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**POLICIES FOR DEPRIVED CHILDREN/ADOLESCENTS
AND FAMILIES**

Rapporteur: Mr Karl-Christian ZAHN (Germany)

EXPLANATORY MEMORANDUM

The Congress of Local and Regional Authorities of Europe decided to organise a Conference on **policies for deprived children/adolescents and families in St Petersburg** from 2 to 4 April 1998.

This city was chosen because, for some years, the CLRAE had supported projects devised by NGOs specially for its deprived young people (street children, adolescents in prison etc) and developed between 1995 and 1997. The "Children of St Petersburg" projects were aimed in particular at setting up a shelter open round the clock, distributing hot meals to some 3,000 children/young people, distributing various products and medicines in prisons and rehabilitation centres and other complementary activities. The projects, run by the *Arbeitsamariterbund* (Germany), Redkidz (United Kingdom) and Psalm 23 (Germany), with all-important backing from the European Community Humanitarian Office (ECHO), had enabled many Russian NGOs to make contact with NGOs in other countries, carry out complementary tasks and lay some foundations for co-ordination.

In this connection, there had been two previous visits to St Petersburg, in November 1993 and October 1994, by representatives of the CLRAE (in particular Mr K.C. ZAHN and Mrs Olga BENNETT) and the Secretariat (G. TESSARI).

On behalf of the CLRAE's Working Group on Youth, its chairman, Mr Claude CASAGRANDE (France) pointed out that the Congress had come up against the following question: how would the public authorities and, in the first instance, the municipalities perceive such worrying sustained and often growing phenomena as street children, adolescents in prison, household poverty and also their ramifications for individual and collective living conditions? And then how would they react: what forms of action, what strategies and what structures were to be envisaged?

The aim of the St Petersburg Conference is precisely to help to identify policy choices for all Greater Europe's local and regional authorities in a field closely linked to human rights and the rights of the child.

Mr A. KHAZOV, Chair of the St Petersburg City Council Committee for Families, Children and Young People, welcomed the conference participants on behalf of Mr V.A. YAKOVLEV, the City Governor, who had unfortunately been detained on urgent business in Moscow.

The Vice-President of the CLRAE, Mr Michael O'BRIEN (Ireland) emphasised the great responsibility shouldered by the Conference in tackling this question, which was certainly not a new one but was becoming increasingly acute and sensitive, as the living conditions of great swathes of the population in general and groups of children/adolescents and families in particular grew worse.

Referring to the principles on which the Council was founded, the conclusions of the 1997 Summit, the initiatives of the CLRAE, the European Charter of local self-government and international conventions, including the Convention on the rights of the child, he stressed the duty of every public authority to provide assistance and support to any minor in difficulty or at risk. Every child, including street children, should be able to live with his or her own family or a foster family, or failing this in adequate facilities. Children's ombudsmen should be appointed. Local and judicial authorities had to develop innovative methods to put an end to the deprivation and abandon suffered by children living on the streets, methods aimed at

forging contact with young people, monitoring them and identifying their families where they existed, in order to explore every possible avenue for re-establishing contacts between them. Fresh efforts to reintegrate children and young people were necessary, as was educational and vocational guidance. There was also a need to review the structures and operation of criminal responsibility, including the age aspect, to consider special procedures and judicial protection and also the necessity of establishing new judicial structures, to consolidate legal, psychological and social assistance for minors, and to replace prisons by "homes", which could be run by associations of voluntary workers recognised by the judicial authorities.

But above all priority should be given to prevention policies. Opening up and co-ordinating the different public and private bodies involved and giving support to families and aid to the voluntary sector was also important. Without the growing efforts of civil society, very little would be achieved: the local authorities had a duty therefore to support associations. However, the sharing of responsibilities between states and local authorities had to be underpinned by the sharing of resources.

The implementation of the international conventions in the field of the rights of the child required international co-operation and solidarity, which the Council of Europe could facilitate. In particular, this meant co-operation with St Petersburg in the social and health fields, partnership between associations and the setting up of new structures for voluntary workers.

Mrs Lydia MAXIMUS, Senator (Belgium), Chair of the Sub-committee on Children of the Council of Europe Parliamentary Assembly, stressed that the binding legal texts in this field were only one aspect of the protection of children, which was guaranteed first and foremost by the family framework. If children were abused, exploited and so on, punishment was not an adequate response; the emphasis had to be on developing prevention within the family and the school. Children were also victims of the poverty suffered by families and in some cases of serious child labour exploitation. Hence the imperative need for states to guarantee both access to education and the maintenance of the most underprivileged children in schools. But trade unions and NGOs also had an important role to play. In all those fields the Assembly had recently adopted recommendations aimed at member state governments.

The representative of UNICEF in the Russian Federation, Mlle Emmanuelle TREMBLAY, then informed the participants that her organisation envisaged setting up youth co-ordination councils and information centres at local level as part of its proposal for co-operation with that country. Structures of this kind should make it possible to implement policies for children and adolescents more coherently, foster partnerships between governmental and non-governmental structures and enable young people to take a hand in their own development. Talks had already begun with the authorities of St Petersburg, Kaliningrad and Yekaterinburg in this connection.

Similarly, UNICEF could help to set up "ombudsmen" for the rights of the child and to launch new initiatives linked to youth courts, including training for judges.

I

INTRODUCTION

An initial introductory session was held on Thursday 2 April, with Mr Michael O'BRIEN in the chair.

The Director of the Study and Documentation Centre on the rights of the child of the University of Ghent (Belgium), Mr Eugène VERHELLEN, presented a study on **street children: a European overview - situation and policies**.

The research into street children which he had run for the Council of Europe in 1992-93 had proven that the phenomenon existed in Europe. Since it took on a great diversity of forms (children living or spending their time on the streets, runaway or truant children, children of homeless parents etc), no single, universal definition had been found. The results of the research indicated that approaches to street children could be geared to protection and/or repression (individual approach) or to human rights (structural approach). Knowledge of street children was provided above all by non-governmental grassroots initiatives. It was a phenomenon which often remained hidden. For that reason, a structural approach was desirable: in this case street children were regarded as human beings whose fundamental rights had been violated. The identified causes were social trends (impoverishment, marginalisation, exclusion), which deprived children of the right to control their own lives and had to be checked by a proactive policy providing real support for children and families. At the same time, networks of individuals and organisations supporting and assisting children and families had to be established to avoid becoming isolated and marginalised themselves. The phenomenon of street children should be a national and international policy concern. At the Council of Europe, it should be the focus of an additional protocol to the European Convention on Human Rights.

For the time being, the United Nations Convention on the rights of the child was the most powerful instrument of legal protection. It was a comprehensive instrument, bringing together civil, political, economic and cultural rights as an interdependent and indivisible whole. This implied an active interpretation, a comprehensive and interactive reading. It pointed the way ahead for human rights and democracy founded on respect for human dignity. The convention could also be read in terms of the right to be protected from the choices and power of others (arts. 6, 19 etc), the right of access to services (eg information (17), education (29), social security (26) etc) or the right of participation (choice and dialogue: arts. 12 to 16). The convention was a binding legal instrument to be applied by the courts of the states which had ratified it. A committee supervised its application on the basis of periodic reports submitted by states parties which were obliged to make the rights enshrined in the convention widely known. Since being opened to signature on 20 November 1989 and entering into force on 2 September 1990, the convention had been ratified by 191 states. Universal ratification had almost been achieved (with the exception of two states). The convention was like a challenge issued to the entire world in the form of a geopolitical legally binding contract.

