

Chapter 3

Promoting Civic Engagement and Social Inclusion Interventions for Minors Involved with Crimes



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3.1 The Italian Law for Minors

The juvenile justice system in Italy is concerned with boys and girls aged 14–18 who have committed offences against civil or penal codes. The current system is largely informed by the theoretical debates about social rules and social opportunities that took place in the 1970s and resulted in important reforms in psychiatric health (Law 180/1978) and in penitentiary law (Law 354/1975). In addition, the Code of Criminal Procedure for Minors, enacted in 1988, provides alternative measures and inclusion strategies for youth, designed to help them avoid detention. The following are some of the specific rules for juvenile trials (DPR 448/1988): (1) avoid detention when possible by using alternative measures (probation, community work, etc.) to foster social inclusion (art.1, art.21, and 22.); (2) particular attention is paid to personality assessments, and a core goal is to take care of minors' psychological and educational development (art.8 and 9); (3) prevention of the risk of labelling minors is taken into account to avoid spreading information about their deviant behaviour (art.13, 14, and 15); and (4) finally, it is important to pay attention to preserving minors' intimate networks, if existing and reliable, and to increase their formal and informal social networks as a precondition for planning rehabilitation.

As some quantitative indicators suggest, the New Code of Criminal Procedure for Minors has largely reduced the number of minors in criminal institutions from more than 7000 entries each year before 2000 to about 500 at present. Currently, minors in social services total more than 20,000; 12% of females and 22.5% of males come from abroad.

The communities that house juvenile offenders have about 800 minors who are waiting for a judicial decision about their disposition, whereas juvenile prisons have

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473, of which 36 are females and 217 come from abroad. Research indicates that migrant minors, when charged, are likely to suffer more severe punishments (Dipartimento Giustizia minorile e di comunità, 2018).

Minors in juvenile jail (called *Istituto Penale Minorile* or IPM in Italy) have generally committed crimes against property (58.6%) or, to a lesser extent, against persons (14.9%), weapon-possession offences (8.3%), or drug-pushing offences (6.5%). For minors coming from abroad (females in particular), crimes against property are the main reason for detention in IPMs (about 70%).

3.1.1 *Explaining Juvenile Justice Procedures in Italy*

At the time of the arrest, a minor's rights have to be guaranteed: this includes a privacy policy and the presence of specialised professionals who interact with the minor and offer information about available sources of psychological support. The magistrate in charge of preliminary investigations decides if the minor may be released or sent to a community of juvenile offenders until a judicial authority's decision is made.

The centres for first reception receive minors who lack social support. Centres do not have some of the features of a prison (there are no bars, even if there are forms of control) and their purpose is to detain minors for only a few days. During their stay, minors are observed by a specialised team (a psychologist, educator, and youth worker), the members of which write the first report for the juvenile judge. These centres – which may be public, private, or managed by Non-Governmental Organisations – may also be organised as small custodial communities with a “family” structure and an educational component. After four days, the judge decides the measure to be taken for the minors based on the following considerations: no interruption of their educational process, reduction of harm caused by the proceeding, a quick judgement process, and detention as a residual choice.

When lower measures are impossible to choose, the minor may be taken to a juvenile prison (IPM) for detention. This measure is provided for offences with punishments of more than 9 years and must be justified by the risk of the minor tampering with evidence, running away, or repeating the offence. IPMs contain minors under criminal proceedings and young adults who committed a crime when they were minors, and – according to Italian law – they can stay in juvenile prison until they are 25 years old. There is a total of 17 IPMs throughout Italy, and they are located in most of the major Italian regions.

In cases of house arrest, the court requires that the minor stay at home, sometimes with limited movement, and the court may allow the minor to attend school or other educational activities. The judge, however, can adjourn the trial, begin the procedures for probation, and ask Social Services to plan an intervention after the minor's assessment. During preliminary investigations, the judge, by request of the prosecuting attorney, may decide on a nonsuit judgement if the offence has an expected punishment of less than 2 years and if criminal behaviour seems unlikely

to be repeated. Instead of detention, a minor may be given substitute measures, such as part-time imprisonment or conditional release. So far, the most common alternative measure for minors under criminal proceedings is probation with conditional release.

Nevertheless, negative issues concerning alternative punishments still exist especially among minors who lack protection from social networks. This occurs among Italian minors, particularly those living in the South who are often involved in organised crime such as the *mafia* (in Sicily), *camorra* (in Campania), and *ndrangheta* (in Calabria), and mainly among migrants whose presence is considerable in juvenile jails.

