**PLENARY SESSION I.**

**1**
**CHALLENGES OF CRIMINALITY IN HUNGARY: ANYTHING NEW UNDER THE SUN?**

Klára Kerezsi
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Is it true, that crime is always increasing? The answer is "YES" if you ask the 'everyday citizen', but it is "NO" if you ask a professional. Starting from the basic facts about crime and criminality in Hungary, the presentation is divided into three main parts. The first part looks at data-sets from both administrative and survey-based collections arguing that the examination of the 'overall' crime rate hardly gives any help to shed light on the possible causes of the different crime trends. The author demonstrates that much of the public concern about increase in crime-rate has been generated by over-simplified interpretations, as well as the factors underlying changing crime rate during the past three decades has remained poorly understood. The second part highlights some social science data and other factors make crime rates rise and fall over time, and could influence social peace in the country. The presentation offers a much broader understanding of the profound changes that have occurred in Hungarian society from the beginning (or even before) the transition period. The third looks at the contemporary professional and political debates over criminal 'underclass', bearing in mind the historical antecedents of the issue by linking both poverty and criminality, as well as its linkage to the workhouse-prisons system in the beginning of the 20th century. The presentation deals with the Hungarian poverty problem (especially Roma poverty), pointing out, that the focus of interest in poverty has come to be cultural and moral rather than social. As a conclusion the author summarizes what crime figures and social data should tell to the professionals, the policy makers, or the general public so as to develop effective policies for crime prevention and control.

**2**

# OF HUNGARIAN CRIMINOLOGY AND DEVELOPMENT OF CRIMINAL POLICY SINCE CHANGING THE REGIME IN 1989-1990

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Member of the Constitutional Court of Hungary

At the beginning of the lecture I will refer to the changes in Hungarian higher education concerning Criminology, such as the establishment of the master`s program 2011, which may have impacted the existing features of the discipline. A significant part of the lecture deals with the development of criminal policy in Hungary after the political transformation of 1989-1990. The presentation interprets the features of Hungarian criminal policy, particularly penal policy and sentencing practice over the 20 past years, along with the changes therein. The essence of these changes is illustrated by the following two sets of data, as well as the governmental perceptions of regarding these data: The imprisonment rate per 100 000 inhabitants decreased significantly alongside growing crime rates by 1995. (1988: 193, 1995: 121) In 2011 the imprisonment rate is 173 alongside stagnating crime rates. A lower imprisonment rate had been a priority for governments in the early 1990`s, for the present government however, the focus has shifted to a high prison population. In my presentation I will argue that the nature of the political regime, as well as the governmental system fundamentally determines the characteristics of criminal policy. The latest developments in the field of penal policy indicate that the reaction to crime has become a political issue in Hungary. The word „policy" in penal policy has changed to „politics" in Hungary (as well). The lecture will cover the most prominent facts supporting this conclusion (such as the process of developing the new Penal Code).

**3**
**THE THRILL OF VIOLENCE. THE INTRINSIC ATTRACTIVENESS OF PHYSICAL VIOLENCE BY YOUNG PEOPLE**

Stefaan Pleysier, Evi Verdonck
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The study of violence focuses primarily on the analysis of extrinsic causal factors associated with violence. Research that assigns external factors a central place, tries to explain violence while failing to understand the phenomenon under study. In this paper, we argue that focusing on a combination of external and internal factors can supplement a more traditional approach, which only focuses on rational and functional elements.The traditional external risk factors try to explain violence from a certain background of violent persons and thereby looks away from violence itself. As Schinkel has said: *"(I)t sees violence as referring to underlying, extrinsic factors and searches for that reference, thereby ignoring that very violence itself"* (Schinkel, 2004: 17, 2005: 283, 2010: 120). A criminology that also considers intrinsic features, focuses on the aesthetics of violence such as the intrinsic pleasure of violence, is helpful in exploring and explaining the notion and occurrence of physical violence. Therefore, the aim of this paper is to include intrinsic factors in empirical research, in combination with the traditional extrinsic factors. We use a regression analysis to identify the factors explaining violence by integrating the constructed intrinsic appreciation scale. The data are derived from the Antwerp and Ghent Youth Monitor (Flanders, Belgium) with a sample of 3867 adolescents aged 12 to 18.

