

Juvenile delinquency and juvenile justice in the Netherlands An overview of recent trends

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In the 1990s, the interest in juvenile delinquency has grown substantially in the Netherlands as a result of an increase of serious crime, but also of specific events. In this paper we identify trends in juvenile delinquency in the Netherlands, based on police data as well as self-report studies. The overall level of juvenile delinquency is fairly stable, but violence against persons shows a marked increase. Traditionally, the Dutch response to juvenile delinquency was mild, but probably due to changing crime patterns a trend has become discernible into the direction of tougher action. This trend is confirmed by a new juvenile criminal law, enacted in 1995. Recent policies in dealing with juvenile crime target both prevention and punishment.

Key words: delinquency, youngsters, social intervention, juvenile justice, The Netherlands.

A lo largo de la década de los 90 la atención prestada a la delincuencia juvenil ha crecido notoriamente en Holanda debido al incremento de delitos graves, pero también a otros acontecimientos. En este artículo se identifican tendencias de la delincuencia juvenil en Holanda a partir, tanto de datos policiales, como de estudios mediante autoinformes. Las cifras globales de delincuencia juvenil se han mantenido estables, pero la violencia contra las personas muestra un acusado incremento. Tradicionalmente, la respuesta holandesa a la delincuencia juvenil ha sido suave, pero probablemente a causa de los cambios en las pautas delictivas se puede discernir una tendencia a la adopción de actuaciones más duras. Esta tendencia resulta confirmada por la nueva ley de justicia juvenil de 1995. Las políticas recientes ante la delincuencia juvenil presentan objetivos tanto preventivos como punitivos.

Palabras clave: delincuencia, juventud, intervención social, justicia juvenil, Holanda.

In the 1990s, juvenile delinquency has aroused increasing social and political interest in the Netherlands. In part this was a result of slowly but steadily growing numbers of violent offences committed by young people. But above all it was triggered by two specific events. In 1993, the murder in Liverpool of the toddler James Bulger by two 10-year-old boys not only achieved an impact in the United Kingdom but in the Netherlands as well. Both professionals and non-professionals wondered whether such an atrocity would be possible in the Netherlands and whether increasingly younger children were committing more serious offences. In April 1993, the then Prime Minister delivered a speech addressing the rising problem of juvenile delinquency and suggested setting up camps where juvenile delinquents would be dealt with through a combination of strict rules and discipline. Former military staff were to be entrusted with their supervision. His proposal sparked a wave of criticism. Many associated the idea with the concentration camps from the Nazi occupation. Moreover, the encampments described bore a strong resemblance to boot camps in the United States, an innovation in American crime policy that had yet to be proven desirable or effective (MacKenzie and Parent, 1992; Morash and Rucker, 1990). Despite this scepticism towards the actual proposition, the issue of juvenile delinquency was put high on the political agenda. In November 1995, the government issued a memorandum on dealing with juvenile delinquency, entitled *Notitie Jeugdcriminaliteit* (Memorandum on Juvenile Delinquency). All of this coincided with the preparation of a new penal law for juveniles. The first proposal was submitted to Parliament in 1989, enactment followed in September 1995.

In this contribution we review the field of juvenile delinquency in the Netherlands over the past few years. We present facts and figures on juvenile delinquency and identify trends, concentrating on 12 through 17-year olds, the age category to which juvenile penal law applies. The paper also addresses reactions to offences by juveniles and recent policy measures in this area and how they are related to earlier described crime trends.

Facts and figures on juvenile delinquency

Trends based on police data

Police data from the Central Department of Statistics are the primary source for facts and figures on juvenile delinquency. The data concern «reported suspects». Therefore, they do not indicate the true extent of juvenile delinquency, since crimes committed by young people that are not known to or cleared by the police are not included. Interpreting differences between consecutive years also requires circumspection. Sudden increases or decreases may be attributable to computerisation or to decentralisation of certain tasks back to the basic police environment. Qualification of certain offences may also change over the years. For example, a substantial number of cases of purse snatching used to

be recorded as petty larceny but is now generally considered robbery (Freeling, 1993). This change implicitly entails an increase in violent crimes without any change in the actual offence. Taking these limitations into mind, reviewing data for several years, however, does reveal possible trends (Hawkins *et al.*, 1998; Rutter *et al.*, 1998).

Figure 1 depicts changes in the figures for interrogations of juvenile suspects between 12 and 17 from 1980 through 1997. After 1982, this number gradually decreased until 1990. Then, there is an increase for two years, another drop and again an increase. Quite remarkable is the sharp increase in 1996 to almost 51,000; a figure 23% higher than the one for 1995. It is argued that this is caused mainly by structurally increased police activities towards crime in general and juvenile crime in particular, leading to higher numbers of suspects and higher clearance rates (Van der Laan, 1997). However, registration problems, too, may have played a role since, in 1997, the number dropped by 7% to 47,000.