Where deprived children were concerned, the protection of the rights of the child was of the utmost importance. The convention provided a bridge from the protection of the child to the legal safeguarding of the "child's right to protection", from a paternalistic concept to a

human rights-oriented concept. It was now a question of protecting the rights of the child rather than the child, in the same way that adults' rights were protected. The right to legal protection encompassed all rights: it entailed the right to be shielded from harmful acts and practices, be they individual or structural. Such harm could be caused or prevented by violating or respecting the right of children to certain services. Children had an opinion on all matters concerning them and the right to express that opinion, which Article 12 obliged us to take into consideration. Violations of children's rights and the abuse to which children could be subjected were beginning to become known. However, sensationalism and sentimentalism could make us regress to old models which isolated the phenomena, placed them in categories of exception and pointed the finger at the parents. Those outmoded models obscured the socio-economic context which constituted an overall threat to children's position in society in general. The relative impoverishment of children stemmed from that of their families (single-parent or otherwise), and authorities' budgetary decisions often had a substantial impact on children's living conditions, even if they were not directly concerned. Paradoxically, social and child policy might be jeopardised during the very decades when a new image of the child was emerging. Lack of public funds was becoming increasingly irrelevant and untenable as an argument in the light of the convention, whose use as an instrument creating obligations with macro-economic and social ramifications had to be acquired.

Having been a legal object, the child was now becoming a legal subject. But the legal protection of the rights of the child amounted to more than just a judicial procedure: it was first necessary to have rights and be informed of them; it should then be possible to exercise those rights and have them upheld. There should be a pooling of interests to foster rights. Those requirements were all the more interdependent where the rights of the child were concerned.

Violations of the rights of the child now took on a number of forms of which street children were one. Millions of children all over the world lived in appalling conditions and millions of others were teetering on the brink. Social exclusion, a two-speed society, economism and confusing means and goals were the consequences and the causes respectively. But by definition "families" possessed the spirit of solidarity and that very spirit was present in the human rights project. Use should be made, therefore, of the geopolitical legally binding contract constituted by the Convention on the rights of the child.

Mrs Anne de GOUY, French correspondent of the European Observatory on Homelessness (FEANTSA), spoke on the problem of **homelessness among young people in the European Union**.

It was only recently that the phenomenon had been taken into consideration at both national and international level. However, how it was perceived and dealt with varied from one country to another. In Austria, Denmark, Finland, Luxembourg, Sweden and Germany, the question was tackled within the overall framework of the functioning of the welfare state. In Spain, Portugal and Greece, the problem remained latent and was managed by the family more than the public authorities. In the United Kingdom, France and Ireland, homelessness among young people was recognised as a specific problem requiring adequate responses. In Italy, Belgium and the Netherlands there was greater emphasis on young people in difficulty in general rather than the young homeless. At the same time, however, certain trends were causing problems: the welfare state was in crisis, the family's role of social protection was weakening and states were concerned over possible increases in the numbers of homeless.

By broaching these issues, the media helped to raise awareness of the phenomenon. However, although the maltreatment of children/young people was talked about, the public eye was more strongly focused on truancy, juvenile delinquency and drug addiction. The Observatory's recent research stressed that homelessness was often the end-result of a process of marginalisation of young people stretching over several years and leading to social exclusion. It could be triggered when, for various reasons (personal, family etc), young people left the family home before they had the means of assuming their independence or ensuring their integration. The weakness of their position varied according to age and was exacerbated by lack of school and vocational education as well as their inability to gain access to social institutions and make use of them. Categories of young people particularly at risk included those leaving institutions or families in great difficulty which might be homeless themselves. Children who had experienced homelessness were generally runaways, young offenders, drug addicts, young people released from prison and those with a nomadic lifestyle.

Two structural factors aggravated the very delicate situation of some young people: changes in the labour market (growing competition, selection and flexibility on the one hand and lack of job security or stable employment status on the other hand) and the increasing scarcity of affordable rented accommodation.

Responses to the housing crisis differed from one country to another. Some local authorities had a legal obligation to rehouse people. However, whereas in some countries homeless families remained on waiting lists for several years and the authorities intervened at times of crisis, other countries placed greater emphasis on prevention and families finding themselves on the streets did not remain there for long.

In conclusion, it could not be said that there was a large overall increase in the number of homeless young people. It was also true that the figures were influenced by the systems of assistance and identification used. Homelessness was primarily an urban phenomenon. While it was generally visible, the invisible dimension had to be apprehended. Homeless minors often returned to the family home but young people of full age risked becoming homeless definitively. Boys were more vulnerable than girls, but girls became homeless at a younger age. Young people of immigrant origin were generally more affected than others. Homeless young people began to use drugs at an earlier age. The extent and nature of homelessness among young people reflected past policy choices in the fields of the economy, social protection, families, housing, education/training etc). The big question for the future was whether the European Union itself would become a factor of social integration or of exclusion and homelessness.

Mr Christian MADSEN, street worker, (Denmark) described the "social commando" teams involved in outreach work aimed at young people aged 13-25 in **Aalborg**. These young people had turned their backs on society and existing school, vocational and leisure activities. They knew no limits and would often engage in crime and drug abuse. They fed off mutual support within groups which kept them at a distance from society.

The "social commando" teams forged contact in the street, entertainment arcades, clubs and cafés, in some cases just by being present, listening, talking or through activities. Young people could choose to follow up this contact with a view to building bridges with their families or making use of the city's care, activity and leisure facilities. Readiness,

flexibility and trust were the watchwords of the commandos, who could be reached at any time on mobile phones. If attempts at integration were unsuccessful, contact was still maintained for when young people felt ready to make the move.

Aalborg's "social commandos" formed part of the youth centre (12 staff). Their organisation remained flexible even though each individual commando covered a particular geographical sector. Each of them personally knew some 75 young people. New contacts were made by word-of-mouth. No individual records were kept. In 1996, 120 young people submitted recommendations to the youth office.

A specific example of work with a 16-year old girl illustrated how a relationship of respect and trust was developed with the social worker. That trust had to be secured before the social work proper, which had to follow on immediately.

II

THE EXPERIENCE OF NGOs ON THE GROUND

In all the countries, intensive efforts on the part of NGOs relayed and supplemented public initiatives. One conference session was devoted to this very important aspect, with Mr Karl-Christian ZAHN, member of the CLRAE and Mayor of Dorsten (Germany), in the chair.

The representative of the **ATD Fourth World International Movement**, Mr Louis JOIN-LAMBERT (head of its eastern Europe office in Berlin), presented the integrated approach pursued by the movement, which had been fostering projects promoting solidarity and sharing with the world's most rejected and excluded families since 1957. Its founder, Father Joseph WRESINSKI, had been indelibly marked by a childhood characterised by extreme poverty and his mother's dogged struggle to preserve the family's dignity. In the emergency temporary housing installed in France to accommodate the most needy after the terrible winter of 1954, he had witnessed once again the blunt refusal of misery by those people and their untiring quest for respect and dignity. Approaching families directly, even before soliciting solidarity and aid elsewhere, had been a natural step for him after his own experience. This had given rise to a movement, as a groundswell between the poorest themselves, the first to overcome the humiliation stemming from their circumstances and the consequent rupture between them.