3.2 About Migrant Minors

Adolescents from abroad, largely present in IPMs, are a very heterogeneous group. They are doubly vulnerable: As minors, they are unable to totally fulfil their needs, and as migrants, they are usually perceived as strangers and viewed with prejudice attitudes. Because they are forced to grow up quickly, they are often distrustful, and it is quite difficult for them to have significant relationships with Italian professionals who are sometimes perceived as the reason for their detention. Cultural mediation appears to be an indispensable means, not only to translate procedures but to truly understand adolescents' needs. However, the most serious problems appear outside the prisons or after receiving care from justice facilities. In many cases, migrant minors have more opportunities during their stay in an IPM than after their release.

3.2.1 Migration and Its Impact on Minors

The experience of migration may turn out to be a difficult event for a minor. During 2017, about 18,000 unaccompanied children reached Italy (93% males) and more than 400 of them died attempting to reach the country's boarder (Secondo Welfare, 2018). Aside from any danger that may occur during the journey, a migrant minor who survives may suffer serious consequences after the journey. Pottie, Dahal, Georgiades, Premji, and Hassan (2015) found first-generation immigrant adolescents were more likely to experience bullying, violence, and suicidal behaviors than later-generation counterparts and native-born minors.

For parents of migrant adolescents, the task of transmitting their values of origin can become difficult, especially when the host culture's values are perceived as more attractive to adolescent migrants (Phalet & Schönplflug, 2001). The issue is problematic because the transmission of cultural heritage may be a protective factor; yet some research indicates that intergenerational value discrepancy between parents and children often grows over time (Phinney, Ong, & Madden, 2000).

Surely, migrant adolescents are heterogeneous, whether from the same or different countries and continents; nevertheless, Pottie et al. (2015) observed common features in facing discrimination and adapting to new contexts and similar risks (Peguero, 2009).

Aside from the problem of value discrepancies, a large number of studies (García Coll, 2005) have demonstrated the *migrant paradox* (Marks, Ejesei, & García Coll, 2014), whereby – despite exposure to psychosocial and economic adversity – migrant youth experience better health compared to native youth. Moreover, first-generation immigrant minors often showed better adaptation compared to native and second-generation adolescents. Resilience, which is defined as an individual's ability to successfully cope with adversity (Chiodini & Meringolo, 2016), has also been examined in migrant youth. Research has examined the higher resilience of migrant youth and its association with their families' positive characteristics, such as higher levels of care for adolescents and greater control over the influence of deviant peers (Vega, Sribney, Aguilar-Gaxiola, & Kolody, 2004). However, there is a paradox: while first-generation migrants sometimes adjust well, the second generation being born in the host society is not guaranteed positive inclusion for a variety of reasons including socioeconomic conditions that often remain precarious or may even worsen (Bosisio, Colombo, Leonini, & Rebughini, 2005).

Furthermore, even though the first generation often experiences migration as emancipation, this may not be true for the second generation, which may seek to free itself from the prejudice and discrimination encountered (Santagati, 2004). The label of the second generation may be viewed as a social position that indicates a different life from that of their peers with whom they share their experience. Although their parents have invested a lot in their social emancipation, the real opportunities available to youth are unlikely to match their expectations. Even education, a central factor in the economic and psychosocial investment of any migrant family, does not seem to prepare them enough for the future (Colombo & Santagati, 2010).

The migrant paradox does not always appear to be confirmed. Santinello, Cristini, Lenzi, Altoè, and Baldassari (2008) only partially verified it because young people also seem to conform to their Italian peers. Similar results came from other international studies, which observed a prevailing trend for youth to adopt the values, norms, and risky behaviours of their non-immigrant peers, particularly if coming from families with a similar socioeconomic status (Berry, Phinney, Sam, & Vedder, 2006). In addition, the increasing complexity of international political and economic scenarios has made inclusion more difficult, meaning young people are more exposed to the risk of becoming deviants.

Studies concerning youths involved in crime (as seen in Reyna & Farley, 2006) showed that adolescents, when compared to adults, are more thrill-seeking and are likely to try maximising the short-term advantages of their actions. Such a trend is more common among youth who have to face their double identity: they live in Western countries but come from different cultural backgrounds (Doosje, Loseman, & van den Bos, 2013). When they experience deprivation, negative emotions such as anger and frustration may arise (Schils & Verhage, 2017), causing them to avoid

healthy peer groups and to prefer deviant ones. Robben and Suárez-Orozco (2000) explained, in terms of “negative social mirroring”, the negative image of migrant groups shared in social contexts, which has implications for the social identity and the inclusion of migrant youth (Beiser, Hou, Hyman, & Tousignant, 2002).