In 1997, 86% of the juvenile suspects were male; a rate similar to that of previous years. The absolute figures for boys and girls, in 1997, were nearly 40,800 and 6,500, respectively. Police records do not contain information on ethnic background of offenders and therefore preclude any indication of the share of juveniles of foreign extraction (*i.e.* Surinamese, Antillean, Turkish and Moroccan) in reported delinquency. However, specific, incidental investigations reveal disproportionate involvement among certain ethnic groups (Junger, 1990; Van Hulst and Bos, 1993; Bovenkerk, 1994; Leuw, 1996). The police data also fail to specify ages. The figures relate to the group between 12 and 17 as a whole. Therefore, we cannot conclude that juvenile perpetrators are getting younger or older on the basis of police data.

Considering demographic change in the Netherlands shows a different trend in juvenile delinquency. Between 1980 and 1997 the population aged 12 to 17 dropped by 26% from just under one and a half million to slightly over one million. Since the number of arrests has not decreased, the rate of juveniles detained by the police increased slowly but constantly from 2.8% to 4.3% in 1997 (4.7% in 1996). The trend is apparent among boys and girls alike.

In 1997, 54% of juvenile delinquency involved crimes against property. Violence against persons and vandalism each accounted for about 15% of the crimes committed, while disorderly conduct comprises 12% and sexual offences only 1%. The number of juveniles suspected of crimes against property has been decreasing for a long time. Since 1982, when nearly 34,000 juveniles were interrogated for a suspected crime against property, the figure dropped over 25% to 25,600 by 1997. On the other hand, violent crimes against persons have risen for some time. Between 1980 and 1997, the number suspected of a violent crime more than tripled from 2,300 to 7,300 (including 930 girls, almost 7 times the number for 1980). Considering the decrease in the juvenile population changes the rates dramatically. In 1980, the police interrogated 154 out of every 100,000 juveniles concerning violence against persons. This rate was 666 by 1996. For property offences the rates were 1,936 in 1980 and 2,565 in 1996. The same growth is apparent among boys and girls alike.

