

**13th SUBORDINATE COURTS WORKPLAN 2004/2005
JUVENILE JUSTICE – SIDE BAR TECHNICAL DIALOGUES**

**JUVENILE CRIME AND BREACH RATES:
ARRESTING THE TRENDS**

COMMENTS ON DISCUSSION PAPER BY:

BEYOND SOCIAL SERVICES

Increasing diversionary approaches

- 1. What more can be done to address the concerns of youths, to channel them into appropriate activities and paths, and to deter them from crimes? What other outreach programmes can be implemented to prevent the onset of criminal behaviour?**

Crime prevention public education (as in the efforts of the National Crime Prevention Council in collaboration with schools and other community stake-holders) is praiseworthy and essential in deterring youths from criminal behaviour. We trust that healthy moral values continue to be developed at home and in school. Crime, however has various motivations and consequences. In the more recent juvenile crime situation, it appears that the greater numbers of youths were involved in petty offences or delinquent anti-social behaviour. Whilst the causes of delinquency are manifold and inter-related, it is probably agreed that some key factors include the family (structure, parenting), the competitive educational system (with its emphasis on academic performance), and greater youth autonomy.

Delinquency is a huge area for discussion, and within the much larger framework, we make our comments and ideas from a perspective focused particularly on disadvantaged youth on the fringes of mainstream society. Bearing in mind that adolescence is a time for questioning and evaluating beliefs and values, as well as behavioural experimentation in the development of personal identity and autonomy, it would seem that healthy adjustment, identification and integration within the community a youth lives would check excessive exuberance and inhibit anti-social behaviour. For this, so-called “youth culture” must be welcomed or somehow included into the mainstream life of the community rather than pushed to the fringe with the possible alienation of the youth.

Whatever one's views on the "generation-gap", bridges can be built for our marginalised youth to connect with the mainstream adult community, and this task must be undertaken by both the community and the youths to enable a meeting, and a smoother transition from adolescence to responsible adulthood in the community.

The ideal is for our youth to live and interact in inclusive welcoming communities that consider it important to take charge or try to be abreast of youth trends and issues. It is thought that youth who perceive a friendly welcoming and "cool" community with a lively youth scene, and that is on top of things and that cannot be easily deceived or tricked, would be less likely to wish to harm that community and hence be less likely to engage in, or be deterred from delinquent anti-social behaviour or petty offences. The challenge is to have the cohesive kampong spirit even in the midst of Singapore's densely populated urban jungle.

Can this be achieved? We believe every effort should be made to counter the creeping anomie in our society, and try things beyond conventional social welfare programmes towards preventative community-based movements.

Just as the National Crime Prevention Council, works as "advocate, catalyst, co-ordinator and facilitator of crime prevention of Singapore ... with the help of individual citizens, government bodies, as well as business corporations, all working in harmony to prevent crime in Singapore" (NCPC brochure "Creating an even safer place for ourselves"), the Court or some government body could fund or work in partnership with a Voluntary Welfare Organisation to support a *Community Youth Co-ordinator* to work as advocate, catalyst, co-ordinator and facilitator of an inclusive community that welcomes and supports its marginalised youth, with the help of individual citizens, government bodies, as well as business corporations, all working in harmony to prevent youth delinquency in Singapore.

This person would build supportive networks for our youth – positive partnerships and links with community stake-holders, increase public awareness and concern for our youth on the fringes, motivating and drumming up community interest, resources and action for the healthy development of our youth and their integration into society. Part of the mission would also be to get our youth to connect with the community. Possibilities might be working with stake-holders to:

⇒ facilitate public awareness campaigns on pertinent youth issues;

- ⇒ identify healthy youth resources, activities and programmes attractive and accessible to disadvantaged youth;
- ⇒ provide guidance, training and motivation to those working with our youth (perhaps training grassroots leaders as neighbourhood youth mentors and so on);
- ⇒ keep tabs on what youths are doing;
- ⇒ channelling our at-risk youth to healthy activities;
- ⇒ initiate national awards or other forms of recognition for innovative youth programmes;
- ⇒ give rewards or recognition for the efforts of those actively involved in integrating youth into the community.