Not surprisingly, that movement always placed the child in the context of his family. A child who rejected his family out of shame inflicted a wound on himself that would never heal. Yet the outside environment, such as the school, might well push him towards that rejection by generating a sense of insecurity which undermined his relationship with his parents. If, on the other hand, there was mutual respect between the family and the outside world, the child had a feeling of security and self-esteem. Indeed, the same consideration applied to relations between adults and children in general.

The poorest suffered greatly from their inability to offer their children a future. It was therefore a matter of rehabilitating the image and role of the family, at a time when it was very much in fashion to deplore the reluctance of parents to take responsibility for their

children's education in "difficult neighbourhoods". The threat of their children being taken into care subjected the poorest families to a constant fear that destroyed relations of trust.

The Movement's infancy programme, developed with parents in the pre-school sphere, was aimed at preparing children for school. It was perceived as a source of security and support by parents. For example, one sequence of both practical and manual activity passing from play to calm and then sleep enabled parents to gain direct experience and then discuss it. Now that this result had been achieved, the "pre-school" project was developing links with the neighbouring mother and child service. However, this was only possible if the agencies concerned were convinced that the parents really did desire the best for their children; if this activity was to last the course, it had to improve the link with the staff of agencies.

The "street library" was another means of combating school failure in very underprivileged areas. Adults brought books to a carefully selected neighbourhood. Children were attracted by the activity and contact was made. The books were first read on the spot and then lent. Families could observe and monitor activities and later become involved themselves. Once they understood the process, their confidence grew and with it their backing. This work was viable only if the organisers wrote up their observations, placing each child and his family in a cultural dimension. In this way, deprived families became teachers. They learned that children were eager to learn, that pupils who failed at school were trying to understand the school system or attempting to adjust their own social experience to that system.

What could Europe contribute to the poorest children and families? Firstly new transnational communication, particularly between East and West. Secondly other ways of working together, with the help of anyone with a sense of fraternity. Adults already involved with associations could take young people from other countries on placements, including those from deprived backgrounds. Such encounters, with the distance offered by another country, would enable them to discover the scale of efforts made by their own communities. Children and young people aspired to cross barriers, including and above all communication barriers. It was important here to respect the child and his roots, foster his love of and pride in his own family and encourage him to become an ambassador of mutual respect, in order to build with him the future in which one believed. The child had to be the civilising force.

Mrs Katherina A. SAVINA, the Director of international programmes of the Moscow-based Russian charity foundation "**No to alcoholism and drug addiction**", which had branches throughout the country, illustrated the new concept of a rehabilitation space for children at risk devised by the foundation. This space was formed by the territorial system of institutions, services, social initiatives and individuals involved in the identification and rehabilitation of children for a given area. Its task was to integrate the different activities and assist each child.

Existing official structures were compartmentalised and sought merely to prevent delinquency among abandoned children and make them comply with certain educational, moral and legal norms, without worrying about the underlying causes. However, it was not enough to give abandoned children a roof over their heads; prevention and rehabilitation were also necessary. A global system, geared to saving children, was required.

The new Russian family law code provided a good legal basis. The Federation and the city of Moscow had created programmes and made funding available. There were now 14 shelters in Moscow, accommodating 300 children. However, there were 10,000 street children and some 100,000 children from the risk groups might also end up on the streets.

The target group was children with problems from crisis families. 70% of their trauma comes from their family surroundings; 85% of criminal groups had teenage members; 70% of street children were drug users. 40% of teenagers leaving state sheltered accommodation committed crimes, 30% were alcoholics or drug addicts and 10% attempted suicide. 60-70% of Moscow's street children came from the city or its region, 20-25% from other regions of Russia and 10-15% were refugees or migrants.

Providing for the child's needs, giving him the right motivation and establishing mutual trust involved several phases and bodies:

1. For contact and motivation, the social services co-ordinated rehabilitation activities, provided information and fostered the necessary interaction. There was an emergency service, a street children service, a home service to work with children in their formal environment (family, school, guardianship service, police), a special telephone line etc;

2. Resocialisation took place within institutions or at home, with those close to the child (family, friends etc). Public rehabilitation programmes (clubs, leisure activities, special correction groups, self-help groups, supplementary education, job exchanges, in-patient resocialisation centres);

3. The final phase of rehabilitation was a long-term in-patient or out-patient programme (foster homes, shelters, SOS-villages etc). There were also territorial programmes.

All of these institutions had to have sufficient autonomy at local level to be effective. Proper training and specialist teams were of course necessary but more important was the interaction between them and the ability to fill in the gaps, as regards youth courts or social workers for example. All those involved had to function as part of the same organism.

Mr John SAUER had worked for the **German NGO Psalm 23** in St Petersburg for three years, supervising the food aid programme aimed at deprived children and adolescents funded by the European Communities (ECHO). For 18 months meals had been distributed on a daily basis to some 3,000 children throughout the city. Mr Sauer was now director of development and communication of the Alternative Education Resource Organisation in New York (USA).

His contribution focused on the value of co-ordination work.

A great number of individuals and institutions had been involved in the project: NGOs, media, public authorities and private enterprise. There had been many meetings and encounters. Forging links, establishing trust and winning respect was essential in co-ordination work. International sponsors should attach more importance to the human factor and co-ordination.

Of the 3,000 children reached by the project, 1,000 were in prison, 300 lived on the streets permanently and 400 occasionally (living with their families most of the time and moving out when the atmosphere deteriorated). The rest of the children, over a thousand, came from very poor but stable families. The real problem was how to help the latter two groups, made up of children who might drop out of society.

Possible means of helping them included clubs. But what kind of programme was needed? The children would have to be involved in the planning process, to have their say.

Public authorities were unable to solve the problems by simply handing out funds. On the contrary, thought had to be given to projects in the light of good practice, lists, programmes and models which had proven their worth. This pooling of data was also useful for co-ordination, the only means of really getting to grips with social problems. Commercial companies, public authorities, NGOs, citizens and media all had to join forces to form an effective whole.

Other speakers talked about the **work of NGOs** in Russia and in St Petersburg in particular. Mr Aleksandr FAZHIN spoke on issues concerning the Russian NGOs present in the city. Mr Leslie ALDERMAN (Bath, United Kingdom) spoke on voluntary work of **Redkidz** and the methodology underpinning it in Moscow and St Petersburg. The Redkidz "educational homes" for children and young people focused on affective, educational and social aspects. Mr Harald BEESE, of the *Arbeitsamariterbund* - **Hamburg**, presented activities pursued in the social field in general by the organisation's St Petersburg branch and in particular by a group of artists for the benefit of deprived children and adolescents. Mrs Liisa GERDIN, for the **Child Protection** Association of "Logos Ministries of Finland", which partly followed up the work of the Psalm 23 Association, gave a slide presentation on work carried out in the association's homes, which took in former street children.

III

COMPARISON OF CITIES' POLICIES FOR DEPRIVED CHILDREN/ADOLESCENTS AND FAMILIES

Much of the day on 3 April was devoted to the policies devised and implemented by nine cities in western, central and eastern Europe. These "case studies" gave an insight into the diversity of situations and the measures employed or envisaged, but above all they showed that the exclusion of deprived children and families was a universal issue, as was the need to improve knowledge and the form/content of public and private action.

