



# KEEPING YOUTH AWAY FROM CRIME SEARCHING FOR THE BEST EUROPEAN PRACTICES

National Report

Belgium



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## **I. Developing a prevention at early stages, overview of the systems**

### 1. A brief history of youth protection

In Belgium, minors' law was carbon copied on adults' criminal law (1791 and 1810 Penal codes) until 1912. The issue of minors' discernment and the uprising and growing of a « social defence» movement (A.Prins), centered on prevention, will then lead to the child protection's law.

May 1912' law on child protection breaks with the basics of adults justice : the perpetrator's discernment is here no longer the condition for court action. Following a new logic of protection, justice intervenes not to punish but to protect the child.

The law provides « child custody, protection and education measures », with indefinite term (art 13) to replace the sentence. These measures are applicable to minors under 16 (penal majority age) authors of « facts that are legally classed as offences » (art 16). Actually, they will also be applied to « pre-delinquants » whose health, security or morality would be regarded as endangered. In the middle of this new justice model stands the juvenile court judge, a paternal authority figure with very important powers. He can ask for the help of psychiatric and social experts to take the best action possible regarding the child's interest and society protection.

Through its applications, this law will be strongly and diversely criticised : much too much power in the hands of the juvenile court judge, measures that are not time bound, a language that is vague when it comes to define protection. These criticisms will lead to a new law on April 8 1965. Based on the ideals of social defence and the Welfare state values, the 1965 law is clearly « protectional ». It doesn't make difference anymore between delinquents or non-delinquents, putting them all together in a general category of « endangered minors ». Child's interest is now the focus of the action.

The law extends its protection to endangered minors under 18 « whose health, security or morality are at stake » (art 36, 2°), whether they are delinquents or not. The law doesn't set an

age level of responsibility, but it brings the age of penal majority up to 18. However, Act 38 provides a « disvestiture » process that allows the juvenile court judge to send a minor between 16 and 18 back to adults criminal courts. Minors' justice can now take action for any « endangered minor » from 0 to 18.

The juvenile court of justice stays the main actor and the aim of the action is still more educational than punishing. In addition to the existing « protection measures with indefinite term », 1965 law sets up « educative and philanthropic services » for the judge to possibly impose to the minor (art 37, §2). This marks the beginning of a « restorative » approach of the protection model.

Among the criticisms against this law, one can stress on : no interest for general prevention, excessive use of judicial protection<sup>1</sup>, no respect for the rights of the minor in court, too many institutionalizations of children and a lack of action in open custody.

These criticisms will grow and lead to a major change in the politics of youth protection in Belgium at the beginning of the nineties<sup>2</sup> : the separation between the schemes of delinquent minors and non-delinquents endangered minors. Judicial protection stays in the hands of the Federal Ministry of Justice (and thus of the juvenile courts), educational help to the non-delinquent youth in danger is conducted by the Communities (Flemish, French and German-speaking). The aim here is to clarify the rules and to divert the non-delinquent child care out of the criminal justice system. (see *infra*, Youth care System).

Fifteen years of this new regime will lead to a new reform of the law on child protection in 2006.

Before that reform different important facts have influenced the evolution of the system as to bring it to its contemporary form :

- A National commission for the reform of the law on child protection, called « Commission Cornelis » was put up in 1991. Its task was to propose improvements of

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<sup>1</sup>See for instance Van Kerchove M., « From repression measures to care and protection measures. Reflexions on the mystifying power of the language », *Revue de droit pénal et de criminologie*, n° 4, 1977, pp. 245-279.

<sup>2</sup>Flemish decree of June 27 1985 (modified on March 28 1990) and decree from the French Community of March 4 1991.

the protection measures and the introduction of criminal measures for young delinquents. The report<sup>3</sup> that was delivered in 1996 had a more punitive perspective and came with some principles that would later be written in 2006's law : the principle of a diversity of measures to apply following the seriousness of the offences, measures that are proportionate to the act and limited in time, legal guarantees to reinforce the minor's rights in court (obligation to audition the child's parents or the ones with custody rights, right of the minor to be assisted by a lawyer, free access to the file...).

- Another commission, chaired by professor L. Walgrave, will deliver a report in 1998, at the request of the Ministry of Justice, influenced by a more and more serious attention given to victims and to the model of a restorative justice. This report emphasises more on the aims of damage repair and social peace restoration than on the authors' rehabilitation. This vision reinforces the gap between a child's law that reacts to the offence and a youth help service that tries to prevent facts.
- The placement of minors in the closed section of the Public Institutions for Youth Protection (IPPJ) is a mechanism provided by art 37 of 1965's law. These institutions are managed by the Communities and are supposedly ment to pursue a mainly educative goal. The lack of accomodation in these IIPJ have brought the judges to make use of art 53 of the same law that allows them to put minors temporarily in jail. European Court of Human Rights will condemn Belgium in 1988 for this practice (Bouamar judgment). Article 53 will be officially abrogated in 2002. To prevent the supposed effects of this abrogation, the law of march 1st 2002 will create a federal detention center in Everberg<sup>4</sup> to accommodate some delinquant minors. The creation of this federal detention center opens a breach in the educational model. It re-introduces the principle of children's jail, even if under certain conditions (minimum age of 14, minimum seriousness of the offences, lack of accomodation in IPPJs, respect of the child's rights).

These different steps lead to 2006's law that organises the reform of the youth protection

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<sup>3</sup>National Comitee for the reform of the law on Youth care, « Towards a fundamental reform of 1965's law on Youth care », *Courrier hebdomadaire*, CRISP, n° 1676-1677, 2000.

For a more detailed analysis see X. Baeselen et D. De Fraene, « Vers une réforme fondamentale de la loi de 1965 relative à la protection de la jeunesse », *Courrier hebdomadaire*, CRISP, n° 1676-1677, 2000.

<sup>4</sup>De Fraene D., Christiaens J. et Nagels C., « Le traitement des mineurs délinquants. Justice restauratrice et centre d'Everberg », *Courrier hebdomadaire*, CRISP, n° 1897-1898, 2005.

system.

## 2. Some data on juvenile delinquency.

Regarding administrative statistics on juvenile delinquency, the situation in Belgium is dramatic. Statistics barely exist for the past 25 years. Since 2006, The INCC, national institute for criminology and forensic science has been recording data from the state prosecutor's offices. We will use some of these data here : the state youth justice prosecutor's offices' reporting streams for all Belgium between 2005 and 2008<sup>5</sup>.

The figures hereunder presented refer only to « facts that are classed as offences » (FQI).

Among the 55.000 offences recorded on average for a year,

45% of the facts refer to robbery and extortion.

20% to assault and battery.

Drugs, traffic violations and public safety hazards (threat, weapon carrying or offence against public safety) each represent about 10% of the reported cases. These figures were all stables along the 4 years of recording.

About the age of the minors, 63% of the cases involve a young person between 15 and 17, children aged 12 or 13 are reported for less than 15 % of the cases.

Most of the facts, and particularly assault and battery cases are just shelved (57%), 13% are also classified « no case » but after a state prosecutor's office decision (mediation, reminder of the law, warning).

These figures are close to the ones made public by the INCC in 2008.<sup>6</sup>

A recent self-report enquiry<sup>7</sup> confirms this distribution and allows to add a few elements:

- There are few differences between reporting rates in urban and rural areas,
- Boys report more violences than girls; girls report more robberies.

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<sup>5</sup>I. Ravier, "La délinquance des mineurs sous l'angle de l'activité des parquets de la jeunesse", *Journal du droit des jeunes*, n°319, 2012, pp. 11-22.

<sup>6</sup>C. Vanneste et alii, eds, *La statistique "nouvelle" des parquets de la jeunesse : regards croisés autour d'une première analyse*, Gent, Academia Press, 2008.

<sup>7</sup>D. Defraene et alii, *Self-report Delinquency in Belgium*, Brussels, BELSPO, 2013.

Finally, on trends<sup>8</sup>, within the limits of interpretation signaled before, nothing shows an increase of the cases reported to the state prosecutor's offices: there were about 63.000 cases reported in 1987, and less than 60.000 in 2008.

## A. Youth Justice System

### 1. Broad Principles of the Youth Justice System

2006's law is the result of a complex debate. It takes part in the following context : reinforcement of the minors rights and their responsibility, emergence of restorative practices (mediation procedures, community work), public concern over insecurity, intense media coverage of violent local news and also, as always in Belgium, importance of the contrasted points of views between Communities.

The Van Holsbeeck<sup>9</sup> case that took place in April 2006 helped to achieve a political agreement on the reform of the youth protection's law<sup>10</sup>. Two laws will be voted on May 15 and June 13 2006. They reflect the will to maintain the educative spirit proper to the protectionnal model, but also to leave space for more criminal or restorative measures

What are the general principles of that law ?