Who are these stake-holders? They would include all who have meaningful contact with and influence on our at-risk youths – parents and the extended family, schools, government bodies, the Court, providers of recreational and leisure activities, enterprises and business corporations, grassroots community organisations, associations, religious bodies and even operators of shopping malls, cinemas, libraries, video-games arcades, and food and beverage outlets frequented by youths – all the various communities where our youth congregate or live in.

Even profit-making businesses have a community-conscience, with a stake in social concerns and youth issues, having an influence on our youth as customers, and desiring to reduce youth shoplifting. With our youth frequenting shopping malls, the malls (perhaps the mall operator or the shopkeepers association) could have a *Community Youth Co-ordinator* to make contact and connections with the youth in the environs of the mall, making it a friendly place with perhaps:

- ⇒ loyalty youth discounts (perhaps akin to the discounts given to senior citizens);
- ⇒ youth events (how about an international festival-type event or fashion shows?);
- ⇒ linking youth with shopkeepers for employment.

A friendly place attractive to our youth, supportive and responsive to their culture is less likely to be the target of petty theft and anti-social behaviour, as they would “feel” for the place and be accepted by the community there. This would demonstrate community-conscience on the part of the business community and surely be conducive for commerce. Building relations between the shopkeepers would also allow the sharing of information as to

youth shoplifting trends and theft methods, and help identify trouble-making youth. The community youth co-ordinator would naturally be the one to liaise with the police regarding juvenile crime and delinquency affecting the mall, and could assist in any police diversionary measures in lieu of the prosecution of youth offenders involved in theft or other crimes at the mall.

We feel that community involvement and support is crucial in the prevention of juvenile delinquent behaviour, and that a co-ordinator or motivator could act as advocate and catalyst to galvanise community resources in the form of all the various stake-holders. This would be in line with our shared national value of community support and respect for the individual, and the Ministry of Community Development and Sports principles of consultation, many helping hands, and shared responsibility, as well as leading by example, empowering people and the community, acknowledging efforts and development.

The community youth co-ordinator could brainstorm, have dialogues, and help identify and encourage such innovative ventures with stake-holders – make stake-holders excited about the possibilities of such an inclusive community! These are just a few ideas, our creativity being limited, as it is often said, by our imaginations.

2. How can we creatively engage at-risk/marginalised populations and provide them with viable alternatives to joining gangs, dropping out from school and eventually getting involved in crime?

Beyond Social Services has approaching 35 years of working with at-risk/marginalised populations and it is our vision to be able to see every child and youth in Singapore, despite a disadvantaged background, have the opportunity to refuse a lifestyle of delinquency and welfare dependency, move beyond their problem-filled situation towards respect for the law, valuing education and becoming responsible adults, integrated within mainstream society. We believe in the ART of preventing delinquency: Advocacy in the interest of disadvantaged youth, Resource building and mobilisation in the youth themselves, their families and community, and Training, mentoring, or coaching the youth in developmental programmes to make the most of their potential.

Youth movements such as uniformed youth organisations and religious youth organisations give a sense of purpose, develop human potential, and provide for healthy peer interaction

and activities outside of the home and classroom. Not all youth, however, enjoy the regimentation or spirituality, and perhaps alternative adolescent youth movements could be organised for at-risk youth to inculcate moral values, provide developmental programmes and provide peer support, friendship and healthy recreational activities for these adolescents.

We have it in mind to set up the structures and maybe play the role of a catalyst for an adolescent youth movement especially for marginalised adolescents most at risk of delinquency. As we conceive it, such a youth movement aims to:

- ⇒ provide an healthy and safe youth culture and environment;
- ⇒ be firmly focused on marginalised at-risk youths (perhaps reaching out first to upper primary school children in the EM3 stream from a couple of primary schools before extending it farther afield);
- ⇒ give our youth something to do by providing a choice of enjoyable activities.

We seek to inculcate healthy values and develop our youths' individual leadership potential, empowering them to take charge of their lives through an initiation programme they would have to participate in, in order to join the movement. Thereafter, by encouraging interest and participation in healthy group activities, coaching in life-skills such as peace-making, relationship and teamwork skills can take place. Activities could include:

- ⇒ sports;
- ⇒ adventure activities;
- ⇒ voluntary service;
- ⇒ youth-exchange stints;
- ⇒ other recreational activities – just relaxing and having fun in a group.

We work to provide opportunities for our youth to experience success, enabling them to build on the confidence success gives, and move on to competence. Through a range of enjoyable experiential activity-based programmes, we envisage these youth finding a sense of purpose and developing their self-understanding and esteem, so essential in the prevention of delinquent behaviour.