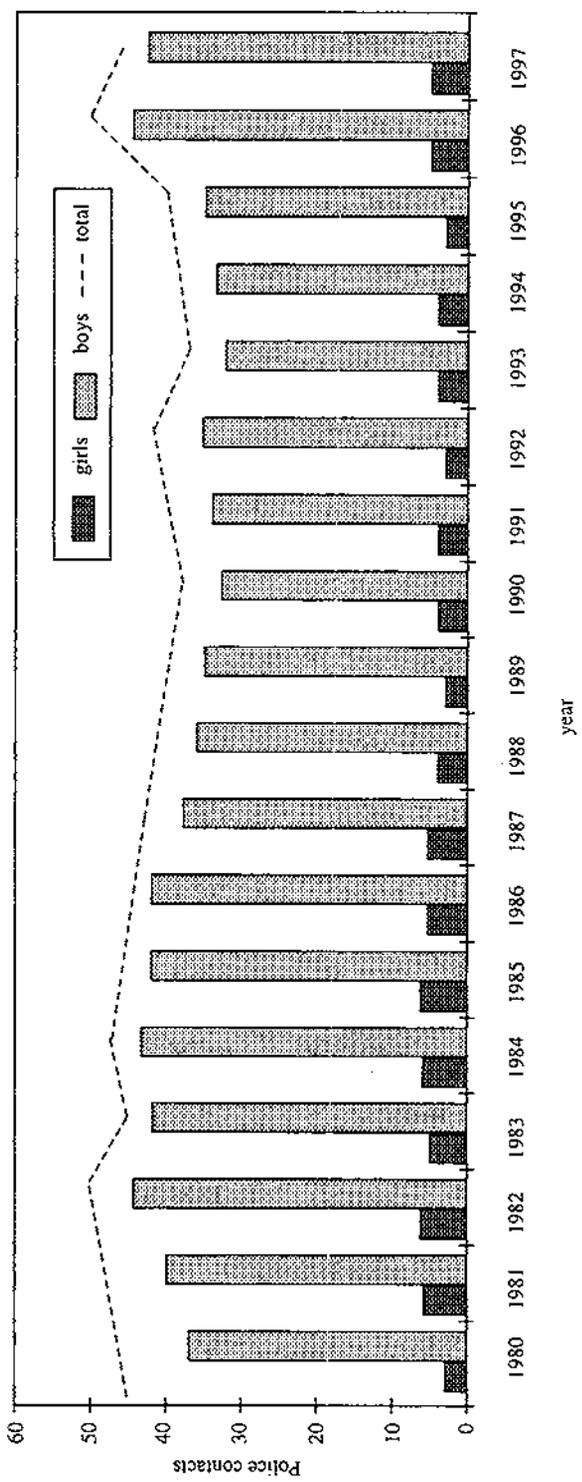


Figure 1. Police contacts juveniles aged 12 to 17, 1980-1997

Trends in self-reported data

While police data relate only reported suspects, self-report studies shed light on offences committed by juveniles that may not have been brought to the police's attention or that have yet to be solved. Otherwise, a significant share concerns relatively minor offences such as vandalism, shoplifting and fare dodging, in many of which the police seldom show much interest.

The first national self-report study in the Netherlands was conducted in 1986 (Junger-Tas and Kruissink, 1987) and has been repeated every two years since (Junger-Tas and Kruissink, 1990; Junger-Tas *et al.*, 1992; Junger-Tas and Vander Laan, 1995; Van der Laan *et al.*, 1997; Van der Laan *et al.*, 1998). Each study involves a representative sample of approximately 1,000 juveniles. Although self-report studies entail certain drawbacks and do not yield conclusive information about the true extent of juvenile delinquency, they do identify trends (Junger-Tas *et al.*, 1994; Hawkins *et al.*, 1998). Repeat studies, however, must comprise the same questions and be conducted under the same conditions as before. The findings about 12 through 17-year olds to be presented here satisfy this condition for the studies conducted from 1988 onward. They offer an impression of the extent to which young people of various ages claim involvement in the perpetration of offences, as well as the variation with respect to different offences. Since we are mainly interested in discerning specific trends in delinquency,

TABLE 1. OFFENCES COMMITTED DURING THE PAST SCHOOL YEAR (SELF-REPORTED; IN %)*

Offence	1988	1990	1992	1994	1996
Fare dodging	14.5	17.0	19.0	15.7	16.7
Graffiti	10.3	8.8	8.6	10.1	11.1
Harassment	9.9	12.0	11.8	14.1	14.6
Vandalism	8.9	9.9	10.5	9.1	14.6
Shoplifting**	5.4	7.4	6.6	7.0	10.0
Arson	3.8	5.0	3.8	4.3	5.3
Receiving stolen goods	3.5	4.1	4.0	4.2	8.6
Bicycle theft	2.1	3.0	2.7	1.3	3.1
Beating up	1.9	2.7	2.7	2.7	3.3
Breaking and entering	1.5	1.6	1.3	1.6	1.2
Theft from phone booth/vending machine***	-	1.2	1.0	1.1	2.3
Theft from school***	-	6.5	8.4	7.2	10.1
Involvement in fights or riots***	-	6.7	8.8	11.6	14.7
Using weapon to injure person***	-	0.6	0.4	0.4	1.1
Carrying a weapon****	-	-	12.8	20.5	21.5
Extortion****	-	-	0.4	0.3	0.3
Combined offences	34.5	38.2	38.2	37.8	40.2

* 1988: n = 994; 1990: n = 1,006; 1992: n = 1,038; 1994: n = 1,096; 1996: n = 1,083.

** Shoplifting items less than NLG 10 has been combined with reports involving items costing more than NLG 10 to facilitate comparison.

*** This offence was absent from the survey taken in 1988.

**** This offence was absent from the survey taken in 1988 and 1990.

in Table 1 data are presented concerning offences committed «during the past school year».¹

Consider especially the rates of juveniles reporting that they perpetrated any of a consistent series of offences one or more times (bottom row in Table 1), the overall pattern is relatively stable until 1994.² The increase in 1996 over 1994 is not statistically significant.

Among individual offences, the rise of several offences over the years is noteworthy. Harassment, vandalism, receiving stolen goods, theft from school, involvement in fights or riots and carrying a weapon, all show a small (and not necessarily statistically significant), but steady increase. Two offences in particular –receiving stolen goods and carrying a weapon– show a strong rise in one year over another. The first may be the result of recent media campaigns run by the government, raising awareness of receiving being an offence. This would imply not so much an actual increase of receiving, but more young people knowing that it is an offence and therefore reporting positively, where in the past they may have ignored it. The increase for carrying a weapon may be attributable to explicitly asking in the more recent surveys (1994 and 1996) about the type of weapons carried.³ The only offence showing an actual decrease (in 1994 compared to 1992) concerns fare dodging. It is believed that this is caused by free public transport passes made available to college students and enhanced entrance controls in trams and metros. Comparing 1996 to 1994, all offences except one have been reported by more young persons. In many instances the increase is statistically significant.