Minors' Justice is a specialised justice, separated from the adults'.

Juvenile Court is the central organ. Together with the Juvenile Court Judge, it is competent for any minor suspected of a crime (« a fact that is legally classed as offence »), but also for minors considered as « in danger » due to deficiencies in their family environment (art 36, alinea 2 and alinea 4) that have been reported to them.

The Juvenile Court and the Juvenile Court Judge have a large spectrum of measures to use, whether it is to protect or punish the child. These measures can be « protectional » (educative

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<sup>8</sup>I. Ravier, *op.cit.*, p.19.

<sup>9</sup>A teenage boy is stabbed to death in the daytime in Central Station while his MP3 player is robbed. The two authors of the crime are minors.

<sup>10</sup>C. Nagels et al., « La réforme de la protection de la jeunesse (2004-2006) », *Courrier hebdomadaire du CRISP*, 32/2006 (n° 1937-1938), pp. 5-58.

guidance, health care...), « punishing » (custody) or « restorative » (community work, mediation procedures) (art 37).

In the case of delinquent minors, the judge must first take restorative measures (mediation through a neutral service that will bring the child, his parents and the victim together). The judge has to bring the child's attention on his responsibility. The parents and any person who has the child in charge (grandparents, step-parents, foster parents, etc) are associated : they are systematically called and informed. On top of it, the child's parents may eventually be proposed or imposed with a parental apprenticeship (art 29bis).

As soon as a case comes to the Juvenile Court Judge, the minor has access to a lawyer at any step of the procedure (art 49, alinea 3). The judge must, before any decisions, first hear the child.

The Juvenile Court Judge, when he decides to take a measure, must fix a maximal length for it (art.37§2, alinea 7). Any decision can be appealed. The judge must clearly motivate his decision (art 37§2 *quinquies*). He must, when deciding, take in account a number of significant elements, such as the age and personality of the child, his family and school environment, his security, the seriousness of the facts, the danger that he could represent for the society. These criteria must help the judge to take his decision « objectively ».

Custody in open or closed educative regime must be the last resort (art 37§2, quater).

The judge must also apply the subsidiarity rule : he will choose the less radical measure among two. He is helped in his task by the Youth Protection Service (SPJ, ruled by the Communities). This independant service organises and coordinates Youth care and the application of certain measures taken by the Juvenile Court Judge. It can also realise social enquiries about the child.

The Juvenile Court is in principle competent for minors between 0 and 18 years old. Intermediate age thresholds (12, 14 years old) are used for the imposition of certain measures. In specially serious cases, the court can divest itself in favour of an Adult Court (art 57 bis).

One must add that, even before the case comes to a Juvenile Court Judge, the Public Prosecution Service can propose a number of measures to the minor. The aim is to give a quick

answer to the presumed making of a « fact legally classed as offence » by a minor. In this context, the Public Prosecution Service will offer the child to follow a mediation procedure or a group restorative concertation, this before any decision taken by the judge on the merits of the case.

2. The reform of 2006's Law on Youth Protection has important effects on the relation between the minor and the Criminal System :

- - child's responsibility is put forward as the aim of the measures. These ones rely more and more on the will and implication of the child. The opportunity of a parental apprenticeship is there to make parents more accountable too,
- new guarantees in the procedures are set up (motivation, presence of a lawyer, minimal age). They aim to respect the requirements of the Belgian Constitution and the CRC<sup>11</sup>,
- new penalties are provided, more severe than in the 1965's law : custody in closed federal Center, divestiture in favour of an Adult Court for the most serious cases,
- restorative measures become a priority and must be proposed before anything else.

3. But a number of criticisms are voiced concerning this new organisation :

- A part of the criticisms relate to the possibility for the Public Prosecution Service to propose measures before the intervention of the judge and on the fact that « temporary » measures can be taken.

Following the CODE<sup>12</sup>, article 52 of the law that allows the judge to take measures before knowing if the child is « guilty » of the facts is against the principles of presumption of innocence and of the impartiality of the judge<sup>13</sup>.

Further, the measure « proposed » by the Public Prosecution Service seems, in the context, hard to refuse for the child and thus restrains its actual liberty.

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<sup>11</sup>In Belgium, the Convention came to force on January 12, 1992 : law of November 25, 1991 approving the Convention for the rights of the child, *Moniteur Belge*, January 17, 1992.

<sup>12</sup>The NGOs coordination for the rights of the child (CODE), who ensures the proper implementation of the International Convention for the rights of the child in Belgium.  
CODE, *La justice juvénile en Belgique : état des lieux*, Bruxelles, 2008.

<sup>13</sup>Rights that are recognised by art 6 of ECHR and art 40 of CRC.

Some argue that this law « offers a legal possibility to react to one single delinquent behaviour by cumulating educative, restorative and punishing measures<sup>14</sup> », and thus undermines legal guarantees<sup>15</sup>.

- The issue of divestiture also calls for attention :

Some argue that the closed center of Everberg is actually a real prison for minors.

Some add that « divestiture is incompatible with the Convention on the Rights of the Child<sup>16</sup> » and that, by using that tool, one creates two categories of minors.

Finally, they say that, with these new conditions, divestiture is made easier and will then be used more often.

- The last set of criticisms address the issue of confinement.

The reform specifies limited access conditions for the confinement in IPPJ and the interdiction to confine minors who have committed non serious acts in closed center of the « Everberg » type.

What happens actually ? Confinement is not used as a last resort measure and is not made as short as possible. Belgium is thus in contradiction with its obligations coming from the CRC.

4. The reform of 1965's law emphasises on restorative measures and on the minor's responsibility.

The aim is to bring the child to understand and respect the rules of life in society. New measures are provided : mediation, restorative group concertation, and the youngster's project.

The first two measures are there to confront the minor to the victim and find an agreement on a restorative action ; the project requires from the youth a reflexion and the putting up of a strategy of « social rehabilitation ».

The main problem with these restorative measures is that, even if successfull, they don't

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<sup>14</sup>J. Christiaens, « De hervorming van de Belgische jeugdbescherming : à la recherche du modèle perdu », *Panopticon*, 2005/1, p. 15.

<sup>15</sup>.I. Delens-Ravier et Th. Moreau, "Les avis sur la note-cadre", *Journal du droit des jeunes*, n° 235,2004, p. 19.

<sup>16</sup>I. Delens-ravier, Th. Moreau, *ibidem*, p. 24.

put an end to prosecution. It can thus not be talked about diversion. The question is still : what do actually do the judges : diversion instead of prosecution ? Or addition of punitive an restorative measures ?

It can also be argued that the right to a fair trial and the presumption of innocence are violated in the sense that, in order for the diversion measure to happen, the child supposed to have committed a fact legally classed as offence must declare not to deny being concerned by the fact legally classed as offence. In other terms, the child must admit his guilt before his appearance before the Court.

One can also address the relevance of these diversion measures as « alternative to confinement ». They are not real alternatives. The law of 2006 provides new measures such as the obligation for the minor to follow a medical/psychological treatment, to enter a hospital or a psychiatric hospital. It is to be feared that these measures will be regarded by the child and his family as a punishment.

5. The Law service works together with other services. The distribution of competencies is particularly complex in Belgium, due to the institutional architecture of the country.

As indicated in the introduction, the support system for the endangered youth is divided between Federal institutions (Ministry of Justice) and Federated institutions (Flemish, French, German speaking Communities, Bruxelles-Capitale Region).

Let's take the French speaking part of the country for example. The French Community rules the youth care services, made to help the endangered children and their parents on a voluntary base, but it also manages the judicial child protection services that helps the juvenile court and the educational part of the IPPJs in which young delinquents are confined (Guards are under the authority of the Ministry of Justice). The French Community also approves the private services who implement measures.

There is a structural link between these services. Endangered children who come to the SAJ on a voluntary base can be referred to the Public Prosecution service if they refuse to be helped and are in a serious danger. The Public Prosecution service can also refer minors that are said to be « in danger » to the youth care services without seizing a judge of the SPJ (see

schema).Minors having committed « facts legally classed as offences » are under the sole competence of the Public prosecution Service.

## **B. Youth Care System from the scope of juvenile crime prevention**

Belgium has had a Youth Care system that is independant from the judicial system since the early nineties.

As indicated before, the function of Youth care is performed by the Community level (French, Flemish and German speaking) and is organised by the Community Decree<sup>17</sup>.

March 4th 1991's decree is destinated i) to the minors and their parents in difficulty and ii)to the minors who's health or education or security is in danger (because of their own behaviour or of their parents' one).

The general philosophy of this decree is to work in the child's interest and it's family's, to try keep him in its life environment and consider him a « subject of right ». The Youth Care system tries to avoid the child's judicialisation.