**4**
# VICTIM IN CHILDHOOD, VIOLENT OFFENDER IN ADULTHOOD: TESTING THE THEORY OF CYCLE OF VIOLENCE

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In numerous international studyes experience of violent victimization in early childhood stands as a significant predictor of violent behavior in adulthood. Accordingly, the aim of the paper is to present results of the author's master thesis on the influence of direct and indirect early violent victimization on violent crime of adults. The theoretical goal of research was to reach the knowledge on the relationship between early violent victimization and violent crime of adults, with identification of gender differences, wherewith basic postulates of the theory of intergenerational transmission of violence were tested. The practical goal of research is reflected in proposition of concrete measures for the prevention and more effective confrontation on family violent victimization at early age.

After the introductory part where the main characteristics of child abuse and neglect on the one hand and violent crime on the other hand in Serbia are going to be presented, the focus of the paper will be on the survey findings. The research has been carried out at the maximum security prison for men "Zabela"and the only prison for women in Požarevac, on the sample of 145 women and men sentenced to longstanding imprisonment for violent offences and 107 women and men sentenced to longstanding imprisonment for nonviolent offences. The research has confirmed main postulates of the theory of intergenerational transmission of violence. Namely, the results indicate the impact of indicators of direct and indirect early violent victimization and gender socialization on violent criminal behavior in adulthood. Also, research revealed that socialization by learning male gender roles and indirect victimization by father's violence against the mother, affect men's attitudes towards violence against women, in terms of approval and blaming the victim for violent incidents.

**5**
**THE INFLUENCE OF WEATHER AND THE SEASONALITY ON VIOLENCE IN ISRAEL – INSIDE AND OUTSIDE OF PRISON**

Tomer Carmel[1], Aviad Klein[2]
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[2]*Tel Aviv University, Statistics and Operational Research, Tel Aviv, Israel*

The prevalence of violence in the general population has been found to vary across season (Simister & Cooper, 2004), and correlate with weather: hotter weather is correlated with a higher occurrence of violent events (Simister & Cooper, 2004; Rotton & Cohn, 2000). This phenomenon was previously explained using two mechanisms; one physiological and the other social-situational. According to the physiological mechanism, heat affects the secretion of adrenaline, which in turn contributes to elevated aggressiveness. Conversely, the social-situational model suggests that hotter weather increases the time spent in public spaces, in which violent conflict is more likely.
We tested both models using all violent events reported during 2009-2011 in prisons by the Israeli Prison Service and violence reported to the police in urban areas in proximity to prisons in Israel. Since the prison daily schedule does not change during the year, the social-situational factors remain constant. Hence, a correlation between weather or daylight time and violence could be attributed only to physiological factors. Also, differences between prison violence and urban violence could be attributed to the social-situational factors and their interaction with human physiology. Our findings and implications will be discussed thoroughly.

**Keywords:** *Violence; Prison Violence; Weather; Seasonality.*

**6**
**UNDERSTANDING VIOLENT CRIMES: A GLANCE THROUGH SOCIAL STRUCTURE**
Idris Guclu
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Crime is one of the realities of our daily lives. Society is damaged economically, psychologically and socially by growth of crime rates. Social scientists continuously explore the reasons for crime and criminality in order to ensure stability in the community. There are various factors involved in the occurrence of crime. In order to understand and prevent the occurrence of crime, researchers have long investigated possible factors related to crime. Examining how crime varies across different regions can help us to understand underlying reasons for violent crime, which is considered one of the enduring problems in society. The purpose of this study is to examine the relationship between social structural factors and violent criminal rates. The findings of this study provides valuable insights and better understanding for future researchers and law enforcement officials about the structural factors that affect violent crimes. The analysis of the effects of the social structure variables through the mediating variables, such as religious institutions, libraries and voluntary associations on the number of violent criminals, to some extent, support the tenets of social disorganization theory. However, all mediating variables cannot mediate all the indirect effects of social structural covariates.

