

Findings of the consultation with young people living in the closed detention centre of Everberg conducted by Defence for Children International (DCI) in Belgium, March 2010

Defence for Children International (DCI)

Defence for Children International is an independent non-governmental organisation that has been promoting and protecting children's rights on a global, regional, national and local level for 30 years. Defence for Children International is represented through its national sections and associated members in 40 countries worldwide. Belgium has one section located in Brussels.

Its International Secretariat is based in Geneva, Switzerland. The DCI movement was founded in 1979, the International Year of the Child, at a time when few international structures were dedicated to a rights-based approach in addressing the many challenges to face. DCI was at the forefront in the drafting process of the CRC and led an international lobby for the adoption of the UN Convention on the Rights of the Child, and its work continues to be embedded in these fundamental principles.¹

Presentation of the centre of Everberg

Created in 2002, the closed detention centre of Everberg so called "*De Grubbe*" is located in the Flemish Province of Brabant in Belgium (25 kilometres from Brussels). The centre welcomes boys aged between 14 and 18 years old who have committed infractions. In addition, a placement in Everberg can only be ordered in case of a lack of places available in public institutions for the protection of young people (*Institutions Publiques de Protection de la Jeunesse, IPPJ*)

Participating group of young people

The young people consulted by DCI all have current experience of the law and the legal juvenile justice system. The group comprised 5 boys between 16 and 18 years of age.

Approach to consulting the group of young people

The group was consulted on one occasion by one member of DCI. The youngsters were given information and had the opportunity to ask questions. Then it turned out as a general exchange/discussion with them helped by professionals who work with them based on the questions contained in the Council of Europe's questionnaire.

Then, individually they completed the questionnaire.

Views of young people raised during the consultation

On the one hand, the discussion demonstrated the kind of issues young people face in the detention centre. On the other hand, the discussions showed their perception of justice and if their interest is, according to them, sufficiently taken into account.

Support:

Young people from the group communicate a desire to improve the amount of support, information and contact they receive from those outside detention, particularly in relation to legal matters. For example, they reported wanting more commitment and

¹ <http://www.defenceforchildren.org/>
Belgium section: <http://www.dei-belgique.be/>

contact with their lawyers. It occurs that their lawyers been replaced by others during the judicial proceedings without being sufficiently informed about their case and situation.

During the audience, they also expressed the desire to be able to be listened whenever they wish to and not only after the intervention of the judge and prosecutor. They suffer from the comments and speeches made by the latter who rather present the young person in a negative way. Then, he doesn't feel the courage/will to express what he feels to defend himself.

Judicial system

Young people of the group made some critics about the measure so called "*mesure de dessaisissement*" by being sent into a prison environment without taking enough into account their point of views, without undertaking a child friendly approach and informing them properly about the meaning and consequences of such a measure.

Concerning this measure, the Belgium law provides that if the minor convinced of facts qualified as crime at the age of 16 or more when the facts were committed and that the court for young people finds that a measure of education or preservation is not applicable, the judge has the possibility to reship the case to a jurisdiction which will apply common law (meaning the law applying for adults).²

The young people expressed their embarrassment in being too much exposed in front of their family and friends during the audience for instance through the obligation to put handcuffs, to be placed far from their family in the room, to be checked in front of them... On the contrary, they feel the need to have more support of family and friends.

The group also enhanced the issue of discrimination they can feel from police officers sometimes for the young people of foreign origin.

² <http://www.dgde.cfwb.be/index.php?id=2639>