Youth Care services have to types of missions :

- individual help, depending on « youth care councilors »
- general prevention depending on « borrough council »

### a) Individual Care

The decree organises the « Youth Care services (SAJ) for the help granted on voluntary base, and the « judicial protection services » (SPJ) for the constrained help.

SAJs accommodate minors « in danger » or « in difficulty ». They can come by their own will or be signaled by first line services (school, health services, social services) or other people. The Youth Care councilor listen to the child and tries to find help among the existing services

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<sup>17</sup>We will only present the system organised by the French Community. The Flemish and German speaking sytemswork identically for the most.

(psycho-medical or social help, psychiatric support, etc). The counselor has a mediation role. If he doesn't find a service able to provide the help needed, he can take the situation in charge by himself (art 36§6). His action is always subordinate to the consent of the child.

Every case is evaluated on its own. The application of a custody or supervision measure needs the agreement of the child (if over 14) and its parents.

If the child or his parents refuse to be helped and the danger situation goes on, the counselor can send the case to the Juvenile Court that can impose a help measure (art 38). It is then the SPJ who manage the case.

#### b) General prevention

The decree also creates, in every judicial district, a « Youth care district council » (CAAJ). Its members represent the sectors that deal with youth problems (social help, youth care, youth protection). The CAAJ has mission of stimulating, coordinating, supervising and assign budgets to prevention actions on its territory.

It also has mission to gather the expression of needs and opinions from the youth on the subject of prevention.

The decree sets up the « Community Council for Youth Care » (CCAJ), with the mission of advising the government in the matter of Youth care and protection. It delivers a report every other year and has a steering function over youth care politics.

We should add that the French Community has provided a General Delegate to the Child's rights who's mission is to watch over the respect of children's rights and interests.

#### c) Some figures

2013 : first report from the Youth care Services<sup>18</sup>. It gives a quick scan of the sector in a few figures. It also provides details on the sector's budgets.

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<sup>18</sup>Report from the youth care administration. Year 2011, n°0, Brussels, May 2013.

In 2011, Youth Care Services have taken in charge for at least one day 40.234 minors (on a population of 983.630 under 18 in the French Community, thus, 4% of the minors).

38.219 minors (95%) were minors « in danger » or « in difficulty ». 3612 were minors who had committed a « fact legally classed as offence » (8,9%)<sup>19</sup>.

Gender distribution :

<b>Gender</b>	<b>Young people in difficulty or danger FQI</b>	<b>Young people taken in charge after a (fact classified as offence)</b>
Girls	48%	18%
Boys	52%	82%

40% were taken in charge outside their life environment (custody).

2034 today measures were taken in IIPJ or Federal closed center during 2011.

Overall budget of the sector is 290 million euros among which 150 for accommodation services.

### **C. Education system from the scope of juvenile crime prevention**

1. Education system is a Community matter in Belgium. In the French Community, compulsory education is divided in two levels : « primary education » (6 to 12) and « secondary education » (12 to 18). Secondary education is divided in four different types of education : general, technical, artistic and vocational. One must add an alternated training system (CEFA) that offers an alternative to traditional education. This type of education mixes general classes and professional practice in industry.

Primary and secondary education are doubled by a « specialised » education system for exceptional pupils.

The specialised education system employs, on top of the teachers' team, paramedical, psychological and social staff to accompany the child. The system is divided in 8 types

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<sup>19</sup>A minor can be taken in charge either because he is recognised in difficulty or in danger or for having committed a fact classified offence.

following the troubles that affect the child (mental handicap, behaviour disturbance, illness, physical handicap).

There is no special form of education for the children « in danger » or taken in charge by the SAJ or SPJ. Young people in custody go on with their regular scholarship.

However, it must be noted that i) one type of specialised education is dedicated to young people with « behaviour disturbance », ii) minors in custody or in IPPJ are educated within these institutions during their institutionalisation, iii) regional services in charge of the handicapped also organise « medico-educational institutes » (IMP) open to children who are not able to follow a scholarship in the specialised education system because of psychiatric problems.

As a matter of fact, a great number of children under Youth care system are either educated in specialised school, IMPs or CEFAs or are out of school.

There are different other services to help the children with educational difficulties : psycho-medico-social centers (CPMS), scholar mediation services and mobile teams (both centered on prevention of school dropout and violence) and school reintegration services (SAS) that welcome dropped out or excluded pupils to help them go back to school.

Finally, some private social care services organise, after school hours, an educational help for children of disadvantaged neighbourhoods (« homework schools »).

## 2. School exclusion

To be excluded from the compulsory education system, a child must have violated the physical, psychological or moral integrity of a member of the staff or of a pupil, or be responsible for serious material or moral damages.

During scholar year 2011-2012, 2078 pupils have been definitely excluded from a French Community school on a total of 873 045 pupils (official figures from the compulsory education administration<sup>20</sup>).

« The percentage of young people from 18 to 24 who have prematurely abandoned school is

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<sup>20</sup>See *Exclusion scolaire définitive. Principes directeurs et recommandations*, Bruxelles 2013.  
[http://www.changement-egalite.be/IMG/pdf/Exclusion\\_scolaire\\_def\\_pages\\_sans\\_traits.pdf](http://www.changement-egalite.be/IMG/pdf/Exclusion_scolaire_def_pages_sans_traits.pdf)

close to 14 in Wallonia for nearly 9 in Flanders and close to 16 in the Brussels district. Whatever the region, it is among boys that the problem of abandoning scholarship before getting a certificate of full secondary education and of not studying anymore afterwards is more accurate<sup>21</sup>.»

### C. Health system

Belgian Health system is considered one of the most efficient around the world<sup>22</sup>. Health care in the strict sense (Hospitals, general medicine) is a federal matter. Prevention and health promotion services are a regional matter.

1. On the French speaking territory, two different services are in charge of prevention and of monitoring infants and school age children.

The Birth and early childhood agency (ONE) has for principle tasks, on one hand to monitor childhood (0-12) host organisations : kindergartens, summer camps, etc, on the other to accompany the child. In this perspective, the ONE organises psycho-medical consultations before and after birth, and medical consultations for children. It also provides specialised services for the prevention and monitoring of abuses situations.

Within the school system, health promotion in schoolsservices<sup>23</sup>(PSE) and psycho-medico-social centers (CPMS) have mission to detect certain illnesses or to prevent transmission of infectious illnesses, but also to guarantee children's wellness in their scholar environment. These services are for instance charged to provide an individual health report for each pupil every other year.

These two structures are thus in a position to notice any psycho-social problem, mental health trouble or intellectual deficiency.

2. Policies for the prevention of addictions concerning youngsters in age for compulsory education in the French Community are conducted following a global approach and do not aim at a particular substance or at illegal substances exclusively.They also care for addictions «

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<sup>21</sup>IWEPS, *La situation des jeunes en Belgique francophone. Photographie statistique*, Namur, 2010.

<sup>22</sup>Vrijens F. et alii, *La performance du système de santé Belge.Rapport2012*, Health Services Research (HSR), Bruxelles, Centre Fédéral d'Expertise des Soins de Santé (KCE), 2012.

<sup>23</sup>Décret du 20.12.2001 relatif à la promotion de la santé à l'école.  
19. 12.20.2001 decree on health promotion in school.

without psychotropic substance » like game addiction, internet addiction, mobile phone or sex addiction.

The policy followed is one of health promotion through teams' support, projects' development, training and information. First line stakeholders such as school directors, teachers, educators, PSE, CPMS, facilitators and parents work together with associations for the prevention of addictions.

In order to reinforce and coordinate actions that take place in schools, special « addictions » support cells have been created in every local center for health promotion. They act as interfaces between school stakeholders and actors in the prevention of addictions' field.

A risks reducing policy has been put up at a federal level through intervention on party locations, information to the target groups and link with health care structures. A « national alcohol plan » that gather all the stakeholders has also been established.

3. Health policy in Belgium is based on a health insurance system of a « bismarckian » type. Employment-related contributions supply the biggest part of the health care budget. An alternative financing mechanism (on VAT base) allows a universal cover for the part of the population who doesn't contribute.

As a matter of facts, a series of compensation systems make it possible for the whole population to have access to quality health care. The weakest groups (children, elderly people, handicaped) are particularly well protected by adapted pricing policies. Public centers for social action (CPAS) take in charge the costs of health care for the ones without incomes.

## **D. Juvenile Crime Prevention Strategies**

1. One must distinguish between security policies, police policies and related policies.

Regarding security policies, financed by the Ministry of Internal affairs, the setting up in 1992 of programs called « security contracts<sup>24</sup> » was the first prevention policy to take place at a national level. They aimed directly at prevention in the matter of juvenile delinquency and small criminality. These contracts quickly became a key element of the prevention policy. They are structured by three principles : i) a contract-based partnership between federal state, municipalities and regions, ii) a local management, iii) a social dimensions and a police dimension.

