

COUNCIL OF EUROPE

COMMITTEE OF MINISTERS

Recommendation Rec(2000)20 of the Committee of Ministers to member states on the role of early psychosocial intervention in the prevention of criminality

*(Adopted by the Committee of Ministers
on 6 October 2000
at the 724th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Having regard to the growing concern about the increasing incidence of juvenile delinquency throughout Europe, which presently takes different and more persistent and violent forms;

Bearing in mind that those who begin offending at an early age are most at risk of engaging in serious criminal behaviour and that there is some evidence of a trend towards young offenders beginning to offend at increasingly early ages;

Considering that any society has a duty to ensure the full well-being of children and to see to it that their interests and rights are respected by all those with responsibilities towards them;

Bearing in mind the primary importance of the family, parents and others charged with taking responsibility for the socialisation and up-bringing of children;

Considering that children are still in the process of developing and that deficits in their socialisation may lead to the onset of delinquency;

Convinced that any reaction in terms of preventing criminality requires efforts across society, taking into account adverse social and economic circumstances of children, and deficits in their socialisation, personality and specific needs;

Considering that special interventions should be made to ensure that, when a child is at risk of engaging in persistent criminal behaviour, such behaviour is effectively prevented, in particular, by promoting protective factors and reducing risk factors;

Bearing in mind that these interventions involve partnership between the state, local community and local agencies;

Aware of existing regional and national variations in organisational structures and socio-economic circumstances across member states;

Given that the prevention of criminality is an essential part of an effective overall crime control strategy, as well as policies affecting the well-being of children;

Taking into account its recommendations in the sphere of preventing and controlling delinquency, and in particular: Recommendation No. R (87) 19 on organisation of crime prevention; Recommendation No. R (87) 20 on social reactions to juvenile delinquency and referring to the conclusions and recommendations of the 19th Criminological Research Conference (1990) on "New social strategies and the criminal justice system";

Recalling its recommendations in the field of family and social laws, and in particular, Recommendation No. R (90) 2 on social measures concerning violence within the family; Recommendation No. R (93) 2 on medical-social aspects of child abuse and Recommendation No. R (94) 14 on coherent and integrated family policies;

Bearing in mind the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data and related sectoral recommendations;

Bearing in mind the European Convention on Human Rights, the European Social Charter, as well as the European Convention on the Exercise of Children's Rights;

Bearing also in mind the United Nations Convention on the Rights of the Child and the UN Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines, adopted by the General Assembly Resolution 45/112),

Recommends that governments of member states:

- introduce and, where they exist, promote national strategies of early psycho-social intervention for the prevention of criminality;
- be guided, when formulating these strategies, by the principles and measures set out in the appendix to this recommendation; and
- bring this recommendation and its explanatory memorandum to the attention of all interested and relevant authorities and invite them to take these texts into account when devising strategies to tackle overall crime.

Appendix to Recommendation Rec(2000)20

I. Definitions

For the purposes of this recommendation:

– "prevention of criminality" means measures and activities aimed specifically at reducing the likelihood of engaging in future persistent criminal behaviour as opposed to prevention of crime which is concerned with reducing the number and seriousness of offences committed;

- "risk factors" means individual characteristics or socio-economic, cultural, demographic and other circumstances, which increase the likelihood of engaging in future persistent criminal behaviour;
- "children at risk" means persons below the age of 18 years exposed to multiple risk factors;
- "early psychosocial intervention" means any measure or activity aimed at distinguishing children at risk and reducing the likelihood of their future engagement in persistent criminal behaviour;
- "protective factors" means certain socio-economic and cultural factors as well as individual characteristics which help to protect children against the likelihood of engaging in future persistent criminal behaviour;
- "parental responsibilities" means a collection of duties and powers which aim at ensuring the affective, moral and material welfare of the child, in particular by taking care of the person of the child, by maintaining personal relationships with him/her and by providing for his/her education, his/her maintenance, his/her legal representation and the administration of his/her property;
- "holders of parental responsibilities" means parents and other persons or bodies entitled to exercise some or all parental responsibilities.