## GENDER VIOLENCE: INTIMATE PARTNER VIOLENCE I.

**10**
## WHY I KILLED MY INTIMATE PARTNER?: AN ECOLOGICAL ANALYSIS

Bitna Kim[1], Soo-Jung Byoun[2]
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Although intimate partner homicide (IPH) is a major public concern in the United States and around the world, understanding this phenomenon has been limited because most of the IPH literature has focused on individual characteristics without much consideration to broader environmental contexts for the victims and perpetrators. This study represents a comprehensive review of the empirical findings on major risk factors associated with intimate partner homicide within the context of ecological framework. Ecological theory sees the behavior of the individuals as influenced by intersecting levels of ecological systems: the ontogenic level (individual level), the microsystem (family level), the exo-system (social-structural level) and the macro (or meso) system (sociocultural level). An ecological approach explicitly emphasizes the interaction of these levels in the etiology of IPH. Guided by ecological framework, this paper identifies factors at various levels of social ecology that are associated with perpetration and victimization of IPH and examines the roles of factors in differentiating between male- and female-perpetrated intimate partner homicide. Finally, suggestions are offered for policies and intervention strategies at each system level.

**7**
**EXPLORING MEN'S PERCEPTIONS OF THEIR USE OF VIOLENCE WITHIN AN INTIMATE RELATIONSHIP**

June Keeling, Andrew Lovell
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The focus of available literature on domestic violence centres around the social, health, economic, legal and statutory agency responses to domestic violence and the effects on 'victims', families and communities. There is however, a notable paucity of literature available from the men's perspective of their violent relationships and the process by which they engage a woman into a relationship which then becomes violent. The research described here was undertaken in the north of England and involved a series of in-depth interviews with twenty-five men, all of whom had been the perpetrators of violence within a relationship. Fifteen participants were accessed from a self-referral domestic violence perpetrator group and a further ten from a court-mandated domestic violence perpetrator group.

Two key research questions were posed:
1. What are the significant features of a relationship which becomes violent?
2. How might examination of the male perspective on their role in perpetrating domestic violence contribute to the existing literature?

The study was supported by a small university grant and the proposal was successfully submitted to the appropriate Faculty ethics committee, with issues of informed consent, anonymity, confidentiality, and interviewer protection having been addressed. Data were subsequently analysed using the thematic framework proffered by Braun & Clarke (2006) and supported by the software package NVIVO. The findings indicate extensive individual variation in the narrative experience of participants, perhaps greater than was envisaged by the researchers, with little clear pattern of the descent into violence. Issues of self-efficacy, jealousy and control pervaded the narratives, subsequently challenged and re-negotiated by participants during attendance at domestic violence perpetrator groups. The implications for services and professionals suggest a more robust engagement with the experience of men, the telling of their stories complicating an already complex and often poorly understood phenomenon.

**8**
## MEN WHO BATTER: RESULTS FROM AN EXPERIMENTAL IMPLEMENTATION OF AN INTERVENTION PROGRAM IN PORTUGAL

Olga Cunha, Rui Abrunhosa Gonçalves
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Literature revealed that the treatment of batterers based solely on punitive strategies is ineffective. So, intervention programs for batterers have been developed and tested. In this presentation are outlined the results of the implementation of a program.

This intervention program has a multimodal (e.g. motivational interviewing, cognitive-behavioral and psycho-educational strategies) and a multilevel (individual and in group) approach. The program is composed of 24 sessions, on a weekly basis. The main goals of this program are: 1) abolishing the abusive behavior against women; 2) changing irrational believes and attitudes towards marital violence; and 3) promoting personal and social skills to prompt healthy relationships and the use of non-violence strategies in the resolution of domestic conflicts, thus fostering respect towards women.