These programs have evolved to become « society contracts » (1997), then today « security and prevention strategic plan<sup>25</sup> » (PSSP).

PSSPs function the same way as security contracts. To be financed, municipalities must establish a local security diagnosis every four years, where they point at problems and propose actions to solve them. Incivilities, youth in difficulty and drug users are among target phenomena that have to be taken in account.

Operative goals of the plan must be measurable, acceptable, realistic and planned. The proposed plan must lead to results that are provable in quantitative and qualitative terms and that can be translated into various indicators.

The actions defined in the PSSP can also be financed by regional budgets and by financial sources that are centered on more precise issues (for instance : financing from the « large cities policy » or « urban policy » allows to face the issue of urban gangs<sup>26</sup>).

At a strictly police level, there hasn't been any prevention policy anymore since the police reform of 2000. Prevention is mainly achieved through the regular police work of deterrence and the increased presence of a community policing.

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<sup>24</sup>D. De Fraene et *alii*, "Les contrats de sécurité et de société dans la Région de Bruxelles-Capitale", *Bres*, n°34, 1997.

<sup>25</sup>Royal decree of 11/7/2013 on strategic plans for improving security and prevention and on town guards facilities.

<sup>26</sup>S. Bruler-Desmeth et *alii*, *A la recherche des bandes urbaines*, SPF Intégration sociale, Politique des grandes villes, Bruxelles, 2012.

The only concrete prevention measure specific to police is the setting up of « points of contact » with some school to struggle against violence and dropping out.

Finally, they are related prevention initiatives such as the ones centered on health and drug use, for instance information campaigns on reducing the risks that are financed by health services.

2. Since the nineties, the juvenile delinquency subject or related themes such as incivilities, insecurity feelings, drug addicts, have been presents in every document that define criminal policy.

In this sense, prevention of juvenile delinquency states well as a priority. These last years, politics that were taken to struggle against juvenile delinquency were centered on two categories of behaviour : drug addiction in a broad sense and problematic behaviours in the public area, targetted as generating insecurity feelings.

To struggle against drug addiction, wide amplitude policies have been put up, such as risks prevention campaigns or the national alcohol plan. Struggle against problematic behaviours is a more local action. Young people in the public area are more and more controled and framed, either by the local PSPPs or by « municipal administrative sanctions » provided by every municipality. Minor offences, considered as ruining the public order are framed and social control is to be re-established.

3. There is no such thing as a specialised institution in the education of professionals for the prevention of juvenile delinquency in Belgium.

Professionals who work in the field as well as the institutions for which they work can be divided in two main groups. On one side, social work institutions or institutions that accompany children « in difficulty », who do « general » prevention (open educational support, youth and cultural centre) and who employ people from social work schools, social assistant schools or educators. On the other side, institutions linked to security issues (police, municipalities, PSSP) who employ people gratuated from criminology school or police school, for instance as « prevention officers ».

This distinction is obviously caricatural. The complexity of fundings and of field work mechanisms makes it possible to find social assistants or educators within PSPS or criminologists in open institutions.

4. The strategic plans for prevention and improved security scheme gives to municipalities a central role. They have to carry out a security diagnosis, identify priorities and come up with measures to be taken. It defines strategic objectives and operational objectives to meet. Coordination, supervision and follow up of the plan are carried out at the municipality level by a prevention officer, an administrative coordinator and an internal evaluator. A steering committee allows information transfer and concertation between the prevention officer and local police.

The municipality is thus the main actor in prevention strategies' development.

Actually, all big cities in the country (Brussels, Antwerp, Charleroi) have centralised all the available financial means (federal, regional, municipal and side fundings) within structures that manage the whole prevention policy. This way, they can better distribute resources between the police component, the social component and situational prevention throughout public spaces development.

In Brussels for instance, the non-profit association BRAVVO<sup>27</sup>, put up by the town, is the sole operator for prevention policy. It's them who manage the whole policy on the whole territory of the municipality .

We will come back widely in the next section on this particular experience.

5. It is hard to define exactly what the budget for prevention policies in the field of juvenile delinquency is in Belgium. This for three main reasons.

The first one is the institutional reality of the country that splits up power levels and funding sources. To get a precise idea of the budget, it would be necessary to add amounts coming from federal, regional, municipal and related policies.

The second reason is linked to the very definition of prevention. Following the adopted definition, some policies get into the strategic scheme of struggle against juvenile delinquency or not. When does a public policy cease to be preventive ? Are social or school support prevention measures ? Following the answer, amounts can vary tremendously.

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<sup>27</sup>[www.bravvo.be](http://www.bravvo.be)

The third reason lies in the fact that prevention budgets are not specified throughout target groups. Amounts dedicated to prevention policies take in general measures, and even investments in public spaces' improvement.

However, an estimation of the most important federal budgets in term of security and prevention gives us an idea of the importance of the means allowed tho this matter.

In 2012, federal budget for big cities policy was 60.697.000 €(to be distributed among 17 towns). Note that this budget covers many other competencies than security and prevention, for instance green taxation, energy saving policies or territory planning.

For the 2014-2017 period, PSSP's budget is for whole Belgium 35.074.000 €. Onemust add a specific federal fund of 2.400.000 € on the same period, that allows to hire « town guards ».

## **E. Promising practices in early juvenile crime prevention**

### **A. School reintegration services(SAS)**

1. As seen before, exclusion, school dropout and school relagation process are very important phenomenons in Belgium, especially in the French-speaking part of the country.

Following Eurostat figures, 12% of young adults aged between 18 and 24 in 2007 have prematurely left school. It climbs up to 14% in Wallonia and 16% in Brussels region<sup>28</sup>. Of course, these phenomenons have important consequences in terms of employment<sup>29</sup>,poverty risks<sup>30</sup> or health<sup>31</sup>.

In occidental states, school should be a vector of equality and social integration for all youngsters. In reality, and especially in the French-speaking Community of Belgium, as shown by PISA<sup>32</sup>enquiries, school is an important factor of segregation among the young population.

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<sup>28</sup>IWEPS, *La situation des jeunes en Belgique francophone. Photographie statistique*, Namur, 2010.

<sup>29</sup>IWEPS, *La situation des jeunes en Belgique francophone. Photographie statistique*, Namur, 2010

See alsoService public fédéral Economie, *Enquête sur les forces de travail*, 2011.

<sup>30</sup>« Les jeunesses bruxelloises », *Bruxelles Santé*, n°54, avril 2009

<sup>31</sup>D. Favresse, *Etude de la santé des jeunes en décrochage scolaire et de la consommation du cannabis à l'adolescence*, Bruxelles,Ecole de santé publique, ULB, octobre 2000.

<sup>32</sup> OCDE, *Résultats du PISA 2009 : synthèse*, 2010.

The school system in the French-speaking Community of Belgium is one of the most unequal in the Western world. The system filters out youngsters in two different movements. There are two types of schools, the official network and the 'free' one. According to the strategy of the families, their resources and social position, youngsters rather go to the official network than to the free network. Another filter is the orientation of the school education. At the age of 14, young people have to choose among three streams: general education, technical education or vocational training. Afterwards they can choose on the basis of school evaluations, or rather they can be *forced* to 'go down', so they can change from a general education to technical divisions or from technical to vocational training. But they cannot 'go up'.

The selection of students is based on two major procedures: the decision of the teachers to make a pupil repeat the same class (a sanction that is very much used<sup>33</sup>) and the expulsion from school followed by relegation, because when a pupil wants to enrol in a new school, she will have to accept a more down-graded orientation. These two logics reinforce a real segregation in school education: youngsters of more disadvantaged families, many of whom come from immigrant families, repeat classes more often than others and they follow most often relegated or down-graded orientations.

The passage through school produces segregation between different types of youngsters and makes them face very different experiences and expectations according to the kind of school they go to. This was also lately pointed out by UNICEF Belgium<sup>34</sup>, based on discussions with young people. School education in Belgium hurts and excludes children who are already socially vulnerable, who make up as many as one out of five children in Belgium nowadays. They are often left aside and feel excluded from the moment they start in school, and this is due to a structural deficit in what schools offer children.

As shown by a recent study in Brussels, these exclusion processes have crucial impacts on dropout risk :

« dropout risk is linked to the way the school system works. First of all, the way pupils are distributed within schools and classes, via the process of repeating school years or the reorientation to alternate school branches have an incidence on school dropout risk. Secondly, the way teachers supervise pupils and interact with them can either reduce or enhance the

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See also D. Jacobs et A. Rea, *Gaspillage de talents. Les écarts de performances dans l'enseignement secondaire entre élèves issus de l'immigration et les autres d'après l'étude PISA 2009*, Bruxelles, Fondation Roi Baudouin, 2011.