Working partnerships with community resources for the provision of the activities builds networks of relationships with stake-holders, encouraging and promoting co-operation between organisations engaged in providing services for the benefit of youth and their

families, and contribute to greater community interest and action with regard to youth-at-risk issues.

This project is really only at the drawing-board stage, and can only be successful with the collaboration of stake-holders such as schools, trainers, coaches and providers of adventure, sports and recreational activities, and we seek partnerships with all interested persons and organisations.

3. What are the alternative ways to manage minor and first offenders in Singapore, particularly in relation to theft offenders? What specialised treatment interventions can be offered by Police and community agencies, as a diversionary measure to target theft/property offending in lieu of prosecution?

In situations where a youth admits or at least does not deny the petty theft, we believe that serious consideration should be given to true diversionary measures, preventing the very real concern of the stigmatisation of prosecution in court. We would even urge consideration of the New Zealand position where contact with the criminal justice system is understood to be often harmful in itself, and criminal proceedings are not taken against a child or young person if there is an alternative means of dealing with the matter, unless the public interest otherwise dictates.

With respect to possible alternative means, we would prefer to consider developmental programmes rather than specialised treatment interventions. Treatment presupposes or has connotations of pathology. Less serious youth delinquent behaviour including petty theft (and particularly in first offenders) very often need not be classified as dysfunctional criminal behaviour requiring treatment.

By committing an offence, a youth in a sense takes him or herself outside acceptable society, and requires reintegration and restoration. Whilst we firmly believe that offences like theft is wrong, justice may be better served not by regarding the youth as dysfunctional and requiring treatment, but as a developing individual who should be confronted and held accountable for the offending behaviour, as well as given the opportunity to take responsibility for his or her actions by making amends or restitution to the victim of the offence in the presence of the youth's community (family and other closely linked persons) with the goal of reconciliation

and reintegrating the youth within his or her community and preventing further offending behaviour.

Along these lines, alternatives would include a variety of tools and methods, including the Victim Offender Mediation approach, the Restorative Conferencing approach, and perhaps even supervised community service programmes (without the element of shaming) or school-based programmes which could all be linked to a police stern warning. This seems to be the way to go, with desired outcomes such as:

- ⇒ respect and due regard for the victim's interests, and healing of the victim's hurt;
- ⇒ accountability, with the offender facing up to his or her responsibilities, seeing the effects of offending conduct in human terms, and gaining an understanding of others' perspectives;
- ⇒ repair of the harm resulting from the offending behaviour;
- ⇒ respectful reintegration of the offender into society;
- ⇒ reducing re-offending.

These measures could be administered by the police, or by community agencies and schools working in partnership with the police, diverting youth away from the formal criminal justice system.

4. Is there room for other diversionary measures besides the use of Guidance Programme? Can more be done for the Police to work with community agencies, with the New Zealand experience as a model, for which modifications can be made to suit our local context? For example, victim-reparation, compensation, apologies, etc be made by the offender to his community through 'family conferences' in lieu of the juvenile being charged in the Court?

Our comments to the previous question indicate we firmly believe there is much room for diversionary measures other than the use of the current Guidance Programme.

The counselling-based Guidance Programme has been successful in that many youths have been diverted away from the Court. This programme could perhaps be strengthened with a reintegrative shaming component or Victim Offender Mediation approach, to underline accountability, with the youth taking responsibility for the consequences of his or her actions, and be given an opportunity to make restitution to the victim of the offence. Perhaps some

activity-based components could also be added, since, in our experience, marginalised youths respond well to activity-based learning.

In this respect, as a diversionary measure, the Guidance Programme could perhaps be blended with the StreetWise Programme since both seek to turn youth away from criminal behaviour. The infrastructure, experience and resources from both programmes could then be pooled together and perhaps improved and developed with more flexible restorative justice approaches. Or maybe a comparative study of the two programmes could be conducted. Whatever the case, we are of the view that there needs to be co-ordination between the agencies running these programmes to ensure and maintain standards and, very importantly, consistency. We also feel that greater police involvement in these programmes could only enhance the chances of success.