The cities' contributions were grouped in three sessions.

The first session was chaired by Mr Riccardo VENTURINI, member of the CLRAE (San Marino).

The Chair of the **St Petersburg** City Council Committee for Families, Children and Young People, Mr A. KHAZOV, said that the country was going through an extremely difficult period. With the collapse of the old system and the transition to democracy, the rule

of law and the market economy, it was the weakest - children, adolescents and families - who were hit by the fall in living standards.

The birth rate had dropped and the population had fallen by 46,500 persons per annum between 1991 and 1995. 60% of families (764,533) had children under 18 years of age.

Of those, 30,000 were large families, 71,000 single-parent families and 14,000 had one or more disabled children. Many adolescents lived in poor sanitary conditions. Crime was on the increase among young children. There was also a rise in the number of unsupervised children, either abandoned, having left home or having absconded from residential institutions. The number of "social orphans" had increased two-fold between 1990 and 1995. The number of unsupervised children was estimated at 1,500, children without any kind of support at 4,000 and street children at 15,000. In fact, specialists believed that no less than 150,000 of the city's adolescents fell into one of these three categories. One in every three children leaving institutional care ended up unemployed, one in five committed a crime and one in ten committed suicide. 50-60% of young people who did work had an unskilled job.

The basic thrust of the 1998-99 programme of the City Council Committee for Families, Children and Young People was geared primarily to work with families and assistance for young couples and families in need: the aim was to reduce the number of "social orphans". The second part of the programme entailed defending the rights and interests of children without parental support.

It was planned to extend the system of social institutions, both state and private, and take legislative and practical measures, such as providing accommodation for orphans and children leaving homes. Facilities to prevent individuals being deprived of supervision and health care (social work with street children, outpost offices open round the clock, job-searching and social integration measures for untrained minors aged 14-18 years, distribution of free meals by 40 centres to 12,000 children and the extension of this measure to children in extremely difficult circumstances, organisation of festivities and distribution of gifts, organisation of summer youth camps). Further measures envisaged were co-ordination between institutions and services, the preparation of methodological tools, norms to protect families and children and the reorganisation of leisure facilities.

The next phase of the programme entailed: working with families in crisis or without social cover, establishing a range of assistance measures for families in need, following up a crisis centre for the reintegration of 80 families, organising seminars and granting authorisations to provide social work services to families, children and young people. Co-operation links had been forged with the "Juvenila" centre for a programme of health education and preparation for family life for 900 young people at a summer youth camp.

In 1997, the authorities had opened a centre for deprived children and families in need (841 individuals); it had provided home social assistance, a consultation service, family education groups and a day hospital.

However, more efforts were needed, as only a small part of the real needs of families and children were catered for.

As the free Hanseatic city of **Hamburg** had long been twinned with St Petersburg, the chairman of the city senate's committee for the promotion of youth welfare, Mr Wolfgang KIRSTEIN, had been asked to speak at the conference on certain aspects of child protection.

In Germany, child protection was the joint responsibility of the public authorities (*Länder* and municipalities) and private associations or initiatives. Under the principle of subsidiarity, the involvement of the relevant public body, namely the Hamburg Youth Office, in spheres covered by the activities of independent providers was no more than financial. This plurality of involvement guaranteed both the diversity of facilities provided and flexibility of initiatives. Nevertheless, close co-operation was necessary and this was ensured by *ad hoc* working groups and the youth welfare committee which took the decisions.

More specifically regarding activities aimed at street children, it was to be noted that the phenomenon affected affluent societies too. The precarious position of certain families and their social exclusion could influence children and adolescents who might find themselves in foster homes or foster families and ultimately in the streets to fend for themselves. The Youth Office had set up an emergency service for those children while at the same time seeking longer-term solutions. However, since 1991 the NGO "Basis Projekt", funded by the city, had established an outpost near the main station, where street children tended to congregate. This office sought to gain their trust by offering them means of subsistence, a sheltered area, advice, contact and outside assistance, and opportunities for play and leisure. The social workers saw themselves as "mediators" and applied the principle of partiality, ie defending the interests of the children/adolescents vis-à-vis other public administrative institutions: police, courts, educational establishments. Otherwise, young people had no advocates. The entire effort was based on forming the relationship of trust required before a child would accept help. At present, youth facilities such as youth clubs and adventure playgrounds offered assistance with daily meals (breakfasts or lunches prepared communally) but were also capable of organising accommodation and lodging.

In conclusion, as the situation worsened for children and adolescents and public funds shrank, the city's policies reflected the necessity and urgency of interlinking the various structures and initiatives to sharpen the focus of resources and responsibilities for the benefit of children.

The policy of the city of **Padua** (Italy) presented by Mr Giovanni SANTONE, deputy mayor, formed part of a national, regional and local legislative framework which had been particularly well developed since Italy's ratification of the United Nations Convention. A national observatory for the problems of minors and a national documentation centre had been operational since 1995, drawing up annual reports on the situation of minors. Great swathes of Italian law (on the family, adoption, people with disabilities, criminal law and procedure etc) had been reformed between 1975 and 1992. Certain principles could be distinguished in this set of texts: the right of minors to a family, first and foremost their own, an education and supervision which respected the child, the right to integration for people with disabilities and the right of young delinquents to rehabilitation and, in particular, an education. For its part, the Venice region had supplemented that framework. This resulted in multiple sets of norms which, while necessary, had to be co-ordinated to provide a general basis for local policies aimed at minors.

The municipal council adopted guidelines for the social programme. Activities were monitored and an annual report drawn up. Linkage and co-ordination with social co-

operatives, associations and voluntary groups were ensured via information, the use of resources, the right to propose initiatives and joint projects. Furthermore, a office for co-ordination and consultation encompassed all the institutions and other agencies working for and with minors: it proposed projects which were accepted by the municipality. Another co-ordination programme covered institutional bodies (courts, judges, education services, health system and social services). It was intended to establish a single referent, a kind of "family affairs judge" to cover all the different aspects of the protection of minors.

The projects developed at municipal level included: the "placement" project (selection of families, supervision, aid, work with the family of origin); activities workshops in schools; courses for parents; co-operation with schools (restreaming, sandwich courses, nomadic children); training for social workers in child-related problems and others; plans for a centre for minors and a centre for adolescents.

Over the years, the number of institutional internments had been cut in order to redirect funding to fostering within family groups or residential communities. Facilities for nomadic and migrant children were being developed.

Protection, encouragement and participation were watchwords implying a new, flexible and multi-faceted approach and also the development of contact networks. However, efforts to shape attitudes for the citizens of tomorrow did not mean that the children of today were to be forgotten: everyone had to join forces and institutions had a duty to remind us of the responsibilities that we bore towards minors.

The second session was chaired by Mrs Marie-Rose WOLTERINK-OREMUS, member of the CLRAE, Mayor of Baarn (Netherlands).

The situation in Romania and more specifically Bucharest was dealt with by Mr Colin CATALIN CHIRITA, Mayor of the city's 5th district. When the old regime had collapsed, 40,000 children had been living in child protection centres. The centres had been patently under-equipped, to the extent that some children now had disabilities. 6,000 children had been in special schools. Much help had come from abroad since then (donations, adoptions etc). At present, there were 653 institutions housing 99,000 children. 5,000 children were in specialised institutions. There were 2,600 children infected with AIDS and 4,300 children on the streets, 1,500 of them permanently.

