

SECTION 4: CONCLUSIONS OF THE COURSE

Report of the 46th Course on the Treatment of Juvenile Delinquents and Youthful Offenders

by UNAFEI Staff

Introduction

There is no doubt that the future development of a nation depends on the sound growth of the younger generation. However, it is widely admitted that youth is evidently responsible for a substantial and disproportionate part of the crime problem, especially under current social conditions created by industrialization and urbanization which adversely affect the sound upbringing of children. The 46th International Training Course was thus designed to discuss various problems and issues in the treatment of offenders, with a particular focus on effective and appropriate treatment measures for juvenile delinquents and youthful offenders. The Course commenced on April 19 and ended July 8, 1977, with the participation of 24 officials representing 15 countries, namely: Burma, Ecuador, Ethiopia, Hong Kong, India, Iran, Iraq, the Republic of Korea, Malaysia, Nepal, the Philippines, Singapore, Sri Lanka, Thailand and Japan (10 participants).

Lively, constructive and fruitful discussions were developed, placing a particular emphasis on the following problems: (1) extent and gravity of juvenile delinquency and youth crime and their backgrounds, (2) disposition of juvenile cases, (3) improvement and expansion of appropriate rehabilitative programs in the institutional treatment for juvenile delinquents and youthful offenders, (4) development of probation, parole, aftercare, and other community-based treatment measures, and (5) effective preventive measures for juvenile delinquency and youth crime. It should be noted, however, that the following description is only a bare and rough outline of the theme, and that its coverage

and depth are limited for various reasons including insufficient statistics on juvenile delinquency and youth crime. The findings were therefore based on the limited sources consisting of the presentations and discussions by the participants and other available information.

Extent and Gravity of Juvenile Delinquency and Youth Crime and Their Backgrounds

1. Extent of Juvenile Delinquency and Youth Crime

Although it is not an easy task to assess the extent and gravity of juvenile delinquency without reliable information and statistics, it seems that there are not a few countries where the juvenile delinquency problem is considered very serious. Burma, for example, saw recently a rapid increase in the number of youthful offenders sent to the courts. It rose up from 1,548 in 1972 to 2,419 in 1975, and the incidence of juvenile delinquency per 100,000 population of the juvenile age group (6 to 18 years old) was estimated at 24 in 1964 and 30 in 1976. Korea faces a similar trend of juvenile delinquency, and juvenile offenders apprehended by the police rose from 36,648 in 1969 to 79,824 in 1976. Indian statistics show the progressive increase in the number of juvenile and youthful offenders. While the total number of cognizable offenses committed by those young people was 16,432 in 1963, it was 36,469 in 1973 (an increase of 20.3%). In the Philippines, out of a total of 6,417 offenses committed by juveniles in the Manila Metropolitan area during the year of 1976, 3,018 offenses or 47 percent were those against property,

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followed by 1,969 offenses against morals and order (31%), and 870 offenses against person (14%). In Japan, juvenile delinquency has been increasing since 1969 with a remarkable contrast to the decreasing adult criminality. The number of non-traffic major Penal Code offenders under 20 years of age reached a low of 101,412 in 1969, but increased to 112,379 in 1975. What causes more concern is the increase in the rate of such offenders per 1,000 juvenile population, from 8.9 in 1969 to 11.9 in 1975. The corresponding figure for adults was only 2.9 in 1975. Those figures in some countries clearly indicate that the problem of juvenile delinquency constitutes the major target of criminal policy of today.

2. Backgrounds of Juvenile Delinquency and Youth Crime

It is obviously difficult to single out causes of juvenile delinquency. However, the high incidence of offenses against property in contrast with other offenses in many countries of the region may be attributable to the process of urbanization accompanied by population migration, disorganization of family tie, deprived living conditions in cities, unemployment, personal and economic maladjustment and frustration, maldevelopment of ego and super-ego, etc. In Burma, for example, the incidence of offenses is much greater in Rangoon, the capital city, than in other towns of medium and small size. In 1975, the number of youthful offenders brought before the people's courts in Rangoon was 2,032, while the number of those brought before all other courts was 387. The fact that most of delinquents come from poverty-stricken families and from slum areas indicates that economic maladjustment is a very important factor in the causation of juvenile delinquency. In Burma, a great number of students are out of school and at the same time out of job. In that country as well as other developing countries, it is generally difficult to supply sufficient employment opportunities to the youth migrating from rural to urban areas. Ecuador has not yet solved the problems of poverty, illiteracy and malnutrition which are considered to be

major causes of theft, robbery and other types of illegal activities in big cities. After World War II, Ethiopia was opened to the outside world especially to the West, and exposed to a new style of life and thought. The growth of industrialization and urbanization has induced a great number of farmers to migrate to urban areas. However, most of them are unable to find suitable employment, and their children have often become street boys taking pickpocket and shoplifting as the simplest means of earning. Nepal is also stepping forward with a new zeal of urbanization. As a result, a lot of young people have migrated from rural areas to big cities and towns, looking for better job opportunities. Most of them, however, are left unemployed with an increased feeling of frustration.

