

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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**EUROPEAN COMMITTEE ON CRIME PROBLEMS**  
**(CDPC)**

**Council for Penological Co-operation**  
**(PC-CP)**

**QUESTIONNAIRE  
CONCERNING VIOLENCE IN INSTITUTIONS  
FOR JUVENILE OFFENDERS**

## **Introduction**

Following concerns expressed at the 16th Conference of Directors of Prison Administration (CDAP) held in Strasbourg in 2011 regarding violence in places of detention for juvenile offenders and after a proposal made at it to examine the situation, the CDPC instructed the Council for Penological Cooperation (PC-CP) to prepare a report on the subject. The PC-CP held a discussion during two consecutive sessions (in June and in September 2013) and listened to the presentations of Prof Ton Liefwaard, UNICEF Chair in Children's Rights at Leiden University and expert on violence within the juvenile justice system for children, Mr Fabrice Kellens, Deputy Executive Secretary of the European Committee for the Prevention of Torture (CPT) and Ms Danièle Laborde, responsible for the Rights of the Child at the Ombudsman's Office, France. The PC-CP agreed that most cases of violence involving juveniles happen when they are deprived of their liberty for different reasons (as a result of administrative, civil or penal law proceedings and decisions).

It was decided that in order to draft a report reflecting the situation in Europe a questionnaire needs to be sent out. This will allow gaining a better understanding of the problem as it occurs in the different Council of Europe member states and also seeking and promoting best practices regarding how to reduce and deal with such cases of violence.

The study will focus on violence involving juveniles in conflict with the law who are deprived of their liberty in different institutions in the framework of the criminal justice system (inter alia, police detention, pre-trial detention and deprivation of liberty after conviction or sanctioning). It was decided also to leave the term "institutions for juvenile offenders" as general as possible because depending on the legal systems juvenile offenders may be placed in different types of closed institutions which may be under the responsibility of different ministries.

The study aims at covering different forms of violence like physical, sexual, verbal and psychological violence against juveniles by staff; against juveniles by other inmates (juveniles or adults) and self-harm.

The below questionnaire is aimed at providing more in-depth vision of the problem of violence and to inform of best practices and of effective ways of its prevention or in dealing with it.

Your help in gathering sufficient and reliable information on the subject is very precious and will help advance relevant policies and practices in Europe in line with the Council of Europe standards.

**QUESTIONNAIRE**

**(Please feel free, when replying, to add additional lines or pages as needed)**

1. Participant information

1.1. Name of the participant:	
1.2. Country:	
1.3. Position:	
1.4. Institution:	
1.5. Working address:	
1.6. Tel/fax:	
1.7. Email:	

2. Please list the types (including the responsible ministry), number and capacity of institutions in which juvenile offenders<sup>1</sup> may be deprived of their liberty<sup>2</sup>

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3. Is there legal definition of “violence” in your country?

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*Please list the source(s)*

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4. To what extent is the use/occurrence of violence in institutions for juvenile offenders registered and who is responsible for the maintenance of these data? To what extent are these data publicly available and how can it be accessed?

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*(Please list the source(s) you used to obtain this information).*

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<sup>1</sup> “Juvenile offender” means any person below the age of 18 who is alleged to have or who has committed an offence (Rule 21.5, European Rules for juvenile offenders subject to sanctions or measures - Recommendation CM/Rec (2008)11 of the Committee of Ministers to member states);

<sup>2</sup> “Deprivation of liberty” means any form of placement in an institution by decision of a judicial or an administrative authority, from which the juvenile is not permitted to leave at will (Rule 21.5, European Rules for juvenile offenders subject to sanctions or measures - Recommendation CM/Rec (2008)11 of the Committee of Ministers to member states);

5. Can you give an estimate of the significance of violence as a problem in institutions for juvenile offenders?

- very serious
- serious
- not very serious
- not serious at all
- cannot provide an estimate

6. What can be considered as main causes of violence against juveniles (list five main causes)?

- 1.
- 2.
- 3.
- 4.
- 5.

7. Can you specify the steps (please list the five most important ones) that you have taken to address the issue of violence?

- 1.
- 2.
- 3.
- 4.
- 5.

8. Rate the significance/seriousness of the following types of violence in institutions for juvenile offenders; 1 - no issue of significance; 10 - top priority

(a) Physical violence (on a scale from 1 to 10)

- among juveniles: 1 2 3 4 5 6 7 8 9 10
- between adults inmates and juvenile inmates: 1 2 3 4 5 6 7 8 9 10
- between staff and juveniles: 1 2 3 4 5 6 7 8 9 10

(b) Sexual violence

- among juveniles: 1 2 3 4 5 6 7 8 9 10
- between adults inmates and juvenile inmates: 1 2 3 4 5 6 7 8 9 10
- between staff and juveniles: 1 2 3 4 5 6 7 8 9 10

(c) Verbal Violence (on a scale from 1 to 10)

- among juveniles: 1 2 3 4 5 6 7 8 9 10
- between adults inmates and juvenile inmates: 1 2 3 4 5 6 7 8 9 10
- between staff and juveniles: 1 2 3 4 5 6 7 8 9 10

(d) Psychological violence (on a scale from 1 to 10)

- among juveniles: 1 2 3 4 5 6 7 8 9 10
- between adults inmates and juvenile inmates: 1 2 3 4 5 6 7 8 9 10
- between staff and juveniles: 1 2 3 4 5 6 7 8 9 10

(e) Self-inflicted violence (self-harm, suicide attempts, suicide) (on a scale from 1 to 10):

1 2 3 4 5 6 7 8 9 10

9. Please specify in which situations are permitted the following measures:

- use of force  
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- use of physical restraint  
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- separation for security reasons  
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- separation for safety reasons  
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10. Please specify the disciplinary sanctions and measures (special attention to solitary confinement procedures) provided by law or used in practice (specify which of the two):

- types including the body/responsible person to order such sanctions or measures  
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- duration (including maximum duration and whether it can be renewed)  
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- grounds  
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11. Please specify what complaint procedures are provided in case of unlawful violence or abuse of power.

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12. Please specify what inspection and independent monitoring procedures exist for institutions for juvenile offenders at national and local levels.

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13. Please list any available policy and practices developed for prevention and addressing violence in institutions for juvenile offenders (separation of juveniles from adults; individual room accommodation; training of staff; surveillance techniques; aggression management; prompt investigation and sanctioning policy; registration (individual dossier; national registration), medical surveillance, incl. medical check upon arrival etc.)

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*(Please list the source(s) you used to obtain this information)*

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14. Are there any best practices concerning prevention or responses to violence in institutions for juvenile offenders you would like to share and that you consider worthwhile exploring further? And have these practices been documented? *(Please include your sources)*

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Any other comments

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Thank you very much for your co-operation!