The increase of self-reported offences seems to correspond with the rise in young people detained by the police from the previous paragraph. With respect to violent offences it should be said that carrying a weapon need not entail its use. Likewise, harassment or involvement in fights or riots need not involve actual or serious violence. But more serious violent offences like beating up, using a weapon to injure another person and extortion do. Though the self-report study does not indicate a statistically significant increase in such offences, the study does reflect the growth in violent crime observed by the police to a limited extent.

The small share of girls in the police data is only partly reflected in the self-report data. In 1996 47% of the boys reported committing one or more criminal offences; the figure for girls was over 33%. Similar percentages appeared in previous studies. Figures for boys and girls differ little with respect to fare dodging, graffiti and shoplifting. The differences are greatest for carrying a weapon and vandalism.

Contrary to recent reports in popular media, no indication is found for a decrease in the average age for committing certain criminal offences. The rates

1. For methodological reasons, first information is asked about offences *ever* committed followed by offences committed during the *past school year*. It is believed that this helps the respondent to be more precise about *when* an offence is committed, and therefore provides more reliable data for discerning trends over the years.

2. These figures combine ten offences: fare dodging, graffiti, harassment, vandalism, shoplifting, arson, receiving stolen goods, bicycle theft, beating up and breaking and entering.

3. This involves mainly stabbing weapons, especially pocket knives (49%) or switchblades and stilettos (41%) (1996 survey).

of perpetration among 12 and 13-year olds were higher in 1994 than in previous surveys, but have dropped again in 1996.

Strong correlation was found between truancy, bullying behaviour, and the use of alcohol and (soft)drugs on the one hand and delinquency on the other.

Responses to Juvenile Delinquency

The response of Dutch society to juvenile delinquency has long been characterised as fairly mild or restrained (Van der Laan, 1988; Junger-Tas, 1998). The police and the public prosecutor operate on the principle of discretionary powers, which means that the most suitable, not necessarily penal, action is sought. Nonetheless, much has changed on this front in the 1990s. In the response of the police, the public prosecutor and the court, a trend has become discernible in the direction of more frequent, sometimes tougher action.⁴

Adjudication by the Public Prosecutor

The number of *official reports* of offences sent by the police to the public prosecutor is unknown. In general, a drop may be expected since in 1985 45,500 juveniles were detained by the police and in 1994 «only» 37,500. It is also safe to assume that the number of official reports is lower than the number of suspected offenders interrogated by the police, since a report is not drawn up every time a child is interrogated by the police. The juvenile may be sent home with a scolding, or referred to welfare agencies if there are psycho-social problems. In cases of vandalism or shoplifting, juveniles may also be sent to *Halt*, an agency, where they do repair and maintenance work on a few free afternoons. Often an arrangement is made to compensate the victim for the damage sustained (Kruissink and Verwers, 1989; Kruissink, 1991). If the juvenile suspect meets his obligations, no official report is filed with the Office of the Public Prosecutor. There are no statistics indicating how many juveniles the police send home or refer to welfare agencies. But we do know that more and more youngsters are currently sent to *Halt* annually. In 1985, probably no more than 1,000 juveniles were referred to *Halt*. Soon after, the number of referrals increased rapidly: 14,000 in 1994 and about 21,000 in both 1996 and 1997.

Traditionally, in a majority of cases the public prosecutor decides *not to institute criminal proceedings*. Cases are dismissed (for reasons of age of offender, offence not being of a serious nature, recent conviction for another offence), or a so-called transaction is offered (*i.e.* a proposal to discharge, for instance that the suspect pay a fine, compensate the damage or undergo alternative punishment). In 1994, this was still the situation, though some interesting trends ap-

4. Unfortunately, information on some of the prosecutor and court decisions is only available from 1985 through 1994. Serious problems with respect to gathering official data from all 19 court districts have caused these data to be incomplete and unreliable from 1995 onwards.

pear. The number of discretionary («policy») dismissals dropped dramatically by 53% from 12,900 to 6,100 between 1985 and 1994, while the number of transactions increased by 35% from 2,000 to 2,700. Consider also that more and more cases are dismissed on the condition that an alternative punishment be administered and/or that an arrangement be made to compensate the victim for the damage sustained (thus comparable to a transaction). In 1994, 29% of all discretionary dismissals involved some sort of alternative punishment --in 1985, only 2% did.

Surprisingly enough, no information is available on the exact number of cases brought to court by the public prosecutor. We do believe, however, that between 1985 and 1994 the number of cases brought to court remained relatively stable, since the number of court decisions not really changed (see hereafter). Taking into account the smaller number of juveniles detained by the police and, supposedly, also a smaller number of official reports sent to the public prosecutor, the percentage of cases taken to court has increased (estimated from 39% to 45%).