Our sample was composed of 45 male batterers: 21 submitted to intervention in the community; 7 submitted to intervention in prison and 18 in the control group. Subjects were assessed in five different moments (pre-test, in-between post-test, final post-test, 3 and 6 months follow-up). A series of self-report measures (Marital Violence Inventory (IVC), Marital Violence Believes Scale (ECVC), Brief Symptom Inventory (BSI), Problem Solving Inventory (IRP), Buss & Perry Aggression Questionnaire (AQ) and Rosenberg Self-esteem Scale (RSES) were used to assess change and a risk rating scale (Spouse Abuse Risk Assessment - SARA) was used to assess the risk of marital violence.

Our results showed that community batterers have a significant reduction in aggressive behaviors towards their intimate partners, a significant reduction in attitudes that legitimate marital violence and a significant reduction in psychological symptoms. Additionally, subjects in community revealed a significant improvement in problem solving, coping strategies and self-esteem. On the risk measures, subjects presented a significant reduction in the re-offending risk. Lastly, there are statistically significant differences between the community batterers and the other two groups. Interestingly the community batterers submitted to intervention are those who have significantly more improvements.

In short, these data suggest that this intervention program for marital offenders produces positive outcomes in community batterers that can account for a reduction in recidivism. On the other hand, batterers in prison did not reveal positive changes probably because they are a different group and program curricula do not match to their needs.

**9**
**'BIRDS AND SLUTS: VIEWS ON YOUNG WOMEN FROM BOYS IN THE GANG'**

Loretta Trickett
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The sexual abuse and exploitation of young women in the UK by both juvenile and adult offenders continues to be a significant problem which has dominated recent media headlines. This paper contributes to the debate about violence against young women through an examination of attitudes exhibited by male gang members towards young women and sexuality. The Home Secretary in the UK has recently committed Government funding to tackling the issue of sexual violence by male gang members. This paper provides an evaluation of the criminal justice policy which has emanated from this funding and concludes that it is unlikely to be effective. A comparison is made with recent high profile cases in the UK of sexual grooming of female adolescents by groups of adult men and rapes perpetrated by male celebrities which have remained unprosecuted for decades, The paper contextualises these examples within a discussion about pornography, in particular, the commercialisation of children as sexual objects together with contemporary debates about feminism in order to better inform criminal justice policy on sexual abuse in the UK and in Europe more generally.

**Keywords:** *Sexual Violence, gangs, grooming, feminism*

# WRONGFUL CONVICTIONS

## 11
## WRONGFUL CONVICTIONS

Lynne Copson
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**Overview:**

Historically, the issue of wrongful convictions has been neglected by legal scholars and critical social scientists alike, and within lay discourse is typically assumed to be captured within the broader concept of 'miscarriage of justice'. The aim of this panel is to call for recognition of wrongful conviction as a social and criminological problem in its own right. Presenting a selection of papers which highlight both the problems leading to and resulting from wrongful convictions, both for individual actors and the criminal justice system itself, it calls for further recognition and examination of wrongful convictions within criminology.

The panel is structured as follows:

1. The symposium starts by outlining problem of wrongful convictions, making the case for the need for a more central focus on wrongful convictions within criminology.

2. The second paper engages with how wrongful convictions are defined. Analysing successful appeals, it distinguishes between 'abortions of justice', a new concept to denote wrongful convictions that are caused intentionally, and 'miscarriages of justice', which are caused without the direct intent of individuals and/or criminal justice system agents. It concludes by offering different potential strategies to prevent wrongful convictions in light of this new conceptualisation.

3. The third paper looks at the issue of how wrongful convictions arise. It presents an analysis of procedures and processes within the criminal justice system which give rise to wrongful convictions and suggests means of reforming the criminal justice system to address such issues.

4. The final paper considers the victims of wrongful conviction. It examines the harm of wrongful convictions to those so convicted and, in particular, critically explores the exclusion of such individuals from claims to 'legitimate' victimhood.