<sup>33</sup>And that costs 422 millions euros per year in the french community, according to *Le Soir*, 21 février 2014, p. 6.

<sup>34</sup>Unicef Belgium, *Egalité des chances à l'école? Voilà ce qu'ils en pensent*, Overpelt, Vaes, 2013.

dropout risk. It is very likely that these elements of scholar context have an effect on school dropout through their incidence both on pupils' motivation and involvement and on how and why pupils get together (school mates who drop out, who take drugs)<sup>35</sup> ».

Many scientific studies also show a statistic link between school dropout and delinquency<sup>36</sup>.

For both strain theory<sup>37</sup> and social control theory<sup>38</sup>, the relationship a young person cultivates with the school, her involvement in school, play an important role in her becoming involved or not in delinquency.

These various elements prove that an ambitious and efficient answer to the problem of school dropout is needed.

2. This worrying situation has been taken in charge since 1998 by the French speaking Community with the « positive discriminations » decree<sup>39</sup>.

The decree reorganises the allocation of resources between schools following the principle « more to the ones who have less ». It also provides an article that creates a new experimental type of structure dedicated to youngsters in school dropout (art 30). It makes it possible to redirect a youngster through one of these structures as a specific measure of Child care or of the Juvenile Court (art 31).

School reintegration services can host excluded pupils or re-oriented pupils during daytime for a six month period, as an alternative to compulsory education.

The objective is to bring the Young person back to a scholar structure or a vocational training system and for its life to come back to its « normal course ».

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<sup>35</sup>B. Galland, V. Hospel, *Etat des lieux du risque de décrochage scolaire en Région bruxelloise*, Forum belge pour la prévention et la sécurité urbaine, UCL, Région de Bruxelles-Capitale, décembre 2011, p. 49.

In the Bruxelles-Capitale Region, 2007 Security Plan integrated, for every 19 districts of the region, a « watch and struggle against school dropout cell ». Based on the informations given by these cells, a local diagnosis on the school dropout factors was established for the Bruxelles-Capitale Region.

<sup>36</sup>Fagan J.A. and Pabon E., 'Contributions of delinquency and substance use to school dropout', *Youth and Society*, 21, 1990, pp. 306–354; Jarjoura G.R., 'Does dropping out of school enhance delinquent involvement? Results from a large-scale national probability sample', *Criminology*, 31, 1993, pp. 149–172; Sweeten G., Bushway S.D. and Paternoster R., 'Does dropping out of school mean dropping into delinquency?', *Criminology*, 47 (1), 2009, pp. 47–90.

<sup>37</sup>Elliott D.S. and Voss H.L., *Delinquency and Dropout*. Lexington, Lexington Books, 1974.

<sup>38</sup>Hirschi T., *Causes of Delinquency*, Berkeley, University of California Press, 1969.

<sup>39</sup>June 30 1998 Decree on equal chances for all pupils to social emancipation, especially through positive discriminations.

A 2004 decree<sup>40</sup> reinforces the SAS system : it puts up 12 structures of the type on the French Community territory and gives them mission to « give a social, educational and teaching help » to dropped out minors.

« By social, educational and teaching help, one must understand any form of help or action that allows to make these minors' conditions of development and learning better when they are jeopardised either by the child's behaviour or by difficulties met by his parents or the persons having parental care over him in order to realise their parental obligations » (art 19).

Obviously, these missions are related to the ones of Youth Care. SAS are indeed financed 50% by the Youth Care budget, and 50% by Education.

The decree also sets up the way of financing SAS and their obligations. Every structure is given 5 full-time educators. The maximal authorised number of youngsters to be hosted for a six months period is 20 and the global budget is approximately 350.000 euros per year for each SAS.

### 3. Organisation

SAS « Parenthèse » was the first one to be opened, within the frame of the decree, on the French Community territory. Its director, Maurice Cornil<sup>41</sup> is the initiator of the first project of the type. He is also a very careful evaluator of the functioning and evolution of the SASs<sup>42</sup>..

In accordance with the decree, *Parenthèse* functions on the bases of a specific teaching project and welcomes youngsters on voluntary bases.

The project comes as an answer to several statements made about dropped out pupils. Following M. Cornil, youngsters who are hosted at the SAS share two main characteristics :

- The scholar difficulties of these students are only a symptom of a larger personal problematic. Confidence towards the adult is strongly shaken. Their educational history is an accumulation of failures.
- Paradoxically, these young people are in demand for a scholar type structure (schedules, rules, classrooms), but one that would leave a place for the expression of their

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<sup>40</sup>May 12 2004 Decree on different struggle measures against school dropout, exclusion and violence in school.

<sup>41</sup> See the abstract of his interview in Annex.

<sup>42</sup>See M. Cornil, « Espace de resocialisation pour jeunes en décrochage scolaire », *Le point sur la recherche en éducation*, n°18, décembre 2000.

personal problems and their free speech.

The SAS's action is thus much more than bringing back the pupil to a scholar structure. It is a deep work to restore the child's self confidence and to allow him to think of the future.

To bring a social, educational and teaching help means to collaborate with different actors following the problematics. The SAS has active partnerships with different sectors : justice, youth care, health, psychologic care and social care, and of course, education.

The reception and provision of care, the definitions of goals and the help asked to other services vary in function of the youngster's problems. The SAS's action develops along a personal project and an individualised teaching plan (art 33 of the decree).

#### 4. Practices

Self-worth of the child is thus the center of SAS's action. The assumption is that to recognise a status of actor to the youngster within the frame of the SAS will stimulate his positive social insertion.

The SAS's objective is triple : integrate the child in group teaching activities, allow him to build and develop a personal project and thereby recover confidence, in himself and in the adult, in order to finally get reintegrated in a scholar structure.

*Parenthèse* insists on the importance of giving the youngster the credit of his capacity for discernment : he is always met alone first, his parents will be associated in a second time, but following the same first meeting. The institution's goals, the work to be done, the collective life rules and the details of the activities are largely explained to the child and his parents. A convention is signed between the educational team, the youth and his parents, convention that describes in details the missions proposed to each co-signer. Finally, the child is invited to write a letter of intention, in order to freely express his expectations.

Helping the young person also implies to use a teaching content that is defined by the compulsory education institution, through « competencies to be developed ». The SAS puts up a frame that includes rules, schedules, collective workshops and assessments times and by doing so creates a space that is experienced by the children « as if » SAS were schools.

The educational project exists prior to the group. Youth must adhere to the following extent: mornings, training activities are organised : "science and technology", "management-reading",

"media", "language and communication", "text", "reading assistance-tales", "collective expression space » workshops. These activities are mandatory for all young people. In the afternoon, activities that meet the aspirations of the youth and their individual project are organised in cooperation with them. The only required conditions for these activities are that they respond to a structuring dynamic that could be useful to the young person -which will be discussed with him- and that they follow an explicit schedule.

A space must thus be organised: a space for everyone's speech, but also a space where adults and youngsters' statuses are not systematically distinguished. The distinction between educators and educated is even more mitigated by a proximity concern, reflected in the using of « tutoiement » towards the adults (meaning they may address adults with the personal pronoun « tu » instead of « vous » which is normally used for adults that are not part of the family or close friends ) and the fact that everybody is called by its first name.

This desired and established proximity tends to generate an attachment from the youngsters to the adults, to the places but also between the children, by giving them the feeling of belonging to a group which members all have in common a break-up experience and a will to « be » in the SAS.

The regulation is limited and doesn't function as a tool for a power to operate from the ones on the others, but more as a reference code that allows to triangulate a relation. Educators and educated know the rules, and the interactions in times of transgressions refer to rules, to committed actions, and not to the individuals as such. « It is not you that is judged, but your actions and words, within limited occurrences ».

For example, in all cases, there is no penalty in the SAS. When a problem arises, it is fixed in the exchange between the team and, in general, all young people. If the proposed activities do not meet the interests of a young after he was admitted, he is not removed from the SAS. In consultation with him, other forms of training are proposed, that best match his needs. This positive philosophy wants to meet the inclusion expectations of the youth, inclusion in the SAS, group inclusion, inclusion of their project in their current and future experience.

Educative strategies of the SASs aim at generating an attachment from the youngsters to the SAS institution and to the adult educators who carry it. This attachment – or affective involvement- is the main educational lever that allows to hope in a conversion from the child regarding school and adults in general.

All the SAS professionals are subject to a code of conduct<sup>43</sup> set up by the authorities, that mainly guarantees the confidentiality of any information delivered by the children, whatever its matter, and the obligation for the professional to get the consent of the youngster for any action related to him. This code of conduct favors the free speech of the youth.