For the street children, Bucharest city council had created a few half-way house institutions. The street assistance project had been devised by the national child protection committee and NGOs. The coercive methods of the past had been abandoned; priority was given to work on the streets, through qualified staff. The objective was to have less children living on the streets and less deviant behaviour. A joint programme involving state institutions, the national committee, the PHARE programme and the Pestalozzi Foundation focused on proper training for staff: social workers, nurses, educators etc.

Measures taken since 1990 by the health authorities with assistance from the international community and NGOs had substantially cut the number of AIDS contamination cases.

For young offenders up to 14 years of age, measures were of an educational nature (punishment, internment in juvenile correction centres). Above the age of 14, criminal

sanctions, reduced by half, were applied either to the child (rehabilitation centre) or the parents (prison, fine). However, detention conditions in special sections for minors within adult prisons were not appropriate. There were no specialised judges. Under the communist system, abandoned, handicapped and sick children had been systematically interned.

NGOs and international institutions had launched various programmes: measures to prevent children being abandoned, financial aid for families in difficulty, efforts to find foster families, clinics for children infected with AIDS.

Whereas Romanian society had previously taken a low-key approach to the question of deprived children, owing to rifts or culpable indifference, there was now a more dynamic shift in mentalities and with it a desire for change. For the first time, the country's President was taking a hand.

Mrs Marie-Hélène GILLIG, Deputy Mayor and Vice-chair of **Strasbourg** city council (France), said that her city's policy took a global approach, revolving around two axes. Firstly, it supported families to prevent exclusion by restoring family links. To facilitate the socialisation of children from infancy onwards there were parent-and-child facilities, play-parks and adventure playgrounds; there were mobile events aimed at children, some of them in housing estates. These were a vehicle for communicating with parents and encouraging them to take their children to conventional leisure centres. There were also facilities for supervising family problems and working with parents whose children were placed in institutions. Other measures were the geographical co-ordination of social and educational work (assignment to a single area, networks of social workers) and the placing of responsibility on the families of delinquent minors, with the emphasis on the educational aspects of sanctions and the supervision of families.

The second policy thrust was developing facilities for young people. These were comprehensive initiatives aimed at primary prevention, targeting all young people and accessible outside school hours. For young people aged 16-25 training and insertion needs were taken into account. Nevertheless, the problem of school truancy had to be better dealt with. An association helped with prevention by spotting 10-12 year-olds hanging around in the city centre. Specific monitoring structures received backing from the council. Discussions currently focused on the idea of setting up an "info-point" for the young or very young people on the streets who had broken links with their families, many of them runaways. "Europe-wide" mobility had resulted in an influx of homeless people: specific facilities had been created for the under-25 year-olds: meal distribution, financial aid, hostel. However, there was increasing marginalisation with health-care consequences requiring input from specialised NGOs.

The constantly changing situation demanded joint, co-ordinated responses often within the framework of specific procedures, which in turn called existing facilities into question.

The district of **Newham** was one of London's 33 municipalities. Mrs Rita DAVIES, anti-poverty and welfare rights co-ordinator, stressed the great ethnic diversity of the borough, designated since 1994 as the most deprived district in the country. Housing conditions were poor and the level of homeless high. In 1995-96, 3,790 housing applications had been lodged with the borough council, which under the 1996 Housing Act had a duty to provide housing to the most needy over 18 years of age and to young orphans aged 16 and

17. Permanent housing would have to be found for 960 families with children by the year 2000. Very high unemployment, particularly among young people of Afro-caribbean origin, and cuts in benefit for young unemployed had an impact on housing conditions. Refugees (some 20,000) were decidedly the worst off and worst-housed residents in the borough. At present, the borough council provided food and housing to 422 families and 722 single refugees. A special team looked after refugees denied state aid. The Ministry of Education had taken on specialised teachers. In conclusion, young people under 20 years of age in Newham were the main group not covered by legislation and in severe financial and housing need.

The borough council had devised a corporate anti-poverty strategy linking in each council department. There was a 3-year housing strategy covering 1997-2000. A new family assistance strategy placed the onus on early intervention to prevent children being placed in care and reduce the number of children who ran away or went into care and later became homeless; it was a proven fact that the great majority of young people lodged in emergency shelters had been taken into care during their childhood.

One example of action taken by Newham council against poverty was the help given to potential claimants of supplementary benefit, supplementary sickness insurance, housing grants and tax relief. Employment was crucial for refugees not entitled to welfare. A project set up with their involvement helped them to identify and overcome administrative barriers and actively seek work. A scheme to guarantee rent payments for individuals not recognised as being in priority need identified landlords prepared to co-operate and directly administered the housing benefit allocated to the tenants. However, the programme, run by volunteers, did not have a high take-up rate. Finally, there was a forum run by the Children's Society with the aim of identifying and tackling the problems of homeless refugees on a co-ordinated basis. But the scarce resources available would not be enough to resolve those problems: major policy shifts were required as regards unemployment, adequate benefits, affordable child care, housing, affordable training and education. The present piecemeal approach had to be replaced by a concerted strategy.

The third and final session was chaired by Mr Wolfgang KIRSTEIN.

The Chief Executive of the town of **Pushkin** (St Petersburg region), Mr Yuri NIKIFOROV, outlined the general situation in this town of some 100,000 inhabitants and that of young people in particular. The town's history and geography had given it a very special character, which meant that the prospects for improving the lot of children, young people and families was relatively better in Pushkin than elsewhere in the St Petersburg region.

Mrs Olga BENNET, member of the CLRAE and councillor in **Dublin**, concentrated on the legislative and administrative framework existing in Ireland at national and local level. Irish public opinion had discovered the extent of children's suffering from all kinds of abuse only six years previously. A number of measures had been introduced in this connection from 1990 onwards while the setting up of a protection system recommended at that time continued to be a priority task of the Minister of State for human rights, together with the question of the administration of justice as regards minors and the functioning of all the services engaged in investigation, prevention and assistance.

Although the principle of the primary importance of children's welfare had been recognised as long ago as 1964 (Guardian of Infants Act), the real cornerstone of the system

was the 1991 Child Care Act, which had drawn on the draft convention then being prepared by the United Nations. Legislation had been further bolstered by the Domestic Violence Act (1996) and the Children Act (1997). Means of effectively co-ordinating child policies at central government level were being considered.

At regional and local level, the 1991 act had set up child care advisory committees, but there were plans to establish regional child protection committees at health authority level to strengthen inter-agency and inter-professional co-operation. The act had been fully applicable since 1996 (entailing the employment of 900 individuals, never seen before in the country's history); it would result in the creation of an inspectorate and the adoption of a set of measures for homeless children: intervention in early childhood, additional services for families and young people, various accommodation facilities and services for homeless young people and those leaving institutional care.

There were many young people who had left the family home in the Eastern Health Board region and the Dublin conurbation. The health board was able to provide emergency shelter for 160 individuals at present. The creation of two centres open round the clock, each with 10 beds, was envisaged. Ten or so families had been trained in emergency care. Another programme was aimed at day facilities: assistance, welfare and leisure, including in the very centre of Dublin. Furthermore, two special care units were scheduled for 48 children with affective or behavioural problems. Another three centres would be set up in the next three years. Other initiatives envisaged were improvements to statistical records, an information campaign to publicise the United Nations Convention on the rights of the child and a draft law (1997) on child trafficking and pornography.