As diversionary measures, the restorative justice approach would ensure the accountability of the youth offender to make right the harmful impacts of the offence, and take into proper account the interests of the victim. As such, the measures, including the Guidance Programme would naturally concentrate more on behaviour modification and prevention of re-offending rather than intra-psychic therapeutic treatment, although not to the exclusion of appropriate counselling where necessary for the welfare of the particular youth.

We would also very much support the diversionary alternative of the Restorative Conferencing approach as developed in New Zealand as another tool to deal with more serious cases of offending. This is not a soft, lenient or indulgent approach; having to face the victim in front of the key people in one's life and be held accountable and answerable to them, is tough, and an approach that we feel would be effective in preventing further delinquent behaviour and the harm of offending. Community agencies would be able to bring to the conference table relevant community resources to provide the supportive networks to enable the youth offender and his or her community succeed and fulfil the plan consensually agreed upon.

As practised in New Zealand, the Family Group Conference is culturally sensitive and effective in preventing re-offending, taking the victim's interests into account, and empowers the offender's family and community. We are of the view the New Zealand model can be relatively easily adapted to the local context. The Court has also built up invaluable

experience and expertise in Restorative Conferencing, and could share this knowledge by collaborating on the development of a viable system or in the training of Family Group Conference facilitators or co-ordinators.

Such a programme could be administered by the police, or by community agencies in partnership with the police. Upon referral from the police, these family group conferences could be facilitated by community agencies, to plan how to deal with the matter justly. The plan would cover:

- ⇒ recommendations to the police on the need for prosecution in court;
- ⇒ restitution to the victim and community;
- ⇒ how to address the underlying causes of offending;
- ⇒ the manner of implementation and monitoring.

This restorative justice process strengthens the family since it is responsible for the plan, and fosters its ability to responsibly parent and care for its youth, brings in the needed community resources to the youth and family to provide the supportive networks that would enable the youth offender and his or her family-community succeed and fulfil the plan consensually agreed upon.

The police would be strengthened as stronger links are formed with the community, and the community is also empowered, having an important role to play in juvenile justice and reducing youth crime.

5. How can the Government, the Court, the mass media and the third sector contribute further in addressing the issue of rising youth crime?

The Government and Court have made most commendable contributions to address the issue of youth crime. The latest statistics released by the police indicate that the level of youth crime has dropped significantly. The good and clearly effective work of the Inter-Ministry Committee on Youth Crime, the National Crime Prevention Council and the Court should continue.

We are of the view that the mass media have a significant influence on youth culture, and can also be considered as a stake-holder with respect to youth issues. As such, the mass media

have the moral responsibility to be more than mere observers. Through their extensive networks, the mass media are able to monitor both the local and international youth trends and issues, as well as support or even initiate campaigns to address certain trends and bring relevant youth issues to the public awareness.

With respect to the third sector, we believe that taking a developmental approach and pooling together and sharing the experience and resources of the various agencies involved in youth justice issues, collaboration with each other and partnerships with the Court, MCDS officers (such as the probation officers), and the police would contribute to creating public interest in youth issues (including youth crime), and help mobilise community resources to work together to curb youth crime. We should also work together to restore and reintegrate youth who have offended into their community, working together for an inclusive, welcoming society that is willing to give her youths more than a second chance.

Strengthening the pre-order process and post-order programmes

- 1. Is research required to study the reasons for the breach rates of 20% - 25%, and the reasons for the successful closure of 75% - 80% of cases, to extend the critical success factors to possible breach cases?**

We have no comments except to say that however much research is done to extend the critical success factors, we would say that there will always be a certain percentage of recalcitrant youth.

- 2. Should there be research into the new options available with probation, as provided in October 2001 by way of amendments to the CYPA, such as short detention orders and weekend detention orders?**

The breadth of options available with probation gives the Court the power and flexibility to tailor dispositional orders according to the special circumstances of each case. We would urge the Court to exercise this power and flexibility boldly and creatively, to deliberately craft orders with suitable developmental rehabilitative and restorative programmes, and to use the options as both carrot and stick. On-going research could then be conducted to examine the effectiveness of the orders.

Punitive options serve as deterrents, but we feel that the Court now has the flexibility to make orders not so much for punishment, as for the development of the youth before it. For behavioural modification, the carrot or positive reinforcement (perhaps weekends off or occasional later curfew hours) is as important as the stick or negative reinforcement.