The process of urbanization has also resulted in the weakening of social institutions which played an important part in controlling the behavior of youth. In Nepal, for example, the joint family system, under which the head of family used to take all the responsibilities for caring family members and controlling their daily activities, has ceased to work effectively, because it has become very difficult for the head to meet all the needs of the family members owing to changing economic conditions. Thus, many young persons become frustrated and start to lead a careless life, stepping in drug abuse and other misconducts. Obviously, the decline of traditional measures of social control has been conducive to juvenile delinquency. In Burma as well as in Hong Kong, unfavorable family conditions such as lack of parental care and control, broken homes and earning mothers have greatly contributed to the extent and gravity of juvenile delinquency. There is a greater account of immorality, alcoholism and criminality among the family members of delinquent boys than among those of the non-delinquent. And the high incidence of crime and delinquency in towns and cities under the process of industrial growth is related to the disruption of the traditional family system and consequent weakening of family authority and control over individual members. In other words, the characteristic features of the

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urban way of life such as extensive conflicts of norms and values, more rapid social change, increased mobility of the population, emphasis on material goods and individualism and a marked decline in intimate personal relation have a close relation with the increase of crime and juvenile delinquency. Furthermore, many participants stressed the importance of the influence of mass media portrayal of violence or sex on the behavior of young persons.

Disposition of Juvenile Cases

1. Roles and Functions of Juvenile Court

(1) Necessity of establishing the juvenile court

In most participating countries, juvenile cases are dealt with by a juvenile court. Its proceedings and dispositions are more or less different from those in a criminal court. In Ethiopia, Sri Lanka, India and Thailand, however, juvenile courts have been established only in some parts of the country and accordingly, in a district where no juvenile court exists, juvenile cases are necessarily handled by a criminal court.

In view of physical and mental immaturity of juveniles, the flexibility of their character, the necessity of avoiding rigidity and formality of criminal proceedings, all the participants agreed that the procedures of hearing and disposition for juveniles should be different from those for adult criminals. Furthermore, the majority endorsed the view that a juvenile court should be established in order to give juveniles necessary care and protection utilizing comprehensive knowledge of various social sciences. However, one participant observed that in developing countries where limited resources had to be used for national development in many other fields, it was difficult to establish a juvenile court for which considerable financial and personal resources were necessary, and that, at least at the present stage, juvenile cases should be dealt with by an existing criminal court with necessary modification of procedural rules and with the

adoption of proper dispositional alternatives for juveniles.

It is to be noted that in some countries, participation of citizens in juvenile proceedings is implemented. In Burma, members of the Committee of People's Justice are selected from among ordinary citizens and juvenile cases are disposed of by the Committee with the technical assistance of judicial officers and legal advisors. In Iran and Malaysia, a juvenile court consists of a president or justice and two advisors who are selected from among professors, school teachers, social workers, housewives, etc. After finding of the guilt of a juvenile, the former consults with the latter and decides what form of treatment should be given to the juvenile.

(2) Jurisdiction of the juvenile court

Generally speaking, juveniles who come under the jurisdiction of the juvenile court or other courts which are responsible for juvenile cases in the participating countries are divided into the following three categories:

(a) a juvenile who has committed an offense or an act which would constitute an offense if committed by an adult (a juvenile offender);

(b) a juvenile who is pre-delinquent, or who is truant, incorrigible or runaway, and prone to commit an offense (a pre-delinquent juvenile); and

(c) a juvenile who is neglected, mistreated or destitute (a juvenile in need of care and protection).

In most countries, only the juvenile offender is taken under the jurisdiction of the juvenile court or other courts, while the pre-delinquent juvenile is also handled by the juvenile court in Singapore, Japan and Korea. The juvenile in need of care and protection is also under the jurisdiction of the juvenile court in Sri Lanka, while in India such juvenile is handled by the Child Welfare Board in Delhi and some other Union Territories where the Central Children's Act of 1960 is in force and by the juvenile court in other districts.

One of the problems discussed was whether it was proper for the juvenile court to have the jurisdiction over pre-delinquent juveniles and juveniles in need

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of care and protection. With regard to pre-delinquent juveniles, some participants pointed out the vagueness and over-broadness of the concept of "pre-delinquency" which may include truancy, incorrigibility, running away, defiance and even smoking and drinking, and feared that the state intervention based on such a vague concept may result in infringement of juveniles' rights, undue deprivation of their liberty, and unwarranted stigmatization of them as delinquents. However, it was advocated by many that, in view of deviant character and behaviors and prejudicial environment of pre-delinquent juveniles, it was necessary for the State to give assistance and protection to them at the earliest possible stage so that they would not become criminals in the future, and that the juvenile court as a court of law was an appropriate institution in protecting their rights.