The Irish Constitution recognised the family as the fundamental unit of society. There were many measures with ramifications for the family: tax reform, social protection, extension of parental leave and a national mediation service were priorities. Refuge facilities for women and children fleeing domestic violence were in place. The family had to be helped to raise happy, healthy children. However, when there was a conflict of rights, the rights of the child had to be paramount. The government also sought to tackle the actual causes of distress suffered by children: a national foundation had the task of promoting research and helping voluntary organisations.

Mr Zoltan DUDÁS, of the Institute for child and youth protection of the municipality of **Budapest**, said that the 1997 law on child protection and guardianship had caused sweeping changes both in that institution and the welfare services. Besides this, administrative responsibilities had devolved to mayors and in the case of Budapest to the mayors of its 23 districts. The central city authorities co-ordinated and supervised activities in the districts.

The district town hall notary and the district guardianship services were empowered to take any decision concerning the protection of a child within his family of origin, temporary placement in a home, temporary care of a child with placement in a foster family or home, or definitive care for orphans and children for adoption. Such measures could be applied at the instigation of the school, family doctor, police, emergency services or the public prosecutor. Moreover, those same services maintained and ran emergency shelters and mother and child refuge facilities.

Welfare took three forms. Centres providing social assistance to marginalised families were subsidised by local authorities and the national budget. Their role was above all one of prevention but the setting up of projects for families depended on the resources available. Whereas certain more prosperous towns had several such centres, poor towns had very few. The management of these bodies could be assigned to religious organisations. Secondly, centres advising on the upbringing of children provided assistance and therapy facilities for families. They could also provide financial support in some cases.

But it was the child welfare services created in each district that were to lead the sweeping child protection reforms under the new law. These services, now being organised, had the task of promoting children's moral and physical well-being: only as a last resort was it possible to take a child away from his family. They had to inform children of their rights and help future mothers in crisis situations, who could be accommodated in shelters for a three-month period, renewable once only. The services operated in close collaboration with schools. In cases where children appeared to be in danger, the services identified the disruptive factors (often divorces) affecting the family and sought to attenuate and eliminate them. Two thirds of the children in Budapest grew up in a single-parent family.

Before the 1997 law, the Institute for child and youth protection of the municipality of Budapest had borne responsibility for all the tasks which now fell to the districts. At present it continued to manage the temporary homes for children taken away from their families pending assignment to a foster family. It was still responsible for finding foster families and providing them with the necessary preparation and support. Each of the Institute's social workers dealt with 40 children placed with families. The children's families of origin received support above all from the welfare services so that the children could return to them as quickly as possible. Little by little, protection was becoming the linchpin of Hungary's child care system. Through social work, some homes had helped many children to return to their family of origin.

Some 3,000 children were declared missing at present in Hungary. Their whereabouts were unknown. Normally, there were no vagrant children in Budapest since they were immediately placed in care (foster families, homes or families of origin).

IV

THE ROLE OF THE JUDICIAL AUTHORITIES IN A LOCAL CONTEXT

A special session on Friday 3 April, chaired by Mrs Joan TAYLOR, member of the CLRAE and member of Nottinghamshire county council (United Kingdom), was devoted to the role of the judicial authorities in a local context. Obviously, this role was most delicate. The judges had to ensure the application and respect of several fundamental principles at once: human rights and the rule of law, the protection of the rights of minors and families, compliance with the law and the security of citizens. In their efforts to strike a balance between different currents, they might favour punishment or prevention, depending on the case. Judges also had a strategic role as they formed a meeting point for a number of institutions and public and private protagonists, whose views nevertheless had to be

subordinate to the achievement of a common goal. In this case, judges could foster complementarity and efficiency in very real terms.

The President of the young offenders section of the municipal court of **St Petersburg**, Mr Nikolay K. SHILOV, said that Russia was striving to reform its judicial system in a context of democratic and economic transition. However, unemployment, alcoholism, drug addiction and the financial difficulties of families constituted a breeding ground for juvenile delinquency.

The age of criminal responsibility was 14: minors aged between 14 and 18 years were judged at first instance by district courts (comprising a president and two people's assessors). Competence for appeals and applications on points of law lay with the municipal court, comprising three professional judges. For particularly serious offences, the municipal court ruled at first instance and the Supreme Court of the Federation heard appeals on points of law.

In 1997, the district courts and the municipal court sentenced 1,918 adolescents (12.5% of sentencing total). The prime causes of offences committed for pecuniary gain (76% of cases: thefts, burglaries, armed robbery, blackmail) were deficiencies in upbringing, financial problems and adolescents not having anything to do. 81% of them had committed serious offences; offences endangering the life or health of persons were on the increase. Those linked to the use of drugs were becoming more widespread. 69% had committed offences at the age of 16-17. Half of them had grown up in a single-parent family, 5% outside the family home, and 36% were without employment, apprenticeship or training.

Nearly half of them had been attending schools or technical centres. 76% had been sentenced for collective offences.

24% of the adolescents sentenced had been effectively deprived of their liberty, 72% had received suspended sentences, while a few had been fined or assigned to reparation work. Binding measures of an educational nature had been imposed on 82 adolescents below the age of criminal responsibility.

There was no legislative provision for the specialisation of judges or for any special judicial procedure in cases involving minors. However, the Supreme Court (judgment no. 11 of 1993 and 1996) considered that such cases had to be presided over by a single qualified judge, assisted by qualified assessors (teachers or educators): the Court thus recognised the necessity of a judges' specialisation in minors.

However, the actual conditions in which district courts operated (staff mobility, work overload) meant that the same cases came before different judges, some of whom lacked experience. Moreover, those cases were not always passed on for examination within the deadlines laid down by the law; when they were, it was sometimes without adequate preparation and knowledge of the file. That was why cases were repeatedly adjourned and protacted and gave untried minors the opportunity to commit new crimes if they were not detained or remanded in custody.

This situation undermined the rights and interests of minors and hampered their rehabilitation. Prolonged provisional detention affected their health. The right of appeal

against the detention decision taken by investigation bodies did not resolve the problem of long-term detention of minors in remand prisons.

The municipal court section, which ruled on appeals on points of law, sought to ensure that cases were systematically tried in district courts, provided those courts with assistance and handed down special judgments in the event of a breach of the law. In March 1998, the section's president had drawn the attention of district court presidents to the need to assign specific judges to cases involving minors.

A complete overhaul of the legislation governing judicial procedure for cases involving minors, with specialisation for criminal and civil court judges, was indispensable and a matter of urgency. Russia had committed itself to judicial reform, through the election of the Constitutional Court in 1991, extended jurisdiction, the independence of judges, the modification of general criminal procedure (particularly the involvement of a jury) and the extension of judicial review to preliminary proceedings (appeal against arrest or extension of custody). It was now time to reform the procedure concerning minors, and European experience in this field could prove most useful.

Responsibility for preventing juvenile delinquency lay with the Principal Directorate of the Interior of St Petersburg and the city and district commissions. However, input was required from organisations and associations in the social sector. In this connection, it would be a good idea to set up a training centre for social workers.