However, Dimitrova et al. (2017) examined the educational, psychological, and behavioural outcomes of young migrants in Europe based on 102 studies conducted in 14 European countries. The authors concluded that improving intercultural behaviours in families, schools, and neighbourhoods, the development of intercultural relationships, and policies addressing inclusion are important factors for the integration of immigrant children and youth.

3.3 Reflections About Juvenile Detention and the Development of a New Experience: The Project PROVA – Prevention of Violent Radicalisation and of Violent Actions

Detention should be a last-resort treatment by Italian law, and, in fact, we can see the low number of youth inmates in Italy. We know that having fewer prisons does not produce more deviants. Rather, more prisons may cause higher crime rates: minors with longer stays “in” prison are the perpetrators of more serious and repeated crimes, are older than the other inmates, and are more likely to demonstrate violent behaviours and radicalisation.

IPMs in Italy, although sufficient, are not well distributed. Some are overcrowded, are in unsuitable buildings, and were originally planned to be adult prisons and then readapted. When in prison, minors coming from abroad have fewer opportunities than native Italians to form relationships with significant external persons and thus cannot best plan their future rehabilitation (Meringolo, 2012). Concerning age, IPMs are not always juvenile prisons, as a considerable number of the members of the young adult population (aged 18 to 25) are carrying out their educational treatment. Nevertheless, the coexistence of persons with such different ages may cause great difficulties regarding relationships inside a prison.

Concerning employed professionals, everyday management is carried out mostly by prison officers, whereas educational staff are primarily employed outside the prisons. IPMs are thus focussed more on custodial aims than on education-based treatments. Furthermore, it is important to plan specific professional development training sessions to improve the capabilities among professionals, educators, and police officers who must cope with the difficulties migrant minors face in prison or in probation, taking into account their experiences of exclusion and their lack of opportunities and positive relationships.

The quality of treatment has been undoubtedly improved over time, even with differences among institutions and regions. When planning for release, important educational experiences are continued, with activities, such as sports or theatre

created in cooperation with local communities, as well as specific treatments for young sex offenders or for those involved in mafia crimes.

Because the main aim of the law is to bring interventions to an external criminal area, it becomes necessary to integrate treatments within existing or potential resources of the local community, thus building networks with local communities and promoting the commitment of local authorities. In fact, the latter plays an important role for planning inclusion, reducing stigma, and building (or rebuilding) social connectedness.

Based on this, the community psychology team of the University of Florence coordinated a European project called the Prevention of Violent Radicalisation and of Violent Actions (PROVA, 2016)¹ which was implemented in Italy, Germany, Romania, and Spain. The PROVA project addressed the problem of violent radicalisation of juvenile offenders in prison and on probation using different activities such as research, prevention (i.e. training and workshops), and evaluation. In order to counter conflicts and the risk of violent radicalisation, one of the main focuses of the project was to have juvenile offenders use space manipulation and re-imagination (i.e. urban space of the local communities and internal space of the prison) as a tool to promote youth aggregation, social inclusion, and civic engagement. Therefore, target groups included professionals directly and indirectly involved in the juvenile justice system, stakeholders committed to inclusion policies and to urban life organisation, and minors/young adults under criminal proceedings who come from European and non-European countries. Indirect beneficiaries were university students who were involved in planned activities with minors.

As a prevention activity, *training* was addressed to professionals to improve – with participatory methods – their competences, team building, empowerment, and skills in preventing conflicts. In addition, stakeholders were involved in *discussing issues* related to the marginalisation and the risks of violent radicalisation, the “fear of others” and the creation of scapegoats as factors that influence the municipal policies, the strategies for better inclusion, and the use of urban spaces for fostering youth aggregation. Lastly, *workshops* with youth under criminal proceedings were implemented and for the purpose of re-imagining public spaces, including the inner spaces of juvenile jails, in the knowledge that civic engagement and a sense of community may be fostered by experiences that improve the quality of the living places. The PROVA project also foresaw – to better build social networks among youth and to promote intercultural dialogue – the involvement of university students attending courses in social work, psychology, and education. These activities were implemented by means of methods that were participatory and empowering.