It is to be noted that under a juvenile justice system which extends the juvenile court's jurisdiction over pre-delinquent juveniles, they are handled with caution. For example, in Singapore, such juveniles are as far as possible dealt with outside the ambit of the juvenile court, namely, by the Social Welfare Department. Only when juveniles show no improvement under non-statutory measures within the community or approved homes provided by the Department, they are referred to the juvenile court. In Japan, the provision defining pre-delinquency is interpreted very narrowly and applied very carefully in practice.

With regard to juveniles in need of care and protection, most participants agreed that they should be handled by welfare agencies since they did not involve criminal or quasi-criminal conducts which the court could properly deal with. As mentioned above, in India the Child Welfare Board in some districts has begun to deal with them. In Sri Lanka, transfer of the jurisdiction from the juvenile court to child welfare agencies has been considered by the government.

(3) Age of juvenile

The minimum and upper limit of the age of juveniles who are under the jurisdiction of the juvenile court seem to

depend on the culture and tradition, physical and mental maturity of juveniles and other legal systems related to minors as a whole in respective countries. In most countries, the juvenile is defined as a person under 16 or 18 years of age. They are under 20 in Japan, Korea and Singapore. Juveniles who were under 21 at the time of the commission of an offense are handled by the juvenile court in the Philippines. Juveniles are sometimes divided into two groups, for example, children and young persons, and different dispositions are given to those belonging to different groups and penal punishments may be imposed upon older juveniles.

2. Disposition Alternatives and Standards

(1) Disposition alternatives

(i) Diversion programs

All juvenile cases are not necessarily referred to the juvenile court nor all juveniles brought before the court are given formal protective measures in most participating countries. When an offense committed is minor and the juvenile has a little tendency for delinquency, the case is often diverted from the formal proceedings. These diversion programs include police diversion, intake diversion, discharge, referral to child welfare agencies, etc. However, agencies authorized to divert cases differ from country to country. In the Philippines, for example, many cases are diverted by the police, while in Japan the police and the public prosecutor have only very limited power for diversion and a substantial number of cases are diverted by the family court (juvenile court) through dismissal. It was stressed by many participants that these diversion programs performed a very important function to avoid stigmatizing many juveniles as delinquents. It was also emphasized that close cooperation among the police, the juvenile court, welfare and other related organizations was absolutely necessary for the effective implementation of diversion programs.

(ii) Protective measures

Referral to training schools and placement on probation are most common measures for institutional and non-institutional treatment. In Malaysia, the juvenile court may order a juvenile whose

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family circumstances are adverse to reside in a probation hostel for 12 months or less as a condition of probation. A formal probation system does not exist in Ecuador, Iran, Korea and Nepal. Burma has adopted the system recently but the lack of personnel and financial resources is a serious problem.

(iii) Penal punishments

A juvenile offender above a certain age in many countries may be subject to penal punishments such as fine and imprisonment, if he has committed a serious offense or he may not benefit from protective measures. Legally speaking, a juvenile may be punished by whipping in Sri Lanka, and a juvenile who has committed capital offenses after reaching 18 years of age may be sentenced to death in Japan. However, these punishments are rarely used in practice. In Nepal, fine and imprisonments are only alternatives for juveniles.

In this connection, discussion was developed on whether the juvenile court should be empowered to impose penal punishments on juveniles. While in some countries punishments are imposed by the juvenile court, in other countries only the criminal court is authorized to impose them after the juvenile court has referred the case to the public prosecutor for criminal prosecution or the public prosecutor has elected to prosecute on his own discretion. Some participants observed that the juvenile court which was established for the care and protection of juveniles should not exercise the punitive power, and that it should refer the case to the criminal court which was primarily concerned with a public sense of justice and protection of security when it deemed punishment necessary.

(2) Standards for the selection of alternatives

Before the determination of disposition is made, social investigation on the juvenile's character, social history, family relations, causes for committing an offense, etc. is carried out by a probation officer or a family court probation officer, and detailed mental and physical examination is sometimes made by an expert in most countries. Usually such a probation officer makes a recommendation to the juvenile court on a proper

disposition. During the discussion, it became clear that distinct and formal standards for the selection of dispositional alternatives did not exist in many participating countries. However, some participants observed that the following points should be considered as guidelines:

(a) when a juvenile has committed a minor offense, he has no marked delinquent tendency, and his parents have the ability to supervise him, diversion programs should be fully utilized;

(b) when a juvenile has problems with his character and his parents are not competent enough to supervise him, but he is likely to be rehabilitated if given the assistance and advice of a probation officer, probation should be the most appropriate measure;

(c) when a juvenile's delinquent tendency is advanced, his family circumstances are adverse, or community treatment has not been effective for his rehabilitation, he should be referred to a juvenile training school; and

(d) when a juvenile whose age is close to the upper age limit of the juvenile has committed a serious offense and he has an advanced delinquent tendency, he should be imprisoned.

In this connection, many participants agreed that, although the prime purpose of the juvenile court was care and protection of juveniles, it was legitimate for the court to consider the aspect of general prevention or the feeling of the public in selecting dispositional measures for a juvenile offender. It was also unanimously agreed that the standards for the selection of dispositional alternatives should be further developed by the court with the cooperation of probation officers, experts on social sciences and law enforcement and other related agencies.

Improvement and Expansion of Appropriate Rehabilitative Programs in the Institutional Treatment for Juvenile Delinquents and Youthful Offenders

1. Special Institutions and Classification Systems

It is evident that there are some types

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of special institutions for treating juvenile and youthful offenders, such as training schools, approved schools, reformatories, work schools, borstal schools, and correctional homes, in all the countries represented except for Nepal. Among those institutions, however, much difference was observed in the development of individualized or differential treatment programs or facilities. It was unanimously agreed that these programs should be further developed in order to provide delinquent juveniles and youths with more effective and adequate rehabilitative measures.

It was a consensus of the participants that classification systems and standards should be established to serve as the basis of effective treatment. It was also emphasized that classification should be done on the basis of the comprehensive understanding of many factors related to the juvenile's personality and environment which may be considered to have contributed to his delinquent act. Mere assessment of the delinquent conduct itself is not sufficient. It was pointed out that remand homes and classification centers did not exist in some countries of the region, the physical facilities and technological equipment as well as trained specialists to conduct investigations and examinations at those institutions were far from satisfactory in many other countries. A need for a drastic improvement in this respect was stressed by all the participants. There was an opinion that some forms of short-term treatment for the inmates should be provided during examination in the classification center.

2. Types of Treatment Programs

Types of treatment programs presently given in the juvenile institutions were examined mainly from the standpoint of their effectiveness for the rehabilitation of juvenile and youthful offenders. Among various programs which differed from country to country, both academic and vocational training is most emphasized and actually implemented in many countries. It was stressed that such training should be of the nature useful for the trainees after their release into society, and be organized in consideration of not only the needs, aptitudes and interests of the trainees but also of

the needs for national development.

With regard to the academic training program, it was pointed out the program should aim at providing equal opportunities for academic education as those available in society as well as giving basic knowledge useful for acquiring vocational skills, since many juvenile and youthful offenders in institutions were found to be dropouts from schools. As to the vocational training, it was stressed that the survey of labor market should be considered in organizing the program and specialists on job placement be allocated to the institution in order to facilitate the trainees to obtain jobs on release. Further, many of the participants were of the opinion that social education or living guidance to develop sociability, cooperativeness, willingness and other desirable traits should be an integrated part of academic or vocational training.

Utilization of social resources for juvenile and youthful offenders was also stressed. All participants agreed that more visits by and more correspondences with family members, relatives, and community members should be allowed to the inmates. In this connection, some participants argued that, although the presence of correctional officers at interview and inspection of correspondence were necessary, such restrictive measures should be taken as moderately as possible.

It was also emphasized that various activities inviting community members into the institution and programs for making the inmates attend events in the community or engage in community services should be further encouraged. In this regard, it was pointed out as important to find citizens who sincerely try to understand and are interested in the rehabilitation of delinquent juveniles and youths. In addition to developing these programs, it was hoped that community-based facilities such as open institutions and halfway houses would be established.

Development of Probation, Parole, After-care, and Other Community-Based Treatment Measures

1. Necessity of Community-Based Treatment Measures

Probation, parole, aftercare and other

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forms of community-based corrections have developed as alternatives to incarceration, and also as a means of facilitating reintegration of the offender back into the community following release from an institution. The growing realization that the incarceration of an offender has a disruptive effect on his normal life and can be avoided or at least shortened without significant loss of public protection has bolstered the development of these community-based services. It is natural that these community-based services have developed to a more marked extent in the treatment of juvenile offenders where the concept of rehabilitation or resocialization in lieu of punishment is deemed as the primary goal.

It seems that most countries in Asia have been pursuing the same course of development in the treatment of offenders as Western countries, though its pace has not always been rapid enough owing to the lack of resources and other reasons. A majority of participants favored these trends on the grounds that the community-based corrections were more humane and less expensive approaches. It was stressed that the lengthened institutional treatment was likely to cause alienation, dependency and animosity among inmates, that the effects of institutional treatment would be reduced to nil if the offender would return to his former life of crime without adequate help and support, and that "we feeling" of citizens toward offenders which was most needed for their reintegration into the community was more effectively mobilized in the community-based services. Though there was an opinion that public protection should not be ignored in the efforts to maximize the use of community-based services, it was generally agreed that what was most needed would be to improve the services so as to meet diversified and complicated needs of offenders.

2. Availability of Community-Based Treatment Services

Present situations of probation and related services in the participating countries reveal a wide disparity in their availability, ranging from almost non-

existence to relatively well established programs covering the whole country.

Burma has only 9 probation officers and 6 of them are attached to the Rangoon Divisional Social Welfare Office. Most of their time is devoted to social investigation rather than to probationary supervision and the number of cases placed on probation is rather small. There is no aftercare agent for those released from juvenile institutions.

Ethiopia has 8 probation officers in 2 probation offices attached to Remand Homes, whose duties include preliminary investigation, supervision and aftercare, but their case load is high.

In Hong Kong, there are 63 probation officers in 11 probation offices under the administration of the Probation and Correction Division of the Social Welfare Department, and they are engaged in social inquiry for courts, probation as well as aftercare for those released from reformatory schools. Besides, 3 probation hostels are available for juvenile probationers. Compulsory aftercare for youths released from training centers, detention centers and drug addiction treatment centers is provided by aftercare officers attached to each institution under the Prisons Bureau.

India had 578 probation officers under the administration of states social welfare departments as of 1975. A great difference, however, is observed among various states and it is reported that the percentage of offenders placed on probation is insignificant in most jurisdiction compared with the persons serving short-term sentences. There are 6 probation hostels and 26 aftercare homes throughout the country.

In Japan, about 1,000 probation officers in Family Courts conduct social inquiry for juvenile cases, and 790 probation officers in probation offices under the administration of Rehabilitation Bureau, Ministry of Justice, are engaged in probation and parole supervision for both juveniles and adults, with the assistance of over 46,000 volunteer probation officers. There are 103 hostels run by private organizations under the supervision of probation offices.

In Korea, social inquiry and probationary supervision for juvenile cases are

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conducted by probation officers attached to the Family Court in Seoul and the Juvenile Department of District Court in other areas, but most of them are concurrently serving as a court clerk and are not necessarily trained as social workers. Aftercare services for those released from juvenile institutions are offered by the Civil Rehabilitation Association.

In Malaysia, social welfare officers under the Department of Social Welfare carry out the functions of probation officers including social investigation, probationary supervision and aftercare for released juveniles in addition to their duties as social welfare officers. There are 9 remand and probation hostels under the Department of Social Welfare.

Social welfare officers under the Department of Social Services and Development in the Philippines also serve as probation officers for youthful offenders, providing such services as social inquiry for courts, juvenile probation and aftercare as well as intake services including diversion programs and informal probation. Adult probation services have been established recently as a separate system.

In Singapore, the Probation and Aftercare Service under the Social Welfare Department, staffed with 34 probation and aftercare officers and 232 volunteers, is responsible for pre-sentence investigation, probation and aftercare. There are 3 approved hostels for juveniles.

Sri Lanka has 122 full-time probation officers and 25 voluntary female officers under the Department of Probation and Child Care Services, who carry out pre-sentence investigation, probation and aftercare of those released from certified schools. Aftercare services for those released from prisons and Borstals are rendered by voluntary aftercare association.

In Thailand, probation officers and social workers attached to the 4 observation and protection centers under the Ministry of Justice have duties of social inquiry, probationary supervision and aftercare in major cities. The government tries to establish the Juvenile Court and the observation and protection center in other areas.

There are no official probation and related services apart from voluntary ones in Ecuador, Iran, Iraq and Nepal.

3. Obstacles to and Ways for the Development of Services

Above descriptions of probation and related services clearly indicate that there remains still a large scope for further development of these services in most countries. Many participants expressed their frustration caused by insufficient funds allocated to probation services and the overburdening of officers. It is simply because most developing countries give priority to economic development in order to alleviate their massive social problems. Further, few countries have integrated the social defense policy into the overall national development planning, and thus corrections in most countries have been compelled to cope with various problems as they arise without sufficient resources and adequate planning.

It was also pointed out that overloaded and underfunded correctional services would never be improved as far as indifferent or even negative attitudes of the general public toward offenders remained unchanged. Success of community-based corrections would hardly be possible without proper understanding and support of the community.

However, it was generally felt that to tackle these problems was not an easy task. It would be unrealistic to expect a rapid increase of financial resources or a swift change of public attitudes. It was suggested that the possible ways to challenge these problems seemed to lie in the increase of community involvement in the treatment of offenders and the prevention of crime. Direct involvement of citizens in community-based services will not only fill the service gaps caused by the lack of sufficient number of well-trained and highly-qualified personnel, but also provide useful means to enlighten the general public on the needs of offenders and the necessity for improving correctional services.

4. Utilization of Volunteers and Voluntary Organizations

One of the most unique characteristics of the Japanese rehabilitation services for

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offenders in the community is the extensive use of volunteers and voluntary organizations. Volunteer probation officers, members of Big Brothers and Sisters Associations, rehabilitation aid hostels and others have played a significant role in providing rehabilitative services for offenders. In Singapore, volunteer probation officers were introduced to supplement the work of professional probation officers in 1971 and the Probation of Offenders Act was amended in 1976 to enable volunteer probation officers to work more closely with full-time officers. In India, following the pilot project, "Action Research on Utilizing Voluntary Probation *Sahayaks* under the Probation Programmes" sponsored by the National Institute of Social Defense in 1972, two states have begun to utilize voluntary probation officers. Hong Kong has also initiated a volunteer scheme for probationers in late 1976, under which volunteers are expected to supplement professionals by acting as tutors for probationers with school problems, providing friendship, and giving assistance and guidance in employment, in the proper use of leisure time and in the development of interests or hobbies. In Sri Lanka, voluntary female probation officers are utilized to supervise a small number of female clients in rural areas and Korea and some other countries have voluntary organizations for aftercare services.

It was generally agreed that these voluntary schemes had been useful and might be profitably introduced in other countries. It was strongly argued by many participants, however, that volunteers should not be expected to substitute professionals but only to supplement them because volunteers were not professionally trained. The adequate recruitment, orientation, training and supervision of volunteers may raise the standard of their performance, but the professionals should be responsible not only for treating offenders with difficult problems, but also guiding volunteers in the proper treatment of offenders. On the other hand, it was pointed out that volunteers working for humanitarian motives without emolument were able to build up friendly and

personal relations with offenders. It was agreed that volunteers can alleviate some of supervisory functions of professionals and help them provide more effective and intensive services ranging from individual counselling to group work for offenders in need of such services.

Effective Preventive Measures for Juvenile Delinquency and Youth Crime

1. Roles of Family, School and Religious Organizations

(1) Family

All participants stressed the importance of family environment, family relationship, and discipline by parents with regard to the sound upbringing of children and the prevention of juvenile delinquency. Family is the basic unit in society and the immediate environment with which children come in contact first in the process of growth. Children learn in the family the norms and values of the society in which they live. Therefore, the family is expected to play a vital role in educating children and in molding their personality and social adaptability.

However, it was pointed out by many participants that the family had been losing its authority in controlling children's behavior. As a result of urbanization, industrialization and technological change, the family system in many Asian countries has been affected and the traditional large family system gradually has been giving way to the nuclear family system which consists of parents and a small number of children. "Generation gap" exists between the elder and the younger generations. The authority of the elder and the father is declining. Parents in the nuclear family often have not enough time to care for their children. Thus, the family is no longer competent to control their children. In Korea and Japan, for example, it was reported that delinquent juveniles from ordinary families with no serious deficiency were increasing. This may indicate that the family is becoming unable to perform the function of controlling juvenile delinquency.

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Acknowledging that there was pressing need to deepen mutual understanding between parents and children and to strengthen the family tie, the participants stressed the importance of enlightening the parents on their proper role in educating children and encouraging parents to participate in community activities such as the Parent-Teacher Association in order to share experiences with other parents and to increase their understanding of the community in which they and their children live.

(2) School

School occupies a very large part of children's life. There is no doubt that teachers who keep close contact with children and observe their behavior can play an important role in the prevention and control of the delinquency through the early detection of the problematical behavior. Since the discipline by the parents is declining as mentioned above, the role of school has become more important.

However, there are many serious problems in school in Asian countries, such as overcrowding, excessive competition, and inability of teachers to give attention to individual problems. In Burma, schooling facilities are inadequate both in quantity and in quality. Trained and good teachers are scarce, and school buildings are poor. Classes are overcrowded and textbooks, writing materials, etc. are always in short supply. In many schools, particularly primary schools, each child is not given individual attention, because the class usually consists of 60 to 70 children. However, it is noteworthy that the Social Welfare Department has established voluntary primary night schools for those who are unable to attend normal schools.

In Japan, the excessive competition at school is a serious problem. Some students have difficulties in keeping up with the expected standard of achievement, but under the competition principle they are generally neglected. This situation creates the feeling of alienation and frustration among students and eventually drives them to delinquency.

It was generally agreed that school should give the students proper living guidance and moral education, develop

club activities and promote the participation of the students in the school activities. In this regard teachers should pay more attention to individual students, give them assistance and counseling services, and make efforts to gain a better mutual understanding.

It was also stressed that the close cooperation between school and parents and other agencies was important for the prevention of delinquency. In this respect, in Hong Kong, social workers in governmental and voluntary organizations are sent to work with those students who are identified to have behavioral problems or difficulties in school work.

(3) Religion

Although as a result of industrialization and urbanization the adherence to religion has become weaker, especially among the young generation, it still exerts a strong influence on the conduct and behavior of individuals in most Asian countries. There are a number of religious organizations engaged in voluntary social work in the region, such as the Young Buddhist Association in Thailand and the Family Service Institute established by the Catholic Church in Sri Lanka, and they are expected to play an active role in educating children and preventing them from falling in delinquency. It was the consensus of the participants that the significance of religion should be re-evaluated positively.

2. Role of the Community

The causes of delinquency among the younger generation often relate to the situation in local communities and neighborhoods and, consequently, the prevention of delinquency can be accomplished only through the cooperation of the community in which the delinquency come into existence. Community participation is not only necessary and effective for the prevention of delinquency but also essential for the development of a democratic society.