Although the available material provides little basis to make more than conjectures on this, it would seem justified to conclude that the police and the public prosecutor are more reluctant to drop charges. Children are less likely to be sent home with a warning. Instead, they must work a few hours at the Halt agency, do community service or accept a transaction. Furthermore, relatively more young people are brought to court.

Adjudication by the Juvenile Court

In 1994, *final judgements* were passed in almost 6,500 cases.⁵ That number has remained fairly stable since 1985. In 1994, 90% of the final judgements involved a *conviction*.⁶ About 5,700 sentences were given, the same number as in 1985. The types of sentences are shown in Table 2.

In many cases, non-suspended sentences --both custodial sentences and fines-- are imposed in combination with suspended custodial sentences. Moreover, a considerable number of suspended custodial sentences involve alternative sanctions, although the precise number is not known. Between 1985 and 1994 non-suspended custodial sentences have increased somewhat in proportion to the total: from 22% in 1985 to 24% in 1994. The share of suspended custodial sentences increased from 44% to 51%. This seems to have occurred at the expense of the number of non-suspended fines and reprimands.

Alternative sanctions are an important factor in this respect. Alternative sanctions - community service (or work projects) and training projects - were introduced experimentally in 1983, and have since seen spectacular growth. Between 1985 and 1994, the number of alternative sanctions has increased almost five-fold. There were 870 such sentences in 1985, and 3,900 in 1994. After that,

5. The word «cases» is somewhat misleading. We are dealing with a combination of persons and cases. A juvenile can be found guilty and sentenced in a case in which he has been accused of committing more than one offence, based on more than one official report.

6. The remaining cases were joined to another case or acquitted.

TABLE 2. SENTENCES GIVEN IN 1985 AND 1994 (IN %)*

Sentence	1985	1994
Custody, non-suspended	22.4	24.1
Custody, suspended	44.5	51.5
Fine, non-suspended	24.0	15.3
Fine, suspended	5.3	5.1
Reprimand	2.7	0.6
Other**	1.1	3.3

* 1985: n = 5,764; 1994: n = 5,712.

** Mainly penal measures.

the increase continued: 7,700 in 1997. For some years now, they have been the most frequently administered juvenile penalty by far.

The development in sentencing seems to point to a trend towards imposing heavier punishment: more non-suspended custodial sentences and more alternative sanctions as compared to fewer fines and possibly also fewer suspended sentences. An important issue is the extent to which such a development can be explained—or «justified»—by the fact that the juvenile court is confronted increasingly often with children who have committed serious (violent) offences. This tends to be the case to a certain extent. The share of violent crimes in court cases has risen from 14% to 24%. Crimes against property, on the other hand, decreased from 64% to 54% of the total.

The new juvenile criminal law

The 1995 juvenile criminal law reflects a different climate. The most striking changes have to do with substantive criminal law. New sentences and penal orders have been introduced, with changes as well in the maximum duration. Newly introduced is *juvenile detention*, with a maximum length of 2 years for 16- and 17-year-olds and 12 months for 12- to 15-year-olds. This punishment is four times as long for the first group and twice as long for the second as the six-month maximum that previously applied to reform school sentences. Another new penal order is *placement in a juvenile detention centre*, for which a maximum of 4 and 6 years applies in cases of underdevelopment or mental disorders at the time the offence was committed. As opposed to the previous penal orders, the new order does not automatically end once an offender turns 21. The maximum *fine* has been raised from 500 to 5,000 Dutch guilders.⁷ Also, *alternative sanctions* have also been integrated into the system. The maximum duration of an alternative sentence is 200 hours and, in the case of a combination of alternative sentences such as a training and a work project, 240 hours. Alternative sanctions can be imposed instead

7. Approximately 225 to 2,275 Euro.

of a principal sentence (fine or juvenile detention) by the juvenile court, and by the public prosecutor by way of a transaction (in which case a maximum of 40 hours applies). Halt is also formally arranged by law. In cases of vandalism, wantonness, playing with fireworks and simple crimes against property (shoplifting), the police can make an offer to the juvenile involved, in which case an official report need not be sent to the public prosecutor. A maximum of 20 hours applies. A reprimand is no longer included in the law. The possibilities of trying 16- and 17-year-olds under criminal law for adults have been expanded.

Changes to procedural criminal law may be less striking, but are nonetheless important. For instance, a lawyer has been added in the case of a transaction or the imposition of an alternative sanction of more than 20 hours by the public prosecutor. Also, more juvenile criminal cases are handled by the full (adult) court instead of the single-judge juvenile court than before. Among other things, this goes for cases involving accomplices 18 and older and cases in which a custodial sentence of more than six months or a penal order must be imposed.

All of this has changed the character of juvenile criminal law in the Netherlands, has made it more closely resemble adult criminal law. The concept of protection or welfare has made way for the administration of justice. Above all, it has become possible to take tougher action under criminal law. Grounds for this cannot be readily found in clarification of and (parliamentary) debates on the new law. The tendency towards stricter measures first goes unmentioned and is later denied (Van der Laan, 1996). According to the *Memorie van Toelichting* (Explanatory Memorandum) accompanying the bill submitted in 1989, one of the most important social trends is that juveniles tend to be more outspoken, more emancipated at a younger age. For this reason, juvenile criminal law should not deviate too much from adult criminal law. Initially, no reference was made to the scope or increase of juvenile delinquency, which should supposedly make stricter or harder criminal non-punitive orders possible. This first happened in 1992, when it was explicitly suggested to allow the court to respond more firmly to crime. This suggestion was, however, dismissed by the State Secretary. Shortly thereafter, an amendment to the proposal was sent to Parliament in which the maximum length of juvenile detention was raised to 1 year for 12- to 15-year-olds and to 2 years for 16- and 17-year-olds (in the original proposal, the maximum period was 6 months for the younger, and 12 months for the older category). The fact that the rate of juvenile delinquency had not intensified, but its severity had, was brought to bear. This was also considered necessary in order to maintain the deterrent effect of criminal law. This shift in thinking about the purpose of juvenile criminal law was not insignificant. The approach which centres on re-education and changing the behaviour of individuals had to make way for general deterrence.

New policy

Finally, we will briefly discuss some of the current policy spearheads on dealing with juvenile delinquency. The approach as a whole, can be characteri-

sed as gaining better knowledge on the one hand, and aiming at both prevention and repression on the other.

First of all it was acknowledged that good policy information on juvenile delinquency is currently lacking in many areas. Much is known about juveniles in the 12- to 17-year-old category, though not always easily accessible. Little is known about crimes committed by children under 12, although police and court circles are suggesting that these young children are committing offences with increasing frequency and severity. The importance of sufficient information about the involvement of ethnic juveniles in crime has also been identified. To meet this problem a client tracking system is developed, in which the police, the Office of the Public Prosecutor and the Child Care and Protection Board collate relevant information on young suspects and make it easily accessible to each other. It is expected to be operational in 1999. Such a system would enhance the speed and consistency of action, but may also result in more police reports and more court referrals. There is some concern that little attention is given to how to use information in order to reach better decisions (Van der Laan and Smit, 1998). In the new system data on children under the age of 12 will be included. This corresponds with a more general policy to pay more attention to very young offenders. Part of this policy is an experiment to refer children under 12 to Halt. Since children under 12 cannot be held criminally responsible, this is a remarkable and unprecedented development. Exploratory studies into crime by children under 12 revealed very small numbers of incidents (Grapendaal *et al.*, 1996; Van der Laan *et al.*, 1997). Thus, giving no great cause for concern.

Covenants have been concluded with a number of big cities, incorporating agreements about the approach to juvenile delinquency. The starting point is not only that those agencies which have always been involved with dealing with crime such as the police and courts take on the problem, but also that the local government should assume a role. The local government's role is especially clear when it comes to education, health and welfare services and the role it can play in the area of prevention. An agreement has been made to strive for a 30% reduction of juvenile delinquency by the year 1999.⁸

The Child Care and Protection Board and societies for family guardianship have long centred on providing help and protection, but have now been strengthening their «penal function». They provide pre-sentence reports and probation, and co-ordinate alternative sanctions. More employees were made available to these tasks and specific policies were developed. A case in point is the number of young people referred to youth probation. In 1997, 3,700 juveniles received support from probation workers, four times as many as in 1991.

The Office of the Public Prosecutor has also intensified its activities in relation to juveniles. Funds have been earmarked for the appointment of more officials to deal with juveniles. This should shorten the time it takes to handle juvenile criminal cases. Many cases went on for 12 months or more. It was hoped that by 1997 90% of juvenile cases would have been settled within 6 months. In

8. The covenants do not indicate concrete steps on how to achieve this. Nor is it specified whether this relates to police reports of juvenile offences or juvenile delinquency in general.

actual fact it was only 50%, but nevertheless an improvement compared to previous years.

Following the decentralisation of the police force in the early 1990s, the 'juvenile and vice squad' was in jeopardy of being shoved into the background. Plans are made to halt the trend. It is believed that tackling juvenile delinquency requires expertise which should not be lost.

Further intensification of the use of alternative sanctions has been advocated. A policy document called *Werken en Leren als Straf* (Working and Learning as Punishment) (1996) reiterates that the number of alternative sanctions –including referrals to Halt– should grow by 10% annually. It argues that alternative sanctions offer good possibilities for responding in an educationally responsible manner, particularly for juveniles. In many cities so-called «hard core» projects are started. The principle underlying these projects is the belief that a small group of juveniles and young adults is to blame for the increase in frequency and severity of juvenile delinquency: burglary, aggravated assault and robbery. The conventional responses by the police and court do not seem to be very effective for this group of juvenile delinquents, since they come into contact with police and courts time and time again (Beke and Kleiman, 1993). In addition, they have all kinds of psycho-social problems: they have dropped out of school, are unemployed, homeless or addicted to drugs. Little is known about the size of the hard core, but a well-educated guess sets the number at about 20,000 juveniles across the Netherlands (Ferwerda *et al.*, 1995). There is an awareness of the calculating element of the crimes committed by these offenders. This means that only minimal motivation to change their lifestyle can be expected of this group, necessitating an approach that has a certain degree of a «comply or be forced to comply» philosophy; and also an integrated approach involving close co-operation between various types of services. In general, projects target repeat offenders aged 12 to about 25. The length of counselling varies from 6 months to 2 years. A first evaluation of five such projects demonstrated some but limited success (Kleiman and Terlouw, 1997).

Besides the increase in alternative sanctions and the use of «hard cor» projects, account is taken of more sentences and penal orders that deprive offenders of their freedom. With a view to this, further expansion of both open and closed institutions for juvenile offenders is planned. Over the last five years the capacity has increased from 900 to 1,370. A further expansion is planned. Also expected is the introduction of electronic monitoring schemes for young people.

Finally, mention should be made of the increased attention to early detection and prevention. Reports on crime committed by young children, as well as studies that indicate that juveniles who commit many, often serious offences already come into contact with the police or otherwise show antisocial behaviour at a young age (Ferwerda, 1992), raise the question whether it is possible to use certain information to predict later criminal cases and to take preventive action. Junger-Tas (1996, 1997) submitted two reports in which she reviews research and prevention programmes, most of them from the United States. Although she considers the possibility of early detection –in the sense of prediction– limited, she recognises the importance of addressing the responsibility of parents and in-

cluding them in preventive action and adjudication of young offenders. She particularly recognises the great promise of more general community-based approaches to support the upbringing of certain high-risk groups and to promote healthy and safe communities. This has led the Ministry of Justice to adopt –experimentally– «Communities that Care», a model developed by the Americans Hawkins and Catalano (1992). Implementation will start in 1999.

Conclusion

The trend in juvenile delinquency in the Netherlands is by no means unique. Pfeiffer (1997) has shown that in many Western countries juvenile delinquency in general is fairly stable, but violence against persons is on the increase. In juvenile justice and penal policy, too, similar developments can be found in various countries. Key concepts of today are working together, early detection and intervention, and special attention to (very) young offenders in combination with involvement of parents and adult carers, community-based prevention programmes, reparation and restorative justice approaches (reparation, family group conferences), and the (re-)introduction of secure treatment for relatively young offenders.

No doubt, today, more attention is given to prevention and (early) detection and intervention. At the same time, there is more room for stricter punishments and secure treatment. Therefore, it remains to be seen whether juvenile justice will develop the right and sensible balance between prevention and repression. We fear that in the end, again, repression will succeed over prevention as so often was the case in the past. The developments during the 1990s in the Netherlands do not immediately offer room for great optimism.

REFERENCES

- Beke, B. and Kleiman, M. (1993). *De Harde Kern in Beeld*. Utrecht: SWP.
- Bovenkerk, F. (1994). Een misdadige tweede generatie immigranten? Verklaringen voor de omvang, aard en oorzaken van jeugdcriminaliteit in verschillende etnische groepen. *Jeugd en Samenleving*, 24, 387-404.
- Ferwerda, H. (1992). *Watjes en ratjes*. Groningen: Wolters-Noordhoff.
- Ferwerda, H., Versteegh, P. and Beke, B. (1995). De harde kern van jeugdige criminelen. *Tijdschrift voor Criminologie*, 37, 130-152.
- Freeling, W. (1993). De straf op tasjesroof; hoe het strafklimaat strenger werd. *Proces*, 72, 76-82.
- Grapendaal, M., Veer, P. van der and Essers, A. (1996). *Over criminaliteit en kattenkwaad bij 7- t/m 11-jarigen*. Den Haag: WODC.
- Hawkins, D.F., Laub, J.H. and Lauritsen, J.L. (1998). Race, ethnicity, and serious juvenile offending. In R. Loeber and D.P. Farrington. (Eds), *Serious & Violent Juvenile Offenders*. Thousand Oaks/London/New Delhi: Sage.
- Hulst, H. van and Bos, J. (1993). *Pan I Rêspêt. Criminaliteit van geïmmigreerde Curaçaose jongeren*. Utrecht: OKU.
- Junger, M. (1990). *Ethnicity and Delinquency*. Deventer: Kluwer.
- Junger-Tas, J. and Kruissink, M. (1987). *Ontwikkeling van de jeugdcriminaliteit*. Den Haag: Staatsuitgeverij.
- Junger-Tas, J. and Kruissink, M. (1990). *Ontwikkeling van de jeugdcriminaliteit: periode 1980-1988*. Arnhem: Gouda Quint.

