Final conference of the Improving Juvenile Justice Systems in Europe: training for Professionals and
5th Meeting of the European Council for Juvenile Justice

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2017-2019 The Child-Friendly Justice Momentum in Europe

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ECJJ Priorities

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C. Procedural Safeguards and Child Friendly Justice

D. Countering violent extremism

→ Working group: these priorities will be developed in the working groups
ECJJ Priorities

Origins:

• 4th ECJJ meeting in 2014 “Towards the Effectiveness of Juvenile Justice Policies in Europe: Lessons Learned and future challenges”

• Follow up of the EU Agenda on the rights of the child

• The arising priorities and Europeans current challenges
A. All Forms of detention and alternatives

In Europe, the CoE Guidelines on Child Friendly Justice and the EU Directive 2016/800 on procedural safeguards for children who are suspects or accused persons in criminal proceedings call for the use of detention only as a last resort measure, for the development of adapted alternatives to detention, and for the taking into account of specific vulnerabilities (mental health, gender) in the judicial procedure and sanctioning practices.
All Forms of detention and alternatives: EU PROJECTS

• Title: “AWAY - Alternative Ways to Address Youth”

• OBJECTIVES:
  ➢ Study and promote diversion programmes and extra judicial measures at EU level

• EXPECTED RESULTS:
  ➢ Regional research on evidence based practices related to extra judicial measures at EU level
  ➢ Publication, training and e-learning course on diversion
  ➢ Advocacy strategy to promote diversion in Bulgaria, Croatia, Hungary and Romania
All Forms of Detention and Alternatives: EU Projects

**Partners:**

- Terre des hommes Foundation “Lausanne” in Hungary (applicant)
- Brave Phone Croatia
- Program for the Development of the Judicial System (PDJS) Bulgaria
- Terre des hommes Helvetia in Romania,
- Defense for Children – Belgium Defense for Children International (DCI)
- PILNET
All Forms of Detention and Alternatives: EU Projects

- **Title:** “Facts for Minors- Fostering Alternative Care for Troubled Minors”

- **Objectives:**
  - Improve the cooperation between judicial and health system safeguarding
  - Complement the efforts of the EU in the area of the rights of the child by boosting child protection system changes in 5 countries
  - Improve efficiency of the child protection system in 5 PC
  - Ensure that children with psychiatric/personality disorders in alternative care are guaranteed full access to their rights
  - Strengthen the capacity of professionals working for or with children in alternative care to respond to the particular needs
  - Strengthen interagency and multidisciplinary cooperation
  - Awareness raising
All Forms of Detention and Alternatives: EU Projects

Partners

- Coordinamento Nazionale Comunità di Accoglienza (CNCA) - National Coordination of Care Communities (Italy)
- Psychoanalytic Institute for Social Research – IPRS (Italy)
- Istituto Don Calabria (Italy)
- Juvenile Justice Ministry, Department of Community studies (Italy)
- Christliches Jugenddorf Deutschland – CJD Hamburg (Germany)
- Catholic University of Porto (Portugal)
- Finnish Youth Research Network (Finland)
- Parc Sanitari Sant Joan de Déu (Spain)
- International Juvenile Justice Observatory (Belgium)

**Formal supporters:**
- Justice Ministry Schleswig-Holstein of Germany
- Justice Ministry of Portugal
- National Ombudsman of Finland
- Justice Ministry of Catalonia (Spain)
All Forms of Detention and Alternatives

POLICY PAPERS

Pre-Trial Detention

• Policy paper providing recommendations to reduce the use of pre-trial detention for Children in Europe

Alternatives to Detention

• Policy Paper providing recommendations to increase the development and use of diversion measures and validated programmes of alternatives to detention.

Mental Health for Young Offenders
TRAINING:
- Second session of the online training course Alternatives to Detention for Young Offenders in 2017
- First session of the Improving Juvenile Justice System training course

ADVOCACY:
- The ECJJ will follow closely and take an active part in the development of the Global Study on Children Deprived of Liberty since the IJJO is a member of the NGO core group.
B. Restorative Approaches

Restorative justice processes have been shown to have the potential to yield positive outcomes for people who have been harmed. In this way, restorative justice can be seen as a more holistic response to youth crime in that it addresses the needs of both the perpetrator and the victim of a specific act of harm.