Mr Shilov's presentation was followed by a description of the conditions in which minors suspected or accused of offences were detained, provided by the Director of St Petersburg **Remand centre no. 4**, Mr Vassiliy Ivanovich DROTENKO.

The centre, built in 1894, housed 4,000 detainees despite an originally planned capacity of 1,520. There were between 700 and 800 detainees aged 14-18: it was the largest detention centre for minors in Russia. The period of detention (over eight months on average) had damaging effects on the health of adolescents. Overcrowded cells and the cohabitation of adolescents and adults (on different floors) fostered undesirable exchanges of experience.

Minors were allowed to receive, every three months, up to 30 kg of provisions per month and personal effects, but most of them did not have any family. They were given three daily meals and had two hours of exercise a day. If authorised to do so by the judge they could see relatives twice a month and receive mail. They could use their own money to buy food at the centre shop. They were entitled to a shower and clean linen once a week. Medical care, a library and religious services were available to them.

Whereas federal budget funding was constantly diminishing, the establishment's debts were constantly mounting. The amount of fruit and vitamins per detainee was inadequate. The centre had been working with the Swedish charity "Skaraborgchelpen" for six years: the charity had delivered fifteen tonnes of goods, particularly food, clothing and medicines. It had helped to establish a 150-bed ward for tuberculosis sufferers and a school for 120 adolescents. In general, the young detainees came from very deprived backgrounds: homeless, orphaned, alcoholic or drug-addicted parents. Many of them had only spent three or four years at primary school and sometimes less. Over 30% of them were underweight or suffered from psychological problems, serious somatic illnesses and retarded physical or mental development.

The detention centre, in conjunction with UNICEF, the Swedish charity and the Spiritual Heritage foundation of St Petersburg, was planning to create Russia's first reinsertion centre, in Toskovo, for young people leaving the detention centre without homes or families to go to. This supervision system should help to cut the number of repeat offences.

The centre was striving for better and more humane living conditions for the detainees: sports facilities on the different floors, special premises for prolonged visits, a 20-bed hospital ward, showers on each floor, communal television sets and table tennis tables, a prayer room and parcel reception facilities. But, at present, it was necessary to fit out premises for vegetable storage, extend the sanitary facilities (disinfection), build a greenhouse, equip workshops for the vocational training of young people, secure supplies of various items (beds, medicines, vitamins, soap, clothes and materials for repairs) and muster resources for the repair of vehicles and the installation of a ventilation system for the buildings and cells. The centre's administration was appealing to all the humanitarian organisations which could help it achieve those goals.

The children's judge in **Bobigny** (Seine-Saint-Denis, France), Mrs Marie-Anne BAULON, chose to illustrate her contribution using the tale of Peter Pan who ran away to the land of Lost Boys, "Never Never Land". The Peter Pans usually encountered by judges were "Little nobodies": nobodies in the family and nobodies at school, who tried to prove that they were somebody in the street. Such children were the result of social exclusion (unemployment, loss of security, violence, drug addiction etc) and affective deficits. Certain environments (cities, districts) further stigmatised and definitively marginalised them. The school, by over-emphasising standards, was a source of self-deprecation.

How could the adult world and society's institutions lead these children out of such an impasse? The world of the street was characterised by the links forged between the children in it. But that world had its rules too; those rules were harsh and often imposed by adults. That is why street children were quickly identified as "delinquents".

In France, deprived children and adolescents and their families were the responsibility of either the administrative or the judicial authorities. Child welfare services were provided by the State at *département* level: these services took charge of abandoned children (care and adoption), placed children in care with their parents' consent (care and development homes, foster families) or assisted families at home. The services engaged in prevention, particularly by funding clubs and prevention teams on housing estates. They also cared for children taken away from their families by court orders. On average, 400,000 children and adolescents were taken into care, sheltered (140,000 including 5-6,000 orphans) or simply assisted each year.

Children's judges had existed as such since 1945 in France: with their partners (administrative authorities and the child protection service, a centralised child supervision service under the Ministry of Justice), their task was to protect children and adolescents in danger and to supervise and judge young offenders. At present, there were 134 youth courts and 300 children's judges. Every year 300,000 young people appeared before judges who ordered either supervisory measures in the family home or the placing of the child in care. For young offenders, after attempting supervisory measures, the judge could place minors aged 13-18 in detention or order reparation measures or community work.

When a child suffered, one of two scenarios was likely: either the child had already experienced a trusting relationship with adults and would know how to go about seeking the assistance and support he needed from public institutions, or the child had been neglected, maltreated and humiliated and had no faith in others or himself: in the latter case, child-care professionals had great difficulty in creating a trusting relationship, which required a good deal of imagination and hard work on their part. The early stage of the educational work was geared to convincing these "de-narcissised" children that they were useful to the world.

Following direct experience of the responsible behaviour shown by a 15-year old repeat offender, who established a trusting relationship with a child of 9, a project had been set up with the "*Restos du coeur*" association. Young people who had dropped out of society helped with meal distribution to adults on a voluntary basis; this gave them a sense of utility and recognition.

For vagrant children of foreign origin, who were deeply mistrustful of institutions, the Court of Marseille had set up an association which took them in, fed them, cared for them and provided training. Other associations organised trips as part of their educational programme, which enabled these young uprooted people to build new identities for themselves, taking their place of origin as the starting point. More generally, outreach work involving all those working directly with children (teachers, educators, doctors etc) and all local services (town halls, housing associations, police) was essential. In a municipality in the Seine-Saint-Denis *département*, one district in particular was renowned for serious problems: crime, vagrancy, failure to attend school, violence. A year-long project involving all the aforementioned partners had succeeded in reducing delinquency and improving protection, through painstaking efforts requiring a great deal of work in addition to their usual workload.

Finally, patience was essential, and institutional mentalities and patterns had to be adapted to specific cases. It was also important to step back and wait in cases when children did not immediately give up street life.

Of the 117 lay magistrates, or justices of the peace, assigned to youth courts in England and Wales, 48 worked at the Thames court in the East London borough of **Tower Hamlets**. Mr David CHESTERTON did so for 24 days a year on average. In addition, he was director of the Focus E15 project, a foyer for young people in the **Newham** area.

The youth courts (10-17 year age-range) handled 95% of cases; serious offences were dealt with by the Crown Court. These courts were under an obligation to take individuals' long-term development into account and strike a balance between the notion of welfare and that of "just deserts". The Thames court had heard 2,935 cases involving 1,878 defendants in 1997.

Information on juvenile delinquency in the United Kingdom was provided by a 1995 Home Office study on offences to which 14-25 year-olds had pleaded guilty. Two points were noteworthy: crime rates in the Tower Hamlets area were similar for all ethnic groups; nearly all the cases dealt with presented one or several factors increasing the likelihood of offences, such as low parental supervision, a poor relationship with at least one parent, truancy or poor achievement at school, delinquent parents, drug or alcohol abuse.

Only a few of the young people placed on supervision orders went to school. Many of them spent their days in the street, going home in the evening. Most young people in homes

had networks of contacts which had previously enabled them to move around, with the result that they were unable to access training and employment.