At the end of the PROVA project, the main outcomes included the drawing up of *guidelines* for the reproducibility of an experience and to plan sustainable activities

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to systematise policies in this field. A second outcome was to develop a *Good Practices Platform* to offer an online instrument for the dissemination of best practices related to the prevention of violent radicalisation and to promote democratic values, intercultural relationships, and active citizenship.

3.3.1 From the PROVA Project's Aims: How to Cope with Youth Violent Radicalisation

This contribution shows the main findings of the qualitative research carried out during the first step of the project, called "Preparation". The data from this exploratory research have shown some similarities among the European countries, taking into account the sociopolitical and economic specificities of each one. Here, we present the Italian outcomes, which may be considered a significant source of observation in southern Europe.

Our aim was to analyse the point of views of different professionals who are directly or indirectly involved in the juvenile justice system and of stakeholders as the persons in charge of juvenile justice and the religious ministers.

We have explored the thematic areas referred to the meaning of radicalisation, the roots of violence in young people, and the interventions and policies against violent radicalisation. Based on these perceptions, we intend to design a training program for first-line professionals and for those potentially involved, along with workshops for minors and young adults under criminal proceeding. Finally, we will offer suggestions for best practices.

3.4 Methods

3.4.1 Participants and Instruments

In Italy, the total number of participants in the qualitative research was 18, including 2 key informants (i.e. a director of the Centre of Juvenile Justice and an Imam of the Islamic Community) and 16 professionals working in the Centre of Juvenile Justice, or in an IPM or in institutions/organisations for educational and social integration.

Within local organisations and social actors involved in the prevention of violent conflict and radicalisation (previously mapped by the research team of PROVA), potential participants were voluntarily recruited via emails and telephone. After introducing the main purpose of the research, all participants gave their consent to participate in our study.

We collected data from the key informants using 2 semi-structured interviews and from the professionals through 3 focus groups. The main areas explored in semi-structured interviews and focus groups are as follows:

1. Perception of the phenomenon of radicalisation and violent behaviours in young people who are offenders or at risk of becoming offenders.
2. Individuals' points of view about these issues and the underlying processes.
3. Policies and existing interventions at the local level.
4. Participants' opinions about the importance of networking (i.e. relationships with other formal and informal institutions).
5. Participants' proposals or suggestions, especially for preventive interventions or policies.

Interviews and focus groups were recorded and transcribed verbatim, guaranteeing the anonymity of the participants.

3.4.2 Data Analysis

To analyse the emerging themes, we choose to carry out a semantic analysis on the whole textual corpus of interviews and focus groups. This choice was based on the possibility of drawing a picture to synthetically represent all the facets of the narratives coming from the participants. We used the software T-LAB (version T-LAB plus 2017), which represents a set of linguistic and statistical tools for content analysis and text mining (Lancia, 2004) that allows meaningful patterns of keywords (called *lemma*) and main themes to emerge.

In this chapter, we refer to a specific analysis (i.e. the Thematic Analysis of Elementary Contexts) that deals with finding patterns of keywords within the textual corpus, which allows a representation of content through a few significant thematic *clusters*, consisting of a set of elementary contexts characterised by the same patterns of words.

3.4.3 Results

The thematic clusters that have been identified include the following: Problems (24% of the total number of lemmas), Jail (25%), School (27%), and Radicalisation (24%). Figure 3.1 shows the four thematic clusters that have been identified and how they are related to the two kinds of participants: professionals involved in the three focus groups (variable "MOD_FOCUS") and key informants involved in two interviews (variable "MOD_INT").

We can see that the Radicalisation and Jail clusters are closer to the interviews with the director of the Centre of Juvenile Justice and the Imam, while the Problems and School clusters are closer to the professionals' focus groups.

By using the statistical analysis, two dimensions have been identified: Factor n. 1, named "Conflicts" (x -axis, eigenvalue = 0.3264, explained variance 42.6%), which represents – going from the left to the right – the higher and lower problem