**Presenters/papers:**

 1. Lynne Copson (*University of Edinburgh*), C. Ronald Huff (*University of California, Irvine*),
 Michael Naughton (*University of Bristol*)
 *Abstract Title:*
 "Why criminology should be more interested in wrongful convictions"

 2. Michael Naughton (*University of Bristol*)
 *Abstract Title:*
 "Preventing wrongful convictions: "Abortions of Justice" versus "Miscarriages of Justice""

 3. C. Ronald Huff (*University of California, Irvine*)
 *Abstract Title:*
 "Wrongful Convictions and Prosecutorial Discretion: Issues and Recommended Reforms in U.S. and European Criminal Justice Systems"

 4. Lynne Copson (*University of Edinburgh*)
 *Abstract Title:*
 "In Pursuit of the (Il)legitimate Victim: Recognising the Harm of Wrongful Conviction"

**12**
**WHY CRIMINOLOGY SHOULD BE MORE INTERESTED IN WRONGFUL CONVICTIONS**

Lynne Copson[1], C Huff[2], Michael Naughton[3]
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[2]*University of California, Irvine, Department of Criminology, Law and Society, Irvine, United States*
[3]*University of Bristol, Law School/Department of Sociology, Bristol, United Kingdom*

As a roundtable discussion, this paper introduces a symposium of papers exploring the topic of 'wrongful convictions'. The session starts by giving a general overview of the issue of wrongful convictions and problematizing both its historic neglect by criminology and tendencies towards conflation of the issue with the broader concept of 'miscarriage of justice'. Clarifying the distinction between 'miscarriage of justice' and 'wrongful conviction', the aim of this discussion is to make the case for the need for a more central focus on wrongful convictions specifically within criminology. Providing a backdrop for the subsequent papers included within the panel session, the presenters will each outline and explain the roots of their interest in wrongful conviction and make their respective cases for why criminology should be more interested in wrongful convictions.

The following key questions will be explored in this presentation:
> Why have wrongful convictions been neglected by criminology?
> Why should criminology be more interested in wrongful convictions?
> How should criminology go about recognising and researching wrongful convictions?
> What are the challenges wrongful convictions pose to criminology?

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**13**
# PREVENTING WRONGFUL CONVICTIONS: "ABORTIONS OF JUSTICE" VERSUS "MISCARRIAGES OF JUSTICE"

Michael Naughton
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This paper argues that previous analyses of wrongful convictions are problematic from the perspective of trying to prevent them as they have conflated very different phenomena under the same nebulous term. Put simply, how wrongful convictions are defined is crucial to their prevention as it determines how they are understood and what can be done in response. From an analysis of successful appeal cases and the routine operations of the criminal justice system, a distinction is made between 'abortions of justice', a new concept to denote those wrongful convictions that are caused by intentional breaches of the due process safeguards aimed at preventing them, and 'miscarriages of justice', which are defined as wrongful convictions that are caused unintentionally. It is concluded that abortions of justice can be prevented by a vigorous approach to holding to account with the use of criminal sanctions any individual or public official who knowingly and intentionallybreaches a safeguard against wrongful convictions. However, a far more sophisticated approach to remedy the causes of miscarriages of justice is required as they are systemic and rooted in the routine operations of the criminal justice process at the pre-trial and trial stages.

**14**

## WRONGFUL CONVICTIONS AND PROSECUTORIAL DISCRETION: ISSUES AND RECOMMENDED REFORMS IN U.S. AND EUROPEAN CRIMINAL JUSTICE SYSTEMS

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[2]*Columbus, United States*

One of the important factors contributing to wrongful convictions – prosecutorial errors, misconduct, and the abuse of discretion – has received relatively less attention than other factors. In the U.S., far more convictions are attributable to "plea bargains" than to jury trials and far too many *Brady* violations occur when prosecutors fail to disclose to the defense evidence that was potentially exculpatory or which could have impeached government witnesses and which, if known to the defense, would have made a significant difference in the case. In inquisitorial systems operating under continental law, similar alternative and summary proceedings are utilized that also result in convictions without trials. In this paper the authors discuss important factors that contribute to wrongful convictions in both types of criminal justice systems and offer some recommendations for reforms that could reduce such errors.