- Junger-Tas, J., Kruijsink, M. and Laan, P.H. van der (1992). *Ontwikkeling van de jeugdcriminaliteit en de justitiële jeugdbescherming: periode 1980-1990*. Arnhem: Gouda Quint.
- Junger-Tas, J., Terlouw, G.-J. and Klein, M.W. (1994). *Delinquent behavior among young people in the western world*. Amsterdam/New York: Kugler.
- Junger-Tas, J. and Laan, P.H. van der (1995). *Jeugdcriminaliteit 1980-1992*. Den Haag: WODC.
- Junger-Tas, J. (1996). *Jeugd en Gezin*. Den Haag: Ministerie van Justitie.
- Junger-Tas, J. (1997). *Jeugd en Gezin II*. Den Haag: Ministerie van Justitie.
- Junger-Tas, J. (1998). The Netherlands. In J. Mehlby and L. Walgrave (Eds), *Confronting Youth in Europe*. Copenhagen: AKF.
- Kleiman, W.M. and Terlouw, G.-J. (1997). *Kiezen voor een kans*. Den Haag: WODC.
- Kruijsink, M. and Verwers, C. (1989). *Halt: een alternatieve aanpak van vandalisme*. Arnhem: Gouda Quint.
- Kruijsink, M. (1991). *Afhandeling van winkeldiefstal via de Halt-procedure*. Den Haag: WODC.
- Laan, P.H. van der (1988). The Dutch juvenile justice system – an introduction. In J. Junger-Tas and R.L. Block (Eds), *Juvenile Delinquency in The Netherlands*. Amstelveen/Berkeley: Kugler.
- Laan, P.H. van der (1996). Andere tijden, andere opvattingen, ander jeugdstrafrecht. *Comenius*, 16, 42-69.
- Laan, P.H. van der (1997). Toegenomen aandacht. Aantekeningen bij de forse stijging van de geregistreerde jeugdcriminaliteit. *Perspectief*, 5, 24-25.
- Laan, P.H. van der, Spaans, E.C., Essers, A.A.M. and Essers, J.J.A. (1997). *Jeugdcriminaliteit en jeugdbescherming. Ontwikkelingen in de periode 1980-1994*. Den Haag: WODC.
- Laan, P.H. van der and Smit, M. (1998). Diagnostiek door politie en justitie. Wensen, mogelijkheden en onmogelijkheden. In W. Koops and N.W. Slot (Eds), *Van Lastig tot Misdadig*. Houten/Antwerpen: Bohn Stafleu Van Loghum.
- Laan, P.H. van der, Essers, A.A.M., Huijbregts, G.L.A.M. and Spaans, E.C. (1998). *Ontwikkeling van de jeugdcriminaliteit: periode 1980-1996*. Den Haag: WODC.
- Leuw, Ed. (1996). *Criminaliteit en etnische minderheden. Een criminologische analyse*. Den Haag: WODC.
- MacKenzie, D.L. and Parent, D.G. (1992). Boot camp prisons for young offenders. In J.M. Byrne et al. (Eds), *Smart sentencing: the emergence of intermediate sanctions*. Newbury Park: Sage.
- Misspent Youth: Young People and Crime* (1996). London: Audit Commission.
- Morash, M. and Rucker, L. (1990). A critical look at the idea of bootcamp as correctional reform. *Crime and Delinquency*, 36, 204-222.
- Nottie Jeugdcriminaliteit; uitwerking van het advies Van Montfrans op het beleidsterrein van Justitie* (1995). Den Haag: Ministerie van Justitie.
- Pfeiffer, C. (1997). *Juvenile crime and juvenile violence in European countries*. Hannover: Kriminologisches Forschungsinstitut Niedersachsen.
- Rutter, M., Giller, H. and Hagell, A. (1998). *Antisocial behavior by young people*. Cambridge: Cambridge University Press.
- Tackling Youth Crime. A Consultation Paper* (1997). London: Home Office.
- Werken en Leren als Straf* (1996). Den Haag: Ministerie van Justitie.