Pre-order process

3. Are there other ways of enable the most appropriate orders, and conditions, to be proposed and imposed?

Perhaps more regular use of the family conferencing approach in the pre-order process may enable more appropriate orders and conditions.

Post-order programmes, Assessment tool for post-order programmes, Mental health, Education

1. Is our current system sufficiently equipped to support targeted case management? Should objective tools (like the Youth Level of Service/Case Management Inventory) be developed to support post-order supervision and goal-setting for rehabilitation plans?

Standards and tools are invaluable in case management. We would, however, caution against bureaucratic following of rules in the supervision of lives. A healthy balance and a certain amount of flexibility is needed to come up with plans suitable to the individual.

2. To what extent are multi-modal approaches including targeted behaviour modification programmes used currently?

The cognitive-behavioural approach is a staple in the social services, and it makes pragmatic sense to use a variety of approaches when dealing with different people, choosing the approach or approaches that best suit the particular person and situation for effectiveness and the desired outcome.

3. What can we do to improve the level of service integration across different agencies (especially for cases placed in homes/institutions) so that the needs of the juvenile are met holistically?

We work with the Singapore Boys' Hostel and Toa Payoh Girls' Home, providing training in life-skills and other developmental programmes. We feel more could be done to build up trust between the institutions and the parents of juveniles within them. With more dialogue and willingness on the part of the institutions to receive feedback, the parents would more effectively become partners in the joint management and rehabilitation of the youngsters. Open houses or parents' nights could be other ways for parents to get involved in the restorative process, and provide opportunities for the staff to meet the parents in a more relaxed setting. This would go a long way to a smoother reintegration of the youths into their communities.

We conducted a training series at the Boys' Hostel. One session was on anger management. A particular boy was unable to attend that session as he had been placed in confinement – because of anger. We appreciate the need for discipline within these institutions, but we wonder if some flexibility could have been exercised.

6. Are there other avenues for alternative education other than channelling the juveniles into mainstream schools? Should the community establish special education centres which can cater to the needs of these wayward youths who may not be necessarily academically inclined? Are the existing Vocational Training Centres (VTC) and Institutes of Technical Education (ITE) able to adequately meet their needs? Are there sufficient special schools (ie for the intellectually deficient) which can cater to the needs of juveniles who may also have a risk of delinquent behaviour?

Rather than merely providing formal mainstream education, assistance could be given to these youths to explore their passion or interest, and discover a sense of purpose in their lives. The desire for the relevant skills and the motivation to learn would then naturally arise.

7. What are the other gaps in terms of rehabilitation of juveniles? What else can be done to lower the breach rate in JAC cases? Would the various juvenile justice stakeholders be in the position to enhance the design and delivery of services in these areas?

With greater trust between equal partners, and a common vision and goal to work towards, the gaps can be reduced. There needs to be a forum for more dialogue and exchange of ideas,

information, experience and resources in the area of juvenile justice to develop a common cause with the Court for restorative justice, and develop greater openness and collaboration within the community organisations.

Enhancing competencies

- 2. How can there be more collaboration in training between justice constituents to enhance the level of understanding between agencies with regards to their individual core competencies? The objective is to ensure that the case management of a juvenile with multiple complex issues can be dealt with holistically.**

Case management does not require all specialties at the same time. May we suggest forming task forces to look into more common specific cases requiring the collaboration between different justice constituents, to determine how best to work together in the best interests of a juvenile with multiple complex issues.

- 3. How can the Government, the Court, the private/corporate sector and the mass media do to facilitate the recruitment and training of the human resources required for juvenile justice work?**

The best advertisements are people working within the sector who encourage others to join in the work. The worst are disgruntled staff. We believe it is important to support and nurture those in juvenile justice work – professionals who give hope and keep our young lives on track. In a line working with young lives, we also note that it is not always academic qualifications that make a good worker, but aptitude and passion for youth justice issues.

Prepared by:

Gerard Ee
Executive Director
Beyond Social Services
26 Jalan Klinik
#01-42/52
Singapore 160026
Tel: 6375 2940
Fax: 6274 0633
Email: ged@beyond.org.sg

Vincent Lim
Community Worker
Beyond Social Services
26 Jalan Klinik
#01-42/52
Singapore 160026
Tel: 6375 2940
Fax: 6274 0633
Email: vincent@beyond.org.sg

Dated: 21 April 2004