

Press Release

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"Repression is not the only answer to juvenile crime" says Commissioner Hammarberg

Strasbourg, 19.06.2009 - "Any measure to tackle juvenile offences should always focus on children's needs and interests, not on repression" said today the Council of Europe's Commissioner for Human Rights, Thomas Hammarberg, publishing his [issue paper](#) on "Children and Juvenile Justice: Proposals for Improvements."

"Despite a certain perception that children are becoming more violent, available statistics do not reflect an overall increase of the rate of youth crime" he said. "States use different approaches to respond to young offending and youth justice systems vary from one country to the next. Children's rights standards, based on international and European instruments, take on added importance amid this diversity."

Identifying the relevant international and European standards on juvenile justice and outlining examples of how these standards are being implemented, the Commissioner calls on member States to put in place systems which are effective and rights-based, and secure the well-being of children and young people in conflict with the law.

In the issue paper the Commissioner recommends using the well-established set of benchmarks to ensure a holistic approach to juvenile delinquency highlighting easily-affordable measures to facilitate prevention, rehabilitation and social integration of young people in difficulty. "More efforts should be done to develop preventive and diversion measures" he said. "These measures are appropriate alternatives of dealing with children without resorting to judicial proceedings. When a child has to be judged, detention must be a decision of last resort."

The Commissioner insisted that "too many juvenile offenders continue to be detained when this measure is inappropriate for them as well as for the society. Non-custodial measures exist and they are often more effective than detention. The focus should be put on ensuring the child rehabilitation as well as prevention of the reoffending. When detention occurs, it should happen in small structures and an individual plan should be made for each child detained."

Finally, the issue paper lists a number of recommendations addressed to member States to improve their juvenile justice system.

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