The proactive attitude of European institutions on children’s rights in general, as well as child friendly justice and victims' protection in particular, has created a favourable environment in the EU for justice reforms. However, in Europe far too few people who have been harmed participate in restorative justice procedures with those who have harmed them.
Restorative Approaches: EU Projects

Title: “Implementing Restorative Justice with Child Victims”

DAPHNE

- Objectives:

Implementing successful practices on restorative juvenile justice in the EU.
- Train professionals on the use of RJ
- Make RJ processes a more common response
- Protect and address the needs of young victims of crime through validated RJ processes
- Participate to a better implementation of the Victims Directive (2012/29/EU)
- Participate to the implementation of the upcoming Directive on procedural safeguards for children or accused in the criminal proceedings
Restorative Approaches: EU Projects

- **Expected Results:**

  - Field visit in Finland, Northern Ireland and Belgium
  - Constitution of mentor and mentee groups for cooperation concerning practices: victim offender mediation, conciliation, restorative circles and/or conferences
  - Development of pilot project in 3 selected mentee countries (Latvia, France, Bulgaria)
  - A practical guide on concrete implementation of 3 types of juvenile RJ processes (in 7 EU languages) – 400 printed copies + electronic version
  - An online training course based on the practical guide
Restorative Approaches: EU Projects

Partners:
- European Forum of Restorative Justice,
- National Institute for Health and Welfare (Finland)
- Youth Justice Agency (Northern Ireland)
- KU Leuven (Belgium), Ulster University, State Probation Service (Latvia)
- Direction de la Protection Judiciaire de la Jeunesse, French Ministry of Justice (France)
- Institut Français de Justice Restaurative (France)
- Social Activities and Practice Institute (Bulgaria).
Providing recommendations to increase the development and use of restorative practices with children (victims and offenders) in Europe.
Restorative Approaches: Advocacy

- Promotion of the ECJJ EU model on RJ
C. Procedural Safeguards and Child Friendly Justice

The EU Directive 2016/800 on procedural safeguards for children who are suspects or accused persons in criminal proceedings

→ the first EU instrument to implement in a binding way the standards provided by the UN Convention on the Rights of the Child.

• In many EU Member States, judicial proceedings are not adapted for children and their particular needs are often overlooked during the procedure and its aftermath. The period of implementation of the Directive therefore constitutes a very important opportunity to amend Member States’ legislation about juvenile justice and the safeguards provided for children.
Title: “Advancing Defence Rights for Children”

- **Objectives:**

To increase the capacity of defence lawyers effectively to represent children in criminal proceedings

- Identify practical barriers that prevent effective participation of child suspects/defendants in criminal proceedings that can be addressed by skilled legal representation
- Examine existing practice on engaging interdisciplinary expertise on the training of defence lawyers
- Develop and deliver replicable and interdisciplinary training programme for defence lawyers
- Enhance networking opportunities for defence lawyers
Expected Results:

- Increased provision of training for defence lawyers representing child suspect and defendants in criminal proceedings
- Increased capacity of lawyers to represent child suspects and defendants effectively
- Stronger networks between defence lawyers and experts from other relevant disciplines
- Increased awareness of the systemic challenges
- Strengthened respect for the rights of child suspects and defendant in criminal proceedings.
Partners:

• Fair Trials International, the applicant ("Fair Trials") - United Kingdom
• Association for the Protection of Human Rights in Romania ("APADOR- CH") - Romania
• Fair Trials Europe ("FTE") - Belgium
• Hungarian Helsinki Committee ("HHC") - Hungary; and
• International Juvenile Justice Observatory ("IJJO") – Belgium
Procedural Safeguards and Child Friendly Justice: Policy Papers

- Child Victims
- Safeguarding the right to a child friendly justice system
- Gender girls and Juvenile Justice Systems
Procedural Safeguards and Child Friendly Justice: Advocacy

- White paper see next section: Child-friendly justice in the framework of the new Directive on procedural safeguards for children suspected or accused in criminal proceedings

- Cooperation with the European Union Agency for Fundamental Rights (FRA)
The issue of radicalisation leading to violent extremism has increasingly become a priority for every EU Member State and the EU as a whole. Law enforcement and judicial treatment of actions linked to terrorism and violent extremism today tend to overlook the particular status of juveniles suspected or charged with terrorist related offenses, often in violation of international standards on the rights of children.

