

For all practical purposes, we start the opening discussion by underlining that there is no European juvenile justice system, *and there should be one.*

Almost all juvenile justice policy, practice and funding occurs at state and local levels. Even there, the juvenile justice system is not a self-contained unit operated by a single entity. Every state has a different mix of decision-makers and services, and each divides power over juveniles in different ways. While it is possible to create progressive policy at the state level, *reform of practice will almost always require a local effort.*

This raises the flag towards the local communities of professionals. In our EIGEP project we are involving them to signal a stringent, obvious but overlooked aspect: *we cannot develop evidence based policy reforms if we do not have the evidence, if we do not collect data and if we do not share it in a transparent and meaningful communication process.* The communication needs to be between the pillars that serve the juveniles: **education, welfare, health, justice and community.**

Many of the circumstances leading to conflict with the law are of a social and educational nature. For many young people today, traditional patterns guiding the relationships and transitions between family, school and work are being challenged. Social relations that ensure a smooth process of socialization are collapsing; lifestyle trajectories are becoming more varied and less predictable. Children who offend often live in families facing difficulties such as poverty, substance abuse or separation; they may be excluded from school or be without a job; they may be involved in risky behaviours such as drug use or prostitution. When these children enter into contact with the police, the main purpose of juvenile justice systems should be to enable them not to reoffend. Youth nowadays, regardless of gender, social origin or country of residence, are subject to individual risks but are also being presented with new individual opportunities - some beneficial and some potentially harmful. Quite often, advantage is being taken of illegal opportunities as young people commit various offences, become addicted to drugs, and use violence against their peers.

There is perhaps no subset of young people whose need for a quality education is more acute—and whose situation makes them especially challenging to serve - than incarcerated youth or that interacts with juvenile justice.

Youth crime is the concern of all European countries; however, the issue is frequently addressed with *repressive approaches*. Public and governmental fear of youth crime continues to influence policy regardless of crime levels. In their reporting of crime, the media exacerbate a fear of youth crime, and authorities consequently turn to punitive responses even more during an economic crisis. Thus, instead of instigating innovative and positive changes in youth justice policy, governments cling to punishment over progress. The majority of European countries do not have a clear picture of how well they are adhering to international and European standards, or, indeed, whether or not any of their practices in the sphere of youth justice are actually working, because they do not have sufficient **data collection, monitoring and evaluation systems.**

Obviously, justice systems are neither equipped nor mandated to fulfil this role alone, and need to work hand in hand with the social sector, educational sector, youth sector and local communities towards this end. *In the absence of such **inter sectoral cooperation**, juvenile justice interventions would miss the opportunity of supporting a sustainable change in the child's behaviour, circumstances and environment.*

Educational services and the justice system are in many ways two distinct spheres and invariably the responsibility of separate ministries, but the occasions and ways in which they could and should interface and cooperate are numerous and important for the implementation of children's rights to access quality learning opportunities.

Whether a youth enters the juvenile justice system is often as much about adult decision maker as it is about the youth's behaviour. Most of these youth are over-age and under-credited,

several grade levels behind their peers, more likely to have a disability than their peers, and have been suspended multiple times and/or expelled from their local schools

The adult decision makers (and here we dare go beyond the court system and look also at policy makers) allocate children & youth to **education, welfare, mental health or justice**. *From the start we underline that a 5th pillar is missing: **community** (and youth community)*. Any of these receiving pillars also shift children and youth between them. And what is a noticeable trend is the move of more and more towards justice. And from justice they do not get back to education. Any meaningful reform effort must address the flow of children and youth: first by preventing their entry into the juvenile justice system; and second by giving them a way out of the system towards the life of educated and active young adults.

We are fully aware that developing educational programmes within criminal juvenile justice systems requires the involvement of the disciplines of both education and law. The promotion of educational tools in juvenile justice systems is as much a matter of justice as of welfare. Penal sanctions and educational assistance given to these youths are two sides of the same coin, aimed at the reintegration of the juvenile. Therefore, the choice for any educational tool will strongly depend on the juvenile (criminal) justice and penitentiary systems and practices that are present in each country. But we dare to propose the *exploration of potentially having a unitary approach at European level, pushing the focus on quality assurance for all educational experiences a child and young person is having inside and outside of juvenile system* and looking to bring to the table the **youth sector**.

With these ideas well carved into the implementing philosophy of EIGEP, all partners from Lithuania, Portugal, Romania and United Kingdom took part in a one-year set of activities including training of project team, working at community level for identifying specialists, delivering public policy interventions under the form of public hearings, doing desk and field research and policy – chain analysis. All with the declared purpose of exploring potential starting points in reforming the way education is being delivered in juvenile justice, how the children and youth are receiving learning experiences and how the local community is ready to re-connect with them.

Analysing the data we can present the following recommendations:

Recommendation nº 1: *Investment in education is one of the most important priority for social integration of young offenders*

Sub-recommendations	Policy proposals at national level
1.1. Wider education and vocational training offered to young offenders can reduce recidivism and contribute to their social integration.	To guarantee access concretely the educational needs of each one of the young offenders, i.e. to an educational model designed to its own measure. To create tranship in order to allow the contact with the labour market/employer, for not only generates the ability to actually perform the professional skills they have acquired but also acquire social skills and begin to see life in another perspective not a prospect of exclusion.
1.2. Education in closed contexts (over-security) is not an adequate environment to learn; education should be done with some degree of freedom.	Focus on environments with an acceptable level of freedom - of movement and the fullest possible common life.
1.3. Alternative learning environments should be adopted.	The need to listen young offenders should be an integral part of their social reintegration.
1.4. There should be adopted measures to respond for young offender that have special	The need to implement a personality and psychological assessment system (Psychiatric

educational needs and disability (SEND).	evaluations are only available if requested but often take longer to be decided than the duration of educational measure).
1.5. For scholar success and yet social integration, in many cases, there should be a more therapeutic approach to education in youth custody, namely in psychotherapy, psychiatry and so on.	To recognize the crucial importance that the young offenders should be followed and supervised in a therapeutic approach to ensure the effective social integration and scholar success.
1.6. It is necessary to work on the methodologies rather than on abstract contents.	Commitment to training in more practical contents contained more examples of this in everyday life.

Recommendation n° 2: *The importance of informal education*

Sub-recommendations	Policy proposals at national level
2.1. There should be greater concern with informal education: a domain where there is lack of investment.	To encourage the informal education is so much important than formal education. The proposal is working more this domain.
2.2. Non-formal education should complete the schooling – educational process - and should be provided by specialist staff.	
2.3. Work since the 1st day should be done to empower the young offenders and to work on their autonomy, self-esteem and self-confidence as young offenders need to know themselves (limitations and potentialities).	The necessity to work on not only in self-esteem and self-confidence of young offenders, but also developing contents on autonomy, liberty and social insertion.
2.4. Each young person should have his/her own personalized follow-up.	To promote the personalised follow-up - Each young offender have their personal characteristics, personality and familiar context.
2.5. There should be education for citizenship.	Underline the education for citizenship in educational centres.

Recommendation n° 3: *Investment in human resources in juvenile justice systems*

Sub-recommendations	Policy proposals at national level
3.1. Investment in education in the juvenile justice system should be done as the disinvestment in the field is visible in the lack of human resources (teacher/trainers and others).	The need to create the professional career for the social reintegration workers. To invest in human resources.
3.2. Taking into account the difficulty in working with young offenders due to their personal, social and cultural past (namely emotional, psychological, educational), juvenile justice system should recruit educational staff with the technical knowledge and specific skills profile.	To promote the continuous training of teachers and trainers in the context of young offenders.

3.3. Motivation and the necessary continuous training should be provided to all staff.	Emphasise the importance of training courses for all staff and their obligation. To ensure the staff motivation recognizing their carrier promotion.
3.4. These professionals should have: social skills, empathy, discipline, affectivity, assertiveness, resilience and fairness in their intervention and, yet, capacities for networking with youth specialists and with educational specialists	The need of a specific training for the professionals who work in educational centers taking into account the characteristics referred.
3.5. There should be a focus on the curricular training of all the staff in the areas demanded by the interdisciplinary nature of the juvenile justice system: sociology, psychology, social work, human rights, individual development, adolescent psychology, communication techniques.	To recognised the need of interdisciplinary areas for work in juvenile justice system and adequate training namely reinsertion technicians, adolescent psychology and sociologists
3.6. More investment should be done in different career opportunities and promotion career, not only for teachers but also for all other staff.	Investment in promotion and career opportunities of human resources.
3.7. There should be supervision and evaluation of all professionals.	Creation of mechanisms for evaluating the performance and results of professionals' activity.
3.8. Teachers, trainers and other staff should also be evaluated by the young offenders.	Young offenders should be involved in their reinsertion process and yet, in the staff evaluation.

Recommendation n° 4: Ensure the transitioning of young offenders

Sub-recommendations	Policy proposals at national level
4.1. There should be a lot of communication and clarity when a young offender comes in and moves on.	
4.2. The lack of follow-up of young people after finishing their educational measure. There should be continuation in the follow-up of young offenders after youth custody (transitioning).	The need to follow-up of young people after finishing their educational measure.
4.3. There should be articulation between educational programs in youth custody and the regular educational system compromises the continuity of studies after the end of the containment measure, particularly to those who don't finish the educational path (specific course/s).	To granted after the end of containment measure the continued of studies and ensure them.
4.4. There should be strong articulation with other institutions/entities when young ex-offenders leave the juvenile justice system: "Who's responsible for supporting the young ex-offender after leaving the juvenile justice system?"	Create, integrate and/or mobilize local, regional and national networks mainly after educational measure. The necessity to articulate with all institutions/entities involved in the reinsertion process during and mainly after educational measure.

We have also developed a fifth recommendation arising from practice and also from literature, but we have opted not to translated into possible national recommendations, as it tackles the sensitive topic of the access to on-line environment, access not feasible in some correctional juvenile justice settings:

5. Understanding the need to connect to a digital native world and explore the possibilities of digital learning experiences inside juvenile justice.

- Nowadays, the permanent digital and social virtual experience (Instagram, Snapchat, Tumblr, Vine, Twitter or Facebook) has a significant influence on how the “new” digital natives learn and are taught, and there is a growing disconnection between the expectation of the learners and the traditional teaching methods proposed to them.
- The execution of custodial sentences or youth custodial measures prevent the access, even if controlled, to digital technologies.
- Therefore, the youth custodial intervention presents new challenges worthy of reflection including, among others, the following:
 - a) Are the teaching and non-teaching staff properly trained to manage the expectations and behaviours of these young people?
 - b) Are the proposed activities and teaching/learning methods suitable to their profile and learning style?
 - c) Can the (controlled) access to the Internet and to mobile communication devices be allowed?
 - d) What is the impact of access deprivation on the process of their future social reintegration?

In this context we strongly advocate for the starting of centralised collection of data, with a minimum of focus points covering the bellow:

- What educational and vocational services are provided to incarcerated youth?
- What student outcome data are collected, analysed, and reported?
- What is done to ensure that youth receive educational and vocational services after release from incarceration?

In conclusion of the above detailed activities, the partnership strongly advocates several needed measures to be supported from the centralised level of the European administration and monitored in a structured way by expert groups:

1. Collect and monitor data from the youth justice system so that practice can be based on evidence and evaluated for success against outcomes. This can go than towards developing public policy based on the collected evidence.
2. Review the youth justice system to understand where it can be made more efficient and more child-friendly, and where the focus can be moved from punishment towards *education*.
3. Review spending on youth criminal justice systems, and target resources away from detention and towards policies of prevention and diversion.
4. Ensure that training programmes for young people in conflict with the law are established within the community, delivered by educational professionals with relevant expertise in juvenile behaviour and developed in such a way to acquire technical skills, foster social networks and enhance behavioural and social skills.
5. Support the capacity of juvenile justice staff by ensuring that they are motivated and given the necessary training and advancement. Also promote in their training the concepts and capacities for networking with youth specialists and with educational specialists.