However, alike the family system, the community in many Asian countries has been in the process of disintegration as a result of individual mobility due to urbanization and industrialization. Its role as an agency of effective social control has been gradually weakening. It

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was unanimously agreed that community organizations should be developed to enhance community participation in the prevention of delinquency.

An informal control of the community must be adapted to the changing local needs. Otherwise, it becomes oppressive and obstructs the development of the community itself. Therefore, where an informal control of the community is exercised, there must be a democratic communication system or frequent dialogues between the elders and other community members, especially those of younger generation. Many participants felt the necessity of organizing newer community activities based on the democratic idea.

Japan has many types of community organizations oriented to the prevention of delinquency and crime, such as Crime Prevention Association, Parent-Teacher Association, Big Brothers and Sisters Association, and Voluntary Probation Officers' Association. In addition, there are School-Police Liaison Council and Business-Police Liaison Council, which are formed for the purpose of preventing students or working juveniles from becoming delinquent through mutual cooperation between school or business firms and police. Juvenile Guidance Agents are more important. They are volunteers who are actively engaged in guidance on the street and in counseling service in cooperation with police officers. Juvenile Guidance Center is the base for their operations. In Malaysia, the *Rukuntetangga* scheme is a community-based crime prevention program in which citizens participate voluntarily in patrolling and talking about crime prevention. Police Volunteer Reserve, made up of volunteers from the community, performs normal police duties on a part-time basis. Juvenile Welfare Committee consisting of citizens also contributes to the prevention of delinquency. Voluntary Police Assistants in Korea and Vigilance Committees and Town Guards in Sri Lanka engage in night patrol and other crime preventive work in cooperation with the police.

Many participants stressed that the most important thing is the spontaneous participation of citizens. Usually, the

government plays a leading role and citizens only follow passively its direction. In Japan, the traditional community system tended to become a lowest level of auxiliary administrative machinery. But the spirit of independence, responsibility and initiative of individual citizens should be the driving force in organizing and implementing community activities related to the prevention of delinquency.

Unfortunately there still exists the apathy of some people in respect to community affairs. Many Asian countries make great efforts, through mass media and in other ways, to create a sense of public conscience and responsibility in the prevention of delinquency. Some participants expressed the view that probation officers should work actively with the community and play the role of catalysts in activating the community participation. Japanese participants introduced an example of public education campaign, "Campaign for a Brighter Society." It is conducted once every year in July throughout Japan under the sponsorship of the Ministry of Justice, with the cooperation of mass media and many agencies and organizations in the community.

All participants stressed that the community, in cooperation with social welfare agencies, should provide playgrounds, youth centers, other recreation facilities and various programs for youth activities, give the youth guidance and assistance, and encourage them to participate in the youth organizations and recreational and social activities. Many programs for the youth which are in work in many countries were introduced by the participants. In this respect, it was pointed out again that the spontaneous participation of the youth was vitally important. It should be considered that planning and implementation itself is entrusted to them as much as possible.

3. Role and Activities of the Police

The police, undoubtedly the most important agency in the prevention of juvenile delinquency, come in contact with juvenile delinquents more often and earlier than other agencies. They can also easily see criminogenic situations in the community.

CONCLUSIONS OF THE COURSE

Juvenile police activities for prevention include two kinds: one is early detection of delinquents so as to give them adequate guidance, and the other is the elimination of harmful social environments which tend to lure juveniles into delinquency. However, the work of prevention of delinquency cannot be carried out by the police alone. It is very important to obtain the support of the public and the cooperation of other agencies concerned. Since the police have sufficient information on the situation of delinquency and harmful conditions in the community, they can bring it to the notice of parents, teachers, and others with a view to timely corrective actions being taken.

It was pointed out that in some countries the public attitude toward the police officer was negative or antagonistic, and that he was looked upon as a man of terror. Because of this poor image of the police, very often the public were reluctant to come forward to assist the police in the detection and prevention of crime and delinquency. The need to improve this relationship between the police and the public was strongly felt by the participants as a matter of prime importance.

In Hong Kong, the system of police-community-relation officers was recently set up. Those officers make efforts to enhance the police image in various ways. In Malaysia, Police Cadet Corps, made up of school pupils, have been formed in an effort to improve police-community relations. These students wear distinctive uniforms and perform crowd control functions when required at school and youth meetings. Malaysia also organizes Police Open Days in order to give the public a notion of what police work is and to make them understand the police role.

Many community organizations in Japan, Malaysia, Korea, and Sri Lanka, which were mentioned before, also contribute to increasing good police-community relations. The attitude of the

public toward the police will change better through these activities.