The government had just introduced a bill seeking *inter alia* to establish a partnership between all the competent public services with a view to a strategy for combating crime and disorder. Such co-operation was also necessary to tackle certain causes of homelessness among young people. The project furthermore aimed to increase parenting skills in the families of young people who appeared before youth courts or failed to attend school. This was all the more imperative in that problems repeated themselves through successive generations. In one Tower Hamlets primary school fifteen or so mothers spent one day a week learning how to become involved in their children's supervision, including conflict resolution and addressing challenging behaviour. However, it was important that parents participated on a voluntary basis.

A recent study by the north-east London probation service had pointed out that there was a cyclical link between committing crime and becoming homeless; the lack of a fixed abode led in turn to delinquency. Some 800 young people aged 16-19 were sentenced each year (30% of them had been aged 16-17 in 1997). 10% were girls, 37% had no regular accommodation and, of these, 74% were unemployed. These young people slipped through the network of provision set up to help them. There was no effective framework for co-ordination and access to services geared to their needs. Assistance and support came just after the drama had turned into a crisis and the young person in question entered or progressed further through the criminal justice system. Crime plunged young delinquents even deeper into trouble, as they have a very pronounced sense of fatalism.

The young people questioned had difficulties with managing money and negotiating with social services. They would value support but found it difficult to establish trusting relationships with adults. Their environment was often restricted to a particular locality and "friends" might exert a negative influence. The probation service was seeking to balance reactive work with preventative efforts. This would entail adopting a model of floating support that focused on supporting individual young homeless people, providing a "safety net" and guiding them back into mainstream services.

The "Foyers" were hostels combining accommodation, training support and other facilities such as cafes, games rooms and a public restaurant. The idea had come from France and there were now 60 Foyers open in the United Kingdom. They were to attain a capacity of 4,000 beds by the end of 1998. The government was keen to see them in every town.

Focus E15 had opened in 1996. With 210 self-contained flats it was the largest in the country. The East End of London was an area of great poverty and deprivation. Overcrowding was a major factor in homelessness among the young. Young people aged 16 to 24 housed in the Foyer were referred to it by various agencies. The Foyer was not equipped to help young people suffering from drug or alcohol dependency. However, all young applicants had to demonstrate they were in acute housing need. Half of the places were reserved for young women who were escaping various kinds of abuse. Most of the young tenants had experienced a profound breakdown in relationships at home and poor achievement at school.

The Foyer's residents lived in furnished, one-bed flats and were given both lifeskills and vocational training. After nine months they progressed to "moving-on" flats and, once they had found work, learnt to manage their money and cope with paying rent. Six months later they were

helped to move into outside flats secured with the help of the local authority or an association. At present 90% of Foyer tenants were engaged in training and on benefit and 70% of Moving-On tenants were in employment. The Foyer's future objectives were geared to reducing the failure rate.

In conclusion, if crime and homelessness among the young had the same underlying factors, improvements in parenting skills and the reform of current social services practices with prompting from youth court judges could help to eradicate them. However, there was no simple solution and "results" could not always be achieved before "the next General Election".

V

CONCLUSIONS

The conference ended with the participants' unanimous adoption of a **final declaration** presented by Mr Karl Christian ZAHN, CLRAE Rapporteur. Before this a ROUND TABLE session gave representatives of the local authorities, judicial authorities and NGOs an opportunity to sum up the discussions of the two previous days, with some pointers from Mr VERHELLEN and Mr CASAGRANDE, and to draw some conclusions which serve as the basis for the declaration.

First a few preliminary but essential remarks.

The conference demonstrated that the living conditions of some groups of children and young people in Europe today are incompatible with legally binding international instruments including the United Nations Convention on the Rights of the Child. These particularly inhumane living conditions chiefly affect children from very poor backgrounds, children living on the streets without shelter or family and young people in detention, especially those awaiting trial. All participants agreed that civil society and its representatives have a duty to enforce children's and adolescents' right to legal protection.

While many street children have severed ties with their families, the accent must first be placed on the right of all minors to live in acceptable circumstances in their families of origin. When this proves impossible, alternatives must be sought: foster families and suitable public and private facilities. This means that local and judicial authorities must join forces to encourage and co-ordinate the work of the public services and social players dealing with young people.

International co-operation and solidarity are of some importance in this area.

The rapporteurs' statements throughout the conference singled out a number of points which then provided a focus for the round table session.

A first discussion centred on the best ways to counter the neglect suffered by children and adolescents living on the streets.

It was pointed out that the best results were achieved when the approach to minors was sensitive rather than punitive. Several local authorities and voluntary organisations have

developed different types of approach, but they all share the goal of seeking to gain the young people's trust while starting to meet their basic needs. The same kind of approach needs to be developed with the families of street children/adolescents, where they exist. It is important to explore every possible avenue for re-establishing contact between these young people and their families. The real work of keeping an eye on the young people and helping to reintegrate them into society should be closely supervised by the public authorities, including the courts, which should have a say in educational and vocational guidance for children and adolescents, particularly when ties with their family of origin have been severed for good or when they have no family.

The conference then emphasised the need to review the machinery and operation of the judicial system for minors. It was felt that the age of criminal responsibility was too low in some countries and should be reviewed in the light of prevention policies and their results. Other aspects of this reform were mentioned, such as setting up special court protection and special procedures for minors, limiting the duration of detention on remand (because "justice delayed is justice denied"), making use of alternatives to prison sentences, giving sentences of limited duration where imprisonment proves inevitable, and gradually replacing punishment by educational measures and prisons by supportive "communities" or "homes", possibly run by voluntary organisations.

Giving priority to prevention over punishment is a matter of common sense as well as logic. If children and adolescents receive support and have a stable living environment, they can very often be prevented from getting into trouble with the law. It is preferable to make every effort to avoid the unnecessary breaking of ties between families and young people, especially in partnership with public services, teachers and the various social players, with a view to providing genuine family and educational support. The public authorities are in a position to plan co-ordinated action based on the capable and sustained support of the voluntary sector and to make periodic assessments of the work done.

The final declaration adopted by all the conference participants after the round table session covers the findings, considerations, suggestions and proposals listed above. It also recommends that states fully comply with and implement the United Nations Convention on the Rights of the Child, provide for exemplary sentences for those who exploit deprived children, institute children's rights "mediators" and share resources as well as powers with local and regional authorities.

Referring to the preamble to the European Charter of Local Self-Government, the declaration recommends that local and regional authorities co-ordinate their action with that of other authorities in the area of prevention and the rehabilitation of children/adolescents and families belonging to risk groups, offer support to voluntary organisations and promote partnerships between Europe's local and regional authorities to set up intra-European exchange and training programmes on criminal law governing minors.

Given the special problems of the St Petersburg region, the declaration asks the local and regional authorities of Greater Europe firstly to establish co-operation leading to agreements in the administrative and staff training sectors, and secondly to encourage agreements between non-governmental organisations. In particular, it would be a good idea to set up an "observatory" of the youth world and a further training school for voluntary workers in St Petersburg, with the aid of the European voluntary sector. Also, UNICEF's efforts in St Petersburg to improve co-ordination between the work of the public authorities and that of

NGOs, set up the office of children's rights "mediator" and back initiatives for youth justice, including the training of youth court judges, deserve support from the Council of Europe, the CLRAE, local and regional authorities and civil society.

The material assembled by the St Petersburg Conference and especially the conclusions set out in the final declaration form the basis of the texts now submitted to the Congress for adoption, which reflect both their approach and their content.