Workshops are organised to develop self-expression, imagination and competencies of the youngsters, putting them to form through different methods. Writing workshops, image production, films, documentaries, art workshops... the aim of the work is to tell each other their own story, through their experience, dreams or imagination. Social interaction is at stake, but also self-reconstruction.

Personalised exercises come in addition, following personal difficulties and the targets defined by the child and the educators' team : for instance to respect a schedule, reestablish a family relationship, or define a project for a future education or training.

## 5. Evaluation

On the basis of several years of practice, of a research report<sup>44</sup> and of systematic evaluation interviews of the young people coming out of the SAS, different positive elements can be pointed at :

- From the youth point of view, the SAS is a scheme identified as a unique occasion for self-reassurance. The institutional frame, as it is organised, gives them several occasions to « test » a new relationship to adults and other youngsters. Confidence<sup>45</sup>, in oneself and in the others may arise and grow along interactions within the structure, and is described as a major output of a stay in the SAS .

This reassertion of the young person's value has for crucial consequence to modify the general attitude of the youngsters : « hate » or « rage » over the way they have been treated along scholarship decreases with the discovery of alternate ways of acting and interacting. Appeasement is of course a first essential step before they can outline future projects and re-take the lead in improving their situation. It is also most likely the first step away from delinquency.

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<sup>43</sup>The Youth care code of conduct, established by the French Community decree of March 4 1991 on youth care.

<sup>44</sup>M. Cornil, *Espaces de resocialisation pour jeunes en décrochage scolaire*, Recherche action en éducation, rapport de recherche, Ministère de la Communauté française, 2000.

<sup>45</sup>The influence of the institutional scheme on the « ethos » of the youngsters is verified through other relatively similar experiences. On an educator training for young delinquent adults, see Isabelle Coutant, « From street to job : integrating juvenile delinquents », *Etnografica*, february 2010, 14 (1), pp 71-95.

- The SAS appears as an alternative to school, more appropriate to certain audiences. It can thus also be used as a pedagogic laboratory and tests some practices that could be exported to regular schools, helping them to become spaces more open to diversity.

The pedagogic relations proposed by the SAS are characterised by the space they live to the intimate expression of the child. This pedagogy is founded on the idea that the main problem of these youngsters is not compliance to scholar rules and constraints but the difficult passage to adulthood. SASs focus their work on the « issue of adolescence », which means being at constructing ones' own identity and personal journey, instead of focusing on discipline issues. It seems that, at such a delicate moment of life, it is more beneficial to the youngsters in trouble for scholar institution to play the role of a protective space for the individual than to appear as a supplementary threat.

- The school reintegration system appears as an original prevention tool. Halfway between scholar life and social life, it touches the youngster at the deepest of his life experience and allows him to think of what is happening to him.

Based on the observation that adolescence is a moment of « links' metamorphosis » (M.Cornil), SASs are unique spaces where to help and protect these metamorphosis.

The prevention work has not only a « pacifying » aspect, intended to protect society. Prevention is also about giving a place to the youth and trying to avoid a break between the youth world and the adults world.

The set up of a space that is organised by co-construction rules instead of imposition is an interesting complement to regular scholar institutions. SAS's prevent violence by preventing social exclusion of young people that are the less adapted to school life and by promoting discussion and negotiation mechanisms instead of violence (whether it comes from the minor or the institution).

- Finally, it should be noted that SASs are, from a strictly accounting point of view, much less expensive than special education or the hosting of dropped out youngsters by medico-psychological institutions. With a different type of supervisory staff and organisation, SASs manage on one hand to act on youngsters' behaviour and on the other to reintegrate them to the « regular » educational system.

## **A. Municipal platform for an integrated approach of prevention**

### **The BRAVVO example**

1. Since 2004, Brussels city has put up an original prevention platform under the form of a non-profit organisation (asbl Bravvo). It holds and manages all the city budgets dedicated to prevention policies (in a broad sense) and the total workforce in charge of these policies. Under the direct responsibility of the town council's politicians and of the policy-makers in social care (social action public centre), the platform is directed by the prevention officer mandated within the PSSP (strategic security and prevention plan).

Bravvo's activities, as well as its funding, are mixed, at the cutting edge of social policies and security policies. The platform aims at improving urban security, struggling against social exclusion and developing the quality of life in town.

Bravvo must implement an « integrated » prevention policy, which means a set of actions that make a link between situational crime prevention and a more social prevention.

Further more, a special organ called « general coordination » is there to ensure coherence between actions and the correct use of resources. General coordination also manages the partnerships with local stakeholders, in accordance with the PSSP's goals. As the platform ensures that all the projects, fundings and actors get integrated in one single policy, its role is particularly crucial in integrating federal plans and regional plans for prevention.

A "Finance Service" is responsible for the smooth running of the financial tasks including its administrative and contractual aspects. The diversity of sources of funding and subsidies makes the financial management of the association complex. The "Finance Service" follows various procedures in the procurement of goods and services that are necessary for the association's running. It maintains accounting and gather the supporting documents for the payment of state and region subsidies. The cell also provides control on the budgets' management by implementing monitoring tools.

Funding sources are multiple. The most important part of them comes from the PSSP, from the Regional Prevention Plan, the Big Cities Program, the "European Summits" Fund, the

district contracts . You should also add the "employment aid" provided by the federal level that allows the financing of « townguards ».

Bravvo now has more than 240 workers

## 2. Description

Bravvo conducts its activities of integrated prevention along the following principal axes of intervention :

### Social and civic prevention

This line of action starts from an assessment:the Brussels population gets younger and younger. Lots of these young people are in a particularly vulnerable situation and often without supervision.

These young people of Brussels are confronted to important socioeconomic difficulties and thus to a lack of means to participate in blooming activities. They also very often act in reference to different codes and values than the ones of older generations.

This situation stresses the conflicts of generation, the appearance of violence and the feeling of insecurity. In front of this situation, a platform of educational care was set up by Bravvo, mainly in districts that are socially and economically discriminated. The platform is based on three tools : street workers, youth centres and a community center.

#### *Street work*

The mission of the street workers in charge of mentoring this youth consists of:

- Facilitating, by games, the learning of the respect for others and for solidarity (education in citizenship)
- Proposing activities of preventive and educational information to young people and/or their parents
- Revealing the capacities of the youth and making their operation possible.
- Setting up collective or community projects which prevent the emergence of social problems and violence.

Their mission is thus to realise an educational work with young people, in particular young people in trouble, to allow them to join a circuit of socialisation and to recreate a social link between them and the rest of the population. By means of streetwork, one can touch the young people not frequenting the traditional child care facilities.

Concretely, the street workers work firstly with the girls and boys from 12 to 20 years old.

Their action aims at the blooming, the education in citizenship and the empowerment and socialisation of the young person. To this end, they propose, all year round (on Wednesday and Saturday afternoons) and during school holidays various workshops (street-football, hip-hop dancing, boxing, etc).

They direct and also accompany the young towards the various structures and competent partners to meet their demands (youth centres, mediation services, AMO, CPAS, Actiris, training centers, Infor Jeunes, etc).

They encourage the various initiatives of the young people to improve the cohabitation and the life in the districts (participation of young people in neighbourhood parties, in the « Cleanliness Day »).

By means of street work, they ensure a presence in the district in order to touch their target audience and maintain a relation of confidence with them, thus creating a space for the speech of the largest number of young people.

### *Youth centres*

A network of youth centres managed by Bravvo ensures the mentoring of young people from 12 to 18 years old through educational projects that aim at their emancipation.

The mission of the facilitators of these centres is fivefold : prevention ;struggle against the rise of violence and the feeling of insecurity which results from it ; the blooming of young people ; the education in citizenship and finally the fight against exclusion.

There are 5 youth centres in order to cover the major part of the territory of the City of Brussels.

Other facilitators are also detached in other partner associations' centres or sport centres.

### *The community centre*

As a project of Bravvo, in charge of prevention projects on the territory of the City of Brussels, the community centre Oasis wants to recreate a social link between households in social houses of the northern district of the City.

By its actions (secondhand trades, reading corners, collective projects) the community centre Oasis allows to facilitate a better social cohesion via activities, meetings and intergenerational and intercultural exchanges.

Besides, it organises specific activities for:

Children from 6 to 12 years old: aid at homework, a painting workshop, cultural visits,...

Young people from 12 to 18 years old: sports workshop, working workshop around subjects related to the neighbourhood: development of the garden, realisation of a fresco,...

Adults: literacy classes,...

### Prevention through presence in the neighbourhoods

This service sets up and coordinates the town guards. Town guards or civic guards are thus new jobs that aim at fighting incivilities and try to make people live together in harmony through the reappropriation of the public space by everyone.