Repressive measures are no longer sufficient nor effective and a new strategy based more on prevention needs to be adopted. Efforts to prevent and promote disengagement from newer forms of violence and extremism will be more effective if they build on existing structures for crime prevention and rehabilitation, and learn from validated practices targeted at different forms of violent extremism.
Countering violent extremism: EU Projects

Title: PRALT “Prevention of Juvenile Radicalisation through Alternative to Detention”

- Objective:

  ➢ Training on effective intervention, management and sentencing practices regarding the prevention of radicalisation in detention, as well as the alternatives to detention and the development of effective de-radicalisation programmes for youngsters in EU Member States.
Countering Violent Extremism: EU Projects

• **Expected Results:**

- The training of professionals and sharing of promising practices
- Creation of a manual and e-learning training course to help professionals to tackle the issue of radicalisation, in detention and through alternative to detention
- Policy brief that will be presented and discussed at the EU institutions
- E-learning
- International conference Paris 2018
Countering Violent extremism: EU Projects

Partners:
• Bremen Ministry of Justice (Germany)
• Protection Judiciaire de la Jeunesse, Ministry of Justice (France)
• Fundación Diagrama (Spain)
• The National Prison Administration - Ministry of Justice (Romania)

Associate partners:
• International Association of Youth Judges and Magistrates (Belgium)
• The Violence Prevention Network (Germany)
• Ombudsman General Delegate for the Rights of the Child - Fédération Wallonie-Bruxelles (Belgium)
Countering violent extremism: EU Projects

Title: “Strengthening Juvenile Justice Systems in the counter-terrorism context: capacity-building and peer learning among stakeholders”

Objective:

- Gather information and evidence concerning terrorism and violent extremism in juveniles
- Analyse related public policies and programmes
- Develop effective community-based alternatives and diversion measures
- Promote validated practices for de-radicalisation of juveniles
- Disseminate knowledge through the Online Community of Practice
Countering violent extremism: EU Projects

**Expected Results:**

- Identified policy responses and promising experiences to handle the terrorist context and to prevent radicalisation
- Promotion of a regional dialogue with policy-makers and practitioners
- Improved national criminal policies and programmes in juvenile justice systems and more efficient judicial counter-terrorism policies
- Improved capacities and knowledge of juvenile justice professionals to face extremist phenomena and implement effective responses
- Improved and tailor-made programming to risk factors and individual circumstances of radicalised or at risk boys, girls and juveniles
- Promotion of evidence-based policy-making and of specialisation in the design and implementation of new policies and programming
- Enhanced social integration and reinsertion of radicalised juveniles.
Countering violent extremism: EU Projects

- **Partners:**
  - Senator für Justiz und Verfassung - Federal Ministry of Justice of Germany - DE
  - Ministry of Justice of Belgium - BE
  - Penitentiary for Minors and Juveniles Tichilesti - The National Prison Administration - RO
  - Educational Center Tg. Ocna - The National Prison Administration - RO
  - University of Zagreb, Croatia - HR
  - Faculty of Law - University of Miskolc - HU
  - Ludwig Boltzmann Institute - AT
  - PROVIDUS - LT
  - Protection Judiciaire de la Jeunesse - Ministry of Justice of France – FR
  - Stichting 180 - NL
  - Fundación Diagrama – ES
  - Defence for Children (DCI) Netherlands - NL
Countering violent extremism: Advocacy

- Membership of Radicalisation Awareness Network (RAN)
- Child Justice Advocacy Group
- Raising public awareness on violent extremism and juvenile justice through EU and international expert groups (IJS, EC, ASEAN)
Next Step

WORKING GROUPS
WORKING GROUP

WHAT?
• The 4 ECJJ priorities

WHO?
• The one interested to produced or to get informed.

HOW?
• Discussion, debate, policy paper, intranet Platform

• Let’s start!
THANK YOU!