**Keywords:** *prosecutorial discretion; plea bargaining; summary proceedings*

**15**

# IN PURSUIT OF THE (IL)LEGITIMATE VICTIM: RECOGNISING THE HARM OF WRONGFUL CONVICTION

Lynne Copson
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This paper considers the victims of wrongful conviction and the harm experienced by those so convicted. Specifically, it focuses on the social construction of victims and victimhood within a broader 'culture of victimization' and in relation to the emerging discipline of zemiology, a critique of criminology and the concept of crime itself, for understanding and addressing harm.

The paper begins by developing Christie's (1986) concepts of 'ideal victim' and 'ideal offender' to provide an analytical framework for considering the extent to which contemporary orders of discourse and social institutions confer legitimacy on victims to the extent to which they fit these categories. In so doing, it argues that, such orders or discourses and institutions construct and reflect a 'hierarchization of victimhood', generating legitimate and illegitimate victims by virtue of the way in which harm is caused to them, rather than by virtue of the way in which harm is experienced by them. Against such a backdrop, the paper argues, victims of wrongful conviction are rendered 'illegitimate' such that their victimisation is at best neglected and at worst denied as a result of a preference for harm as a discrete, individualised act, enshrined within the criminal justice system and perpetuated by criminology. Ultimately, it argues, that this 'hierarchization of victimhood' has important implications for both individual's experiences of the harm of wrongful conviction and social recognition of that harm, operating hegemonically to reinforce the distinction between criminal and non-criminal harms and reflecting an ethic of 'moral luck' as to whether one's experiences of harm are recognised and addressed. This, in turn, highlights a fundamental difficulty for any consideration of the harm of wrongful conviction within the discipline of criminology.

# MANAGERIAL CRIME PREVENTION AND MANAGERIAL INTERNATIONAL MIGRATION

**16**
## CRIME AND ETHNICITY IN FRANCE

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France has the largest Muslim and Jewish population in Europe and holds a long immigration tradition. Official data in France do not recognize race, ethnicity, or religion as fundamental characteristics of people and for a long time, official crime data would ignore foreigners and non-French immigrants. The recent data however reveal that the latter are significantly overrepresented among criminal suspects held in custody and in prison, though this situation varies by offense and according to status. The presentation will examine why this is so. An important proportion of immigrants have violated immigration laws, they are not a threat to society. The overrepresentation of others may be explained by the lack of fixed residence and the possible risk that they will not turn up if summoned by a judge. Research on this issue is exiguous and it is unclear whether disparities represent invidious bias of the criminal system or are the results of disadvantaged socio-economic conditions or come from differences in records of past criminality. Most recent data from both official sources and researchers will be presented, including opinion polls. After declining substantially, xenophobia among the broad French public is indeed on the rise again.

**Keywords:** *France; immigrants as suspects; ethnicity; crime and prison data.*

# RUSSIAN CRIMINAL POLICY AND MANAGERIAL CRIME: PROBLEMS, PROSPECTS.

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The present article studies managerial crime prevention in the Southwest of the North Caucasian region of the Russian Federation. Institutional theory and semantic conception is used to research tortious behavior of state or municipal officers, as well as superior administrative staff in commercial organizations. The study is based on theoretical supposition that existing social structure in a form of a special stratum of subjects executing managerial functions and organizing social life possesses a quality to issue criminogenic laws, managerial unlawful activities consisting in the aggregate of delicts and reasons generated thereof.

Qualitative analysis describing problems of interaction of formal and informal institutions of the administrative system in the Russian Federation, transformation of criminal and criminological policy regarding managerial crimes in the context of their conformity to the citizens' interests will be presented as well as evaluation of ratio between spent funds and results, suitability of the offered reforms to achieve certain goals will be analysed. The study focuses on the forms of officers' delicts, tortious manifestations of the officials who perform control and administrative functions, the reasons behind them, social and psychological degradation of the officials who commit jobbery. In the conclusion various possible forecasts of development of the situation regarding managerial crimes and acceptance of it by public institutions are given.

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**18**
# BEST PRACTISE ENHANCERS FOