying juvenile law to young adults