The law of May 15 2007 about civic guards is applied since January 9 2009. The goal of this law is to gather all stewards, park guards and prevention agents under the name of 'town guard', with a same mission and uniform. However, the City of Brussels did not wait for the law of 15 May 2007 to make a commitment in this unification. Indeed, since 2004, with the creation of the association Bravvo, the City encouraged the grouping of the agents.

The « town guard », as defined by the law, is a municipal agent that has mission to increase the safety feeling of the citizens and to prevent public nuisance and crime. This mission includes raising public awareness in safety and crime prevention in the public space, around schools and during events organised by the municipality.

Brussels City has clearly delimited its town guards functions from the ones of the local police. The Brussels town guards cannot make a report on someone. Their work only completes that of the local police. The local police exercises the repression and Bravvo assumes an important

part of the preventive work. In this context, no prevention agent of Bravvo is authorised to make notes of infractions of the general police regulations.

### Conflicts prevention

This working axis of Bravvo wants to maintain, or to restore, a harmonious cohabitation in Brussels and to avoid the degradation of interpersonal relations.

The mediation projects implement communication mechanisms and mechanisms that are made to restore the social bonds among citizens. The role of the mediator is to help the protagonists to solve the conflicts.

#### *Local mediation*

The team of local mediation proposes a mediation if a Brussels inhabitant meets a conflict with a neighbour, a friend or within a couple or family. The multidisciplinary team is decentralised and stays at the disposal of the people from Brussels, whatever district they live in.

It was noticed that the judicial authorities (police and Public prosecutor's department) annually receive a large number of files relative to infractions with little importance. The local mediation intervenes in these conflicts and acts as a new mode of resolution for the conflicts.

They proceed by the search for solution in a clear and confidential frame, which guarantees the mutual respect through dialogue. An impartial professional, who does not judge and who does not take a stand, helps to restore the links between parts and to find a gentleman agreement which should have for result a pacification of the relations.

#### *Social mediation*

The mission of social mediators is to inform the public, to create a social link and a positive dynamics in districts, to facilitate the relations between the citizens and the institutions, to anticipate problematic situations and to propose solutions to the local power.

The social mediators are six and concentrate each on a district. They can either have an individual approach or a collective one. On an individual level, they are brought to inform and to help the citizens in the search of solutions for their daily difficulties. They receive individual

demands and direct people to the most adequate specialised services (housing, job search, trainings). On a collective level, they introduce or support projects facilitating the active citizenship of the population (neighbourhood parties, « Cleanliness Day »). They facilitate the contact and the dialogue between the municipality and the local population.

### *School mediation*

The school mediators are integrated into the schools of the City of Brussels who practice affirmative action (« positive discrimination »). They fight against school dropout.

The school mediator acts as a relay between the school, the parents and the outer partners susceptible to bring a help to the young person. He can intervene on three levels, through prevention, concertation and conciliation.

He listens to the youngsters battling against difficulties and helps them on their personal tracks. He sets up new projects related to keeping a young person at school and reducing the various forms of violence.

### Prevention by the quality of life

These projects want to improve the living conditions of the inhabitants such as the housing conditions and the development of public spaces.

« District contracts » represent the main tool of districts revitalisation. They are led on a precise perimeter, mostly weakened districts that need requalification of the public place and housing, for a duration of 4 years. The coordinators of district contracts are integrated into Bravvo since the middle of 2005. Mediators of cleanliness are also under contract at Bravvo. Field work incites to relevant collaborations, for example with the social mediators of Bravvo (animations co-organised by both services, promotion of the contract's activities, etc).

Projects ensure a bound between physical renovation (renovation of housing, embellishment of the physical space) and social projects (support, strengthening of the social ties).

An effort has also been made by the City in therequalification of its social housing's vicinities as well as the improvement of the lighting on all the territory. The works are financed by the Region (security and prevention contracts) and Bravvo assures the administrative

interface. In lighting, an accent is henceforth put on the reporting by the agents of Bravvo, who choose sites which could turn out priority for the renewal of the lighting.

### Prevention by alternative measures and sentences.

Even if these measures and sentences are not part of primary prevention, they still belong to the prevention domain as they aim at preventing the risk of recurrence. Besides, they are not measures of repression but of repair.

Bravvo put up 2 processes for alternative measures and sentences. They aim at a diversification of the penalties or procedures of repair answering delinquency or incivilities and a better adaptation of the answer to these facts.

#### *The Supervisory service of alternative judicial measures (SEMJA)*

This service operates the alternative sentences and judicial measures. It also manages the first care services and the orientation of the person towards the social services of accompaniment and socio-professional reintegration.

Practically, they proceed to an examination of the social situation of the citizen to increase his chances of reintegration and collaborate with a partners' network in social and occupational insertion.

#### *Mediation in administrative fines*

The Bravvo services (SEMJA, legal assistance service, local mediation) can in each case propose the most adapted alternative to the payment of a fine: conciliation between the author and the victim, a working service, training,...

3 side projects must be added to all these mechanisms :

#### *A public peace manager*

This new function was put up by the city in order to contribute to the quality of life in the city by proposing active solutions for areas concerned with cases of nuisance and incivilities.

The job was created after a commun reflection of Bravvo and its partners (police, municipal services, associations). The reflection was based on the « local security diagnosis », on

meetings with the inhabitants and on observations made by field workers and partners. The initial statement was that incivilities<sup>46</sup> and nuisance are the key problems in large centers of housing, activities and leisure such as Brussels.

The manager acts as a mediator for all services and people dealing with nuisance : police, government, prevention services, shop keepers, residents committees, associations and citizens. His action is focused on red-light districts, areas that are a mixt of housing and trade, and « party » districts.

In that work, the manager of public peace gets the assistance of a police officer. Together they combine preventive and repressive work against 'uncivil behaviour', and work for « living well in the city », under the joint authority of the Mayor.

The manager of public peace also collaborates with the municipal secretary who can easely mobilise the different municipal services.

#### *A Service against school dropout*

The prevention platform against dropout situations, called Nota Bene, is a fulcrum that organises the work between educational networks and other partners (prevention, school mediation, police contact point, school reintegration platform, ... ) .

NB tries to have a comprehensive approach to the problem of early school leaving . It brings together all stakeholders (schools in the territory of the City of Brussels, psycho -medico-social center, SAJ, « family and youth » police cell, associations) to analyse problems , make an inventory of available resources and identify the best practices.

It also offers information sessions on the school system for young people and professionals.

Finally, this service can also perform individual monitoring and regulate school situations of dropped out young people.

#### *A legal aid service*

A lawyer helps Brussels people to resolve their legal problems outside the legal sphere. It offers a free ad hoc service for any citizen wishing to assert their rights.

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<sup>46</sup> Incivilities or 'uncivil behaviour' may include insults, small vandalism, illegal dumping. Nuisance may include the problematic occupation of public space, disturbance of the peace, public drunkenness,...

The lawyer also provides specific information on the rights of the citizen, practical advice on the steps to take, practical help when the situation requires it (sending mail to prevent or resolve the dispute and tracking the file); guidance to other more specialised administrative or legal services if necessary.

### 3. Evaluation

Bravvo is an initiative that is quite unique and original in Belgium. More than just a prevention tool , it is an instrument of " urban policy " that acts on both the causes and the symptoms of urban crime .

As a tool for global and integrated prevention, Bravvo has been subject to continuous assessment<sup>47</sup>. The magnitude of the project will allow to implement reflexion, evaluation and cross training policies, aimed at constantly improving the functioning of the organisation. These policies have identified a series of forces and "good practices" in many aspects of the work done in recent years.

We will first present the "good practices " initiated at the field intervention level, in a second time we will identify some forces that are proper to the entire system.

#### *"Best Practices"*

- *General attention to worker training, internal communication and formalisation of practices.*

Bravvo has implemented a policy of training addressed to all workers, both individually (more than 12,000 hours of training in 2011) or transverse (Interservices) .

Bravvo also systematises the contacts between the different teams, thereby strengthening cohesion, information exchange, cross-cutting approach. Inter -disciplinary meetings, organised every six weeks in six target neighborhoods, form the heart of the exchange policy. Given the complexity of the themes that the agents face (wandering people, occupation of public space, acts of delinquency, substance abuse indices , etc.), these meetings enable the development of new projects, the relay of issues and observations, internally and to specialised services , and finally, openness to partners and initiation of workers to new practices .

