



Ministero della Giustizia

DIPARTIMENTO GIUSTIZIA MINORILE
Direzione Generale per l'attuazione dei provvedimenti giudiziari

”JUVENILE JUSTICE WITHOUT BORDERS” INTERNATIONAL AWARD

5[^] INTERNATIONAL CONFERENCE ON JUVENILE JUSTICE
“ CRIMINALITY OR SOCIAL EXCLUSION: JUSTICE FOR MINORS IN A DIVIDED WORLD”

London, 6-7 November 2012

Dear Director of the Observatory,

Dear Colleagues,

It is hard to me, at this moment, to express the deep gratitude and overwhelming emotion that I feel and how honoured I am about the award that you have so generously granted to me.

I am humbly accepting it because this award is a recognition of the efforts devoted in the course of the years to the benefit of the most disadvantaged minors by me and by all those who work with me and the whole staff of the Italian Department of Juvenile Justice.

Those who are acquainted with me know well that the passion I have for my job and for the Young as well as my sense of responsibility towards the Institutions – no matter whether they are Italian or European ones – have always led me to direct all my efforts to the main target, that is identifying educational measures capable to satisfy the varied needs of minors who run up against delinquency, despite themselves.

Personally, as an individual more than as a Director General, beyond my education as a sociologist

and beyond my institutional role as a Director, I have always believed that the most effective reaction of the state, specifically on a judicial level, lies in its ability to perceive the need of the Young to be recognised as persons, holders of subjective rights, without any distinction in terms of gender, age, religion, origin. Indeed, only as long as we ensure delinquent juveniles projects and paths for their effective social rehabilitation, can we say that we have been capable to respect these rights. And only if we recognise these rights can a nation ensure a peaceful future to its nationals.

A task that any country, and of course Italy as well, has undersigned in various international charts. Yet today the task for those who work in the juvenile justice systems is increasingly hard. The pain of the young, their disorientation, the lack of opportunities, the anguish over the decline of our old and maybe tired countries is accompanied by increasingly fragile social networks and families so awakening deep loneliness and the feeling of no longer being part of a big common project. Yet it is also accompanied by a scared public opinion often requiring punishments and harshness, not educative measures and sympathy. Today adults seem to have lost the ability to understand their children. Institutions should also show the value for society of a juvenile justice system capable to take over on an educational level in those cases where the family or the society fail and what being in contact with operators capable to make them rethink of the value of one's life means to minors in conflict with law. These are the requirements to build what Donald Winnicott used to call the "secure base", the pre requirement necessary to rekindle one's hope and trust in the future.

This can only be possible through a network activity and by means of an innovative legislation on minors in general and specifically on minors in conflict with the law. Such a legislation, in my opinion, provides the portrait of a nation's solidarity and modernity. The focus placed in Italy by all the Ministers of Justice on minors and on the construction of a system highly respectful of human rights is also witnessed by the recent legislative developments. Indeed a number of laws which mostly marked the juvenile justice system will probably be assimilated by the adult legislation.

I am proud to announce that Italy has just signed the Lanzarote Convention against sexual exploitation and abuse of minors and has consequently amended its criminal code on matter of action against child pornography.

Let me add that this Award – granted by such a distinguished and skilled European organisation – also means to be a recognition for the Italian approach in juvenile justice focused not only on the minor's personal responsibility, but also capable to include the family, the social context, the adults around the minor and the society in general in the rehabilitation path.

These days, when the focus of everyone is placed on the financial crisis, it is often forgotten that behind and before this economic crisis we are experiencing a cultural crisis, a feeling of distrust of the State and its institutions. To react to such a feeling, I think of Kennedy's famous exhortation considering it in our context: "don't think what Europe can do for you, but what each of us can do for Europe". This is not the time to withdraw in our anxieties, relying only on a misleading self-referential attitude. It's in tough times that we, as representatives of Public Administration, we have to show our accountability and reliability so making any effort not to abandon families in hardship and minors who, failing our support, could get lost and be exploited by criminal organisations increasingly active on a worldwide and local level.

I wish to share this Award with all the educators, social workers, psychologists, prison police agents, and the staff who are part of my Department, as well as personnel of schools, of the Regions, of the volunteer sector, of the juvenile judiciary, and all the colleagues in Europe and worldwide alike with whom I had the opportunity to cooperate in various projects to the benefit of minors. I wholeheartedly thank you all, I will come back to Italy all the more motivated to keep in this direction and to carry on with my engagement towards children at risk.

When, in the course of WW2, London was a pile of rubble, Churchill encouraged his people saying the renowned words "resist, resist, resist !!", he was not moved by chronic optimism but he was aware of the ideals and principles typical of democratic nations. Similarly, notwithstanding this period of crisis and emptiness and the loss of values, we too we must resist because we know that – acting in team - we shall prevail and, thanks to the roots of those who came before us, together we will build a justice without borders, in a world that will so become united.

Serenella Pesarin - Director General for the enforcement of judicial measures
Juvenile Justice Department
Ministry of Justice
Italy