II. Programmes of early psychosocial intervention in preventing criminality

1. Programmes of early psychosocial intervention to prevent criminality should be developed on the basis that they are in the best interests of children, families and society and in line with existing legal norms. They should in particular respect the privacy and integrity of children and their families and take due account of the principles of proportionality, non-stigmatisation and non-discrimination.
2. Programmes should comprise a range of relevant measures which target as full a range as possible of risk factors within the primary domains of a child's life – the family, the school (including pre-school), the peer group and the local neighbourhood – as well as promoting protective factors. They should include measures to support and strengthen families, promote attachment to school, encourage responsible, pro-social behaviour and develop safer and more cohesive neighbourhoods.
3. Measures targeting risk factors should pay particular attention to the following:
 - learning difficulties and hyperactivity/impulsivity;
 - abuse, neglect, parental breakdown and placement in a residential care or welfare institution;
 - bullying, persistent truancy, exclusion, educational failure and poor school environment;
 - racial discrimination, parental unemployment and long-term deprivation;
 - association with deviant peer groups or sects, substance abuse (including parental substance abuse), child prostitution, begging and vagrancy.

4. Measures aiming at the promotion of protective factors should particularly encourage the following:

- social and cognitive skills, pro-social values and attitudes and coping skills;
- strong attachment to parents and siblings, and clear, consistent and non-authoritarian rules and sanctions at home;
- inclusive and caring school environment with opportunities for all children to achieve success;
- strong attachments to pro-social peers and adults outside the home;
- attachment to the local community.

5. As far as possible, all interventions should be based on measures which have been scientifically proven to be effective, although some scope for innovation should remain.

6. It should be ensured that adequate resources are provided for early intervention to prevent criminality.

III. Children at Risk

7. In order to distinguish children at risk, national, regional and local agencies should develop appropriate structures and processes, including those for gathering and sharing relevant information while ensuring respect for relevant legal norms and principles on the protection of personal data.

8. All means designed to distinguish and deal with children at risk should be undertaken in their best interests and in accordance with the rights of the holders of parental responsibility.

9. These means should observe the fundamental rights of children, such as physical and psychological integrity or the right to privacy. Exceptions should only be allowed if they directly benefit the child and are permissible in law.

10. Parents and/or holders of parental responsibilities of children at risk, should be informed as soon as possible, unless this is clearly incompatible with the best interests of the child.

IV. Implementation

11. Statutory as well as other arrangements should be developed for the provision of a wide range of programmes for early intervention to prevent criminality.

12. An inter-ministerial group or other interdisciplinary official/public body should be entrusted with stimulating and overseeing the development of an early intervention strategy. This group or body or authority should include representatives from the voluntary and private sectors, as well as the relevant ministries and local partnerships. The group or body or authority should also be responsible for setting standards and identifying and disseminating good practice.

13. In implementing psychosocial interventions, the following principles should be applied:

- effectiveness: interventions achieve the desired aims, occur at the appropriate moment and match the level of resources to the seriousness of the risks targeted;
- minimum intervention: interventions are appropriate and the least intrusive possible;
- proportionality: interventions are commensurate with the degree of risk;
- non-stigmatisation: interventions do not blame or shame children, their families and communities;
- non-discrimination: interventions do not distinguish on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

14. Programmes should be planned, co-ordinated and delivered by local partnerships with a clear indication of who is in charge. They must include those responsible for social welfare, health and the education of children. If deemed appropriate they should work closely together with other relevant agencies such as youth protection, the police, and the voluntary and the private sector.

15. Partnerships should provide appropriate structures and processes for ensuring effective decision-making, resource allocation, priority setting and programme implementation. The latter should include:

- consulting and engaging local communities, children and their families about the nature of the problem and potential solutions;
- making use of existing services, including by reallocating existing resources, as well as providing new resources where gaps in provision are identified;
- constructing an action plan based, as far as possible, on scientific knowledge of what works;
- setting realistic targets;
- monitoring and reviewing progress; and
- evaluating outcomes using appropriate benchmarks and assessing cost effectiveness.

16. Early intervention strategies should include specific provision for initial and in-service training for those involved in co-ordinating, delivering and evaluating programmes.

17. Participation in programmes should be organised on a voluntary or contractual basis. Compulsory participation by holders of parental responsibilities should only be required when they are unwilling to fulfil their obligations and providing this is in line with existing legal frameworks and does not invoke criminal law provisions.

V. Research priorities

18. To increase the current knowledge base on the nature of criminality and its prevention, funds should be allocated to specific research on:

- the nature and scale of the problem of criminality;
- the risk and protective factors associated with criminality; and

scientific evaluations of the cost-effectiveness of interventions to prevent criminality, including the process of implementation and the co-ordination of interventions across agencies and over time.

19. In order to promote the exchange of information and knowledge on what causes and prevents criminality and to make this available to policy makers, ways to improve national and international co-operation should be developed both within the scientific community and between the scientific community and those responsible for designing and implementing preventive programmes.