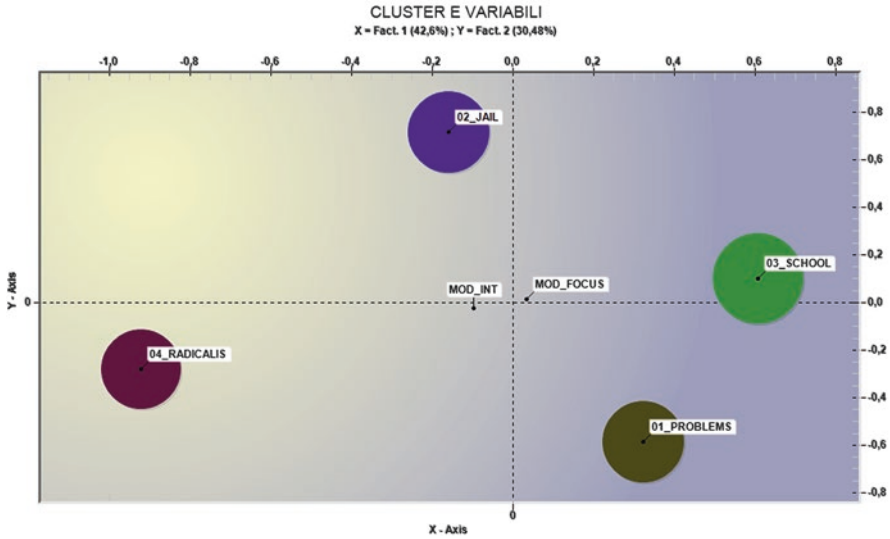


Fig. 3.1 Clusters and variables

severity, and Factor n. 2, named “Institutions” (y-axis, eigenvalue = 0.2336, explained variance 30.48%), which indicates, going from the bottom to the top, the passage from interpersonal and societal relationships leading to the institutions, both educational and judicial.

The lower quadrants of Fig. 3.1 are referred to as conflictual relationships, which are experienced in group situations or societal settings, going from the thematic clusters characterised by heavier severity on the left of the figure (i.e. violent Radicalisation) to the other thematic clusters defined as less severe (i.e. Problems) which are on the right.

The higher quadrants of Fig. 3.1 are related to institutions: the cluster related to juvenile Jail, which presents more problems, is shown on the left. The educational institutions included in the cluster School, with their positive aspects, are shown on the right.

Figure 3.2 shows the keywords belonging to each cluster in more detail, which better explain their content.

Going from the heavier situation, we may observe (in Cluster n. 4, *Radicalisation*) words like *radicalisation*, *extremist*, *violence*, and *anger* (an emotion that always emerges when talking about precursors of juvenile violence) as well as words that refer to life stories such as *memories*, *identity*, and *development*.

Some sentences coming from the participants’ narratives follow:

Talking about ideological radicalisation... we speak about a cultural conflict that emerges from the group of angry, needy, violent people... even the graduates may be angry. There is a conflict of oriental and western culture (Participants5, FocusGroup1).

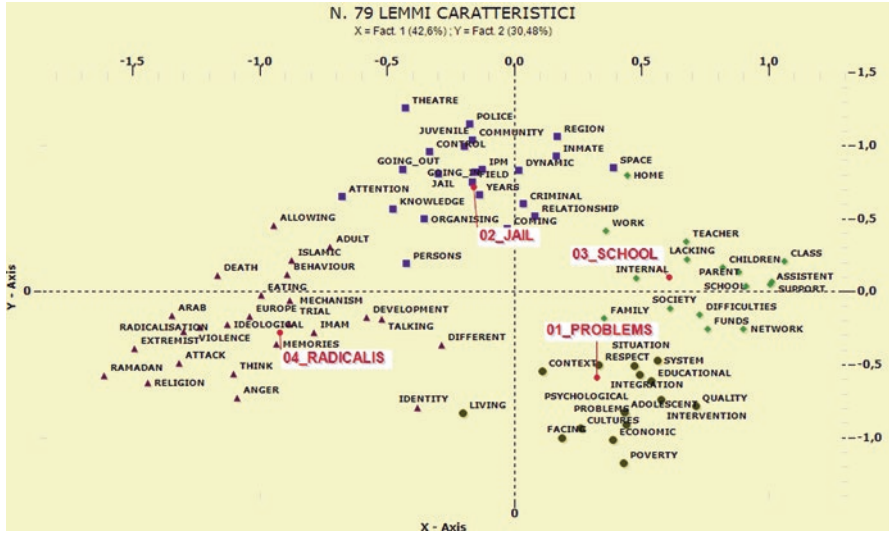


Fig. 3.2 Clusters and lemmas (keywords)

I saw that small radicalisation processes emerged not only in what we mean as Islamic or as a religion radicalisation. They were deeply rooted in breaking the rules that educators and tutors of the project have given them (Participant10, FocusGroup3).