In each of its areas of focus, Bravvo sets up spaces for reflection on the work . For example,

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<sup>47</sup>Much of the assessment evidences presented here are from *Focus on BRAVVO , 2011 , accessible at [http://www.bravvo.be/IMG/pdf/RA\\_2012\\_Bravvo-1.pdf](http://www.bravvo.be/IMG/pdf/RA_2012_Bravvo-1.pdf)*

the " social and civic prevention" axis has established general assemblies of workers, workshops and team time outs to think about the job issues, the main objectives and about methodologies in supporting young people.

This helped realise animation guidance documents, redefine the hospitality function within the centers, decide to hire an academic advisor for the academic support activities, decide to make more visible the participation and achievements of young people by organising exhibitions and theatrical performances in several venues in Brussels, etc. In the same vein, the " Conflict Prevention" axis is also working at the dialogue between partners and the formalisation of the mediator's specific practices.

*- The development of a comprehensive and integrated approach*

Bravvo surchs to increase partnerships with other actors present on the territory of the City. For example by being active in "social coordinations " that include civil society actors by districts or theme (mental health, social work, ...), by signing collaboration agreements with major stakeholders of the Brussels landscape such as the transport company (STIB) , by working closely with the local police or the City services .

Bravvo also makes best practice exchanges with other municipalities in the region or with Quebec.

*- The development and strengthening of the coordination function*

The implementation of a coherent and comprehensive prevention policy requires the articulation of many local interventions. To ensure that consistency calls for the establishment of a centre for data collection, reflection and projects and for an effective incentive framework. The continued strengthening of the coordination function has been a priority in recent years. All the functions of coordination and some front-line services have been gathered in one building that is visible and accessible in a sensitive area of the city center (Anneessens District). A " stress ecology " cell was created, devoted to monitoring workers experiencing difficulties in their mission. A " communication " cell was put up to make actions more visible and provide greater transparency regarding budgetary and administrative aspects.

*- The ongoing effort to inform and raise awareness among target audiences*

This policy is more and more successful. A strong identity of Bravvo (including in terms of visual recognition : logo, uniform of the town guards) allows a wide recognition from the public. A significant increase of direct public appeal to different workers has thus been

observed, and an increasing number of case files are turned over to Bravvo by the partners.

*- The use of systematic participation of target audiences*

The attention to public participation, particularly of young people, through the organisation of exhibitions or performances, participation in trainings or student jobs hiring is a guarantee of success for the initiated projects.

*Transverse forces*

- In the Belgian context, the great strength of Bravvo is to be a structure that can sustain existing projects despite regular changes in subsidy programs, institutional uncertainties or changes in priorities of the subsidising authorities. Bravvo is guaranteed to develop long-term consistent policies by aggregating various means in a common policy that is approved by the local political authorities.

- Bravvo placing itself at the intersection of social action in neighborhoods, socio-cultural action, political participation and strengthening of the dialogue, is able to develop innovative functions in the field of prevention (manager of public tranquility, social mediator ...). This unique position allows to create new functions, new jobs that meet needs but wouldn't be imaginable in a specialised vision of the social action.

- The strong link between a diagnosis phase, data collection, project implementation and their evaluation. Bravvo is very careful to professionalise social intervention, to constantly build projects based on field observations and assess their effects also on the basis of observations. This process needs to be strengthened in future years through better harvesting of field observations and their formalisation via computerisation, better monitoring of the evolution of the treatment of problems identified in the field and finally through the creation of a Bravvo Observatory (diagnosis, evaluation and methodologies) .

## **F. Evaluation mechanism for early juvenile crime prevention programs**

The issue of evaluation of programs for the prevention of juvenile delinquency is not really taken into account in French speaking Belgium. This lack of attention is part of the general lack of data about the phenomenon of juvenile delinquency<sup>48</sup>. Since the gathering of statistics on the crimes committed is only very recent, it is not surprising that the measurement of the effects of prevention policies is not yet a priority.

This disadvantage is compounded by the fact that there is no unified program for the prevention of juvenile delinquency. As is the Belgian political tradition, the splintering of the policies corresponds to the multiplication of levels of authority and to the administrative complexity. The few figures available are rather on the number of cases managed by the youth assistance and protection systems. It may also include the obligations of certain services depending on the Youth Assistance, such as support services in an open environment (AMO) to relay the voice of youth and field observations to their directors or initiate "general prevention" projects.

But this can not in any way constitute a comprehensive and qualitative evaluation of the so numerous systems in place.

Some more global tools, such as "security contracts" have received systematic and constructed evaluations (from the federal government). But these assessments contained two gaps regarding the effects on juvenile delinquency: first, they were never impact assessments of the implemented policies but rather "summative" evaluations of all the actions taken within the financing granted<sup>49</sup>, that is to say, control evaluations of the use of financial resources. Secondly, they did not integrate a component dedicated to effects on juvenile delinquency as such. Finally, the moment of the evaluation was understood as the way to set out the status of the current situation, to establish a diagnosis rather than the opportunity to reflect on the effectiveness of carried-out policies.

The Belgian situation therefore imposes to return to each local assessment process, such as those produced by Bravvo, to get information on what might constitute a comprehensive policy

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<sup>48</sup> For example, Belgium has only recorded data on juvenile delinquency since 2011. Before that, it was common in Belgium, talking about offender acts committed by minors, to use the words "statistical gap".

Voir Vanneste CH. *et alii*, *La statistique nouvelle des parquets de la jeunesse*, Academia Press, Gent, 2008.

<sup>49</sup> Voir Smeets S., « L'évaluation des politiques de sécurité et de prévention en Belgique » in Robert Ph., *L'évaluation des politiques de sécurité et de prévention de la délinquance en Europe*, 2010, L'Harmattan, Paris, pp. 47-68.

for the prevention of juvenile delinquency.

At the local level, it is also noted that the administrative obligation to an activity report every year prevents longer term evaluations and reflection on the evaluation standards.

Together with Smeets, while looking at the stock of assessments conducted so far in Belgium, we can only "see that no assessments has been made to measure the impact of programs and tools under the two main objectives of prevention and safety policies (reduction of crime and fear of crime reduction). "

### **G. Conclusion and Recommendations**

After this overview of the situation in French-speaking Belgium, several observations can be installed. They can be considered both as the findings of this report and as the basis on which conduct further reflection.

1. The first question that remains open is what is meant by the term prevention. According to the used classifications, offensive or defensive prevention, primary, secondary or tertiary (relapse prevention), it will be talked about very different practices and objectives. The question then is "what to prevent" (D. Defraene)? Concrete acts? Cohabitation problems? Exclusion dynamics?
2. We know that much delinquency acts performed by young people are momentary delinquency acts that are associated with adolescence. We can not prevent adolescence. But prevention can intervene when some youngsters commit more frequent and harder acts. To achieve this, public policies should act both on neighbourhood dynamics, peer relationships and failure at school. We must work on positive socialisation, give young people in difficulty faith in the future and provide them with achievable "possible".
3. Meanwhile, it is important to implement "general" prevention policies, in other words policies that address the roots of the experienced difficulties, which means the economic inequalities and the frustrations they generate<sup>50</sup>. This obviously raises the question of the level at which these policies should be led. If the local level is the best level to establish accurate diagnosis and to provide solutions that are as close as possible to the specificities of the target audience, the questions of

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<sup>50</sup> J. Fastrés et J. Blairon, *La prévention. Un concept en déperdition ?*, Bruxelles, Luc Pire, 2002,

the redistribution of resources and of the improving of the quality of life call for policies taken at a higher level. .

4. In this sense, the establishment of an effective prevention policy begins with the definition of a youth policy which allows to formulate more general and cross-cutting objectives (education, health, support, leisure, ... ).
5. However, on the local level, effective prevention policies begin with openness to other possibilities whatsoever in terms of recreation, education, meetings. Provide access to things that would otherwise be inaccessible (S. Smeets) is a step in the right direction.
6. The first place for juvenile delinquency prevention is nevertheless the school<sup>51</sup>. This institution continues to operate as a "social elevator". It is with school failure that most of the exclusion processes begin.
7. Note also that prevention does not mean "pacification", something positive can always come out of conflict and disagreement (M. Cornil). In this sense, the issue of prevention opens on the issues of inclusiveness and of the existence of a space for debate. Prevention policies must absolutely avoid reinforcing punishment and exclusion - creating isolated areas or policies, restricted to certain public - but rather encourage discussion and negotiation.
8. Finally, in view of the Belgian situation, it seems essential to provide assessment tools to see the effects of policies on problematic situations and not only on target populations, the solution to a problem does not always come from an action on a population but from a work on a social relationship.

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<sup>51</sup> See J. Moriau and S. Van Praet, "The institution hidden behind correlations : Interrogating the link between school failure and delinquency" in D. Sorvatzioti *et alii*, *Critical Views on Crime, Policy and Social Control*, Nicosia, University of Nicosia Press, 2014, pp. 74-90.



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