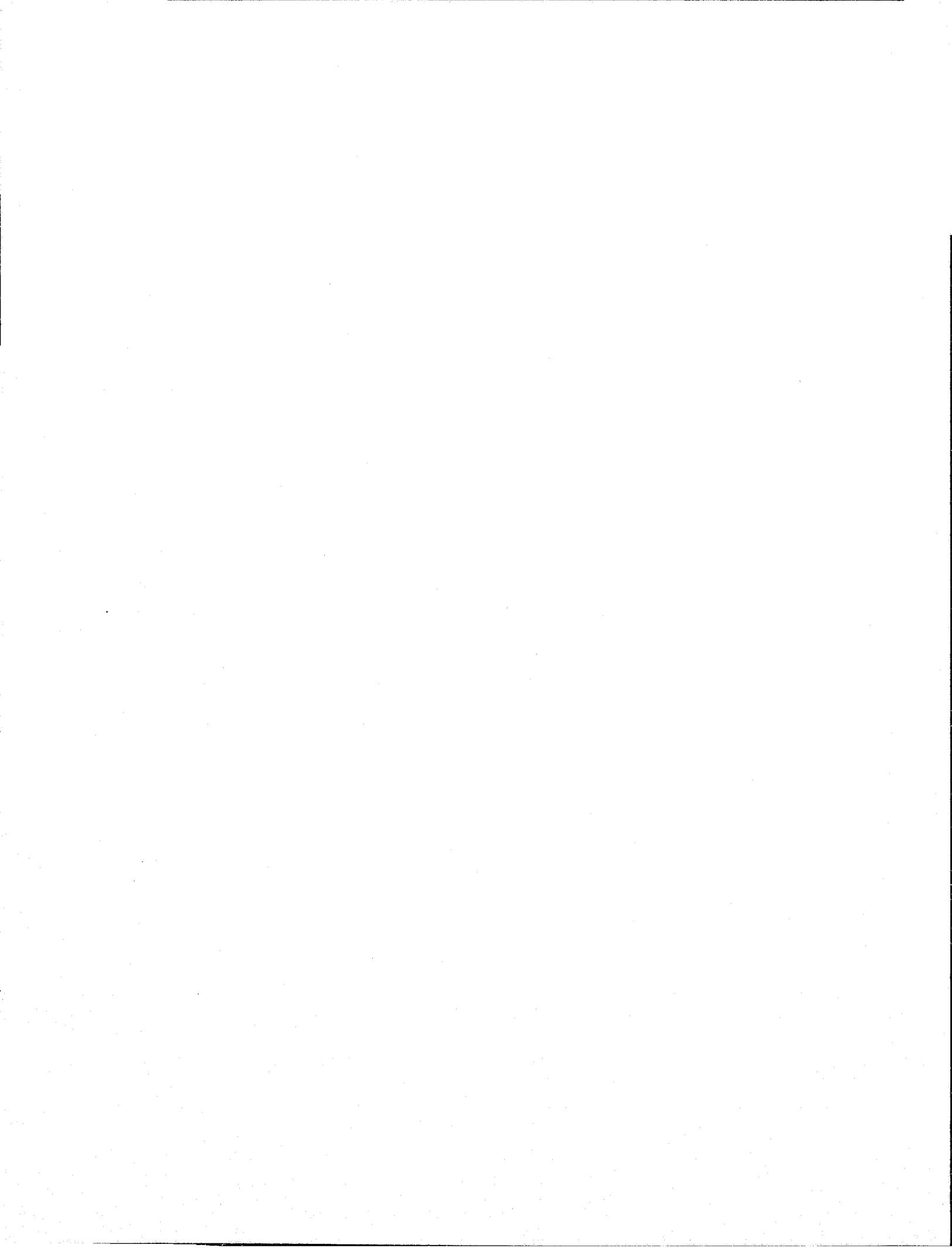
4. Coordination of Activities among All the Agencies Concerned

There are many agencies concerned directly or indirectly with the prevention of delinquency. Participants agreed that, in order to ensure effective and comprehensive preventive measures, there was a need to coordinate the policies and activities of these agencies, by increasing mutual understanding, avoiding the overlapping of services and filling up the area where no services were provided. Japanese participants introduced the Japanese efforts such as National and Local Council for Youth and Juvenile Problems. In this respect, it was pointed out that the co-work of the personnel in actual field operation was more important than the council of top-rank officials.

5. Incorporation of Crime Prevention Programs in Social Development Planning

Asian countries are now making utmost efforts for the national development. However, economic development is accompanied by urbanization, industrialization, population growth and social mobility, internal migration and technological change, which tend to aggravate crime situations unless proper measures are taken for mitigating their criminogenic effects.

Thus, the national development plan should envisage not only economic prosperity but also the realization of a well-balanced humane society. Professor Lopez-Rey, the Visiting Expert for the Course, stressed that social defense policies must be integrated from the outset into a comprehensive national plan which aimed at keeping proper balance between the economic, social and cultural development of the nation. The participants unanimously agreed with his view although they were also aware of many problems and difficulties in achieving this goal.



END