In Cluster n. 1 (*Problems*), it is possible to see the keywords related to antecedents such as *context, cultures, family, facing, poverty, and difficulties*.

[...] The need to be part of a group to be strong... There were the Italian group, the Moroccan group [...]. The more people were isolated, the more they were at risk (Participant3, FocusGroup1).

In the last few years, young people have increasingly had to struggle with psychological problems, and even psychiatric disorders, due to many factors, including the use and abuse of different substances (Participant2, FocusGroup2).

What results from poverty of constructive experiences generates “poor” persons, lacking the basis to structure the idea of themselves as citizens, of people who live in accordance with the rules of the social context where they are living [...] Complex poverty creates a terrifying mix from the point of view of the final outcome (Interview 1).

Cluster n. 2 (*Jail*) is characterised by both keywords related to the custodial situation (e.g. *control, police, justice, criminal*) and to new experiences for humanising the total institution and promoting educational measures (e.g. *theatre, community, attention*).

I do not see this problem of radicalisation within the juvenile prisons, and then I think that this problem is more present in the most deprived neighbourhoods (Participant1, FocusGroup2).

I think the theatre can really create a group not related to a religious or ethnic membership but creator of identity, a creator of healthy relationships, of true relationships (Participant9, FocusGroup3).

Finally, Cluster n. 3 (*School*) gathers aspects related to inclusion and rehabilitation such as *parents, support*, and – above all – *networks* as well as those referring to problems such as *society, lacking, difficulties, and funds*.

Professionals should address the most deprived areas with educational projects carried out by a team of outreach educators who promote the engagement of minors and young adults in sports activities, training or education, etc. [...] And projects supporting their families (Interview I).

Finding an international policy that guarantees a future for the [i.e. migrants], not to throw them anywhere but to give them a dignified future. At the end the deviance increases, and when it becomes too much to handle, it is a disaster (Participant5, Focusgroup1).

In past years, the juvenile prison has built a network that, incredibly, was successful without any steady foundations in the juvenile prisons [...] We met one another, and a group rose during those years. The group carried out projects and collaborated on interventions. (Participant6, FocusGroup3).

3.5 Discussion and Conclusions

This kind of analysis provides a vivid picture of the discussions that took place in the focus groups and interviews, from which useful implications were drawn to plan preventive interventions.

By enriching data with new facets and in-depth observations in a recursive way, consistent with qualitative and participatory methods, the main theme that emerges consistently is the importance of preventive measures for inclusion (as in Berry et al., 2006). This means that the core matter is not to merely detect the symptoms of violence, as in many approaches, but rather the preconditions of conflicts, discomfort, and anger in marginalised minors, often coming from other cultures, being rootless and being actors in extreme life stories.

Therefore, at the individual level, prevention interventions – to be effective – should focus on the *early stages* of the violent radicalisation process, in its starting points such as the perceptions of exclusion and injustice (according to Doosje et al., 2016; Moghaddam, 2005, 2009) in order to counteract the risk of violent radicalisation within youth.

At a relational level, another emerging theme is the importance of planning *empowering trainings and interventions* to improve the capabilities of professionals, educators, and police officers on one hand, and minors and their families on the other. A key focus of the trainings and interventions should be how to cope with exclusion and the lack of opportunities. These new skills may enable youth to develop positive relationships with others within their social sphere and improve

democratic and civic values. The involvement and strengthening of families, which is currently a weakness in the supporting network for minors (Colombo & Santagati, 2010), is a common aim of social and educational institutions as well as the juvenile justice system. It should be further exploited to ensure the sustainability of each preventive perspective and to make effective changes in the inclusion policies.

Finally, at the community level, a third and equally important theme concerns the *networking among institutions*, as recommended by the principal European agency (RAN – Radicalisation Awareness Network, 2016) that brings together practitioners from around Europe to work on the prevention of radicalisation and build local partnerships that can face societal crisis and violence. Steady networks, not only in times of emergency but also as structural best practices, seem to be the main pathway towards cultural changes that promote peace, justice, and fairness, with respect to younger and more fragile citizens.

In conclusion, these three key recommendations in the field of the prevention of violent radicalisation should also have an impact on minors and young adults involved in crimes. By focusing on the early stages of the violent radicalisation process, the empowering interventions, and the networking, front-line professionals and stakeholders who are directly and indirectly involved in the juvenile justice system may manage to involve minors and young adults under criminal proceedings in prevention programmes, to foster deeper civic education, engagement, and positive relationships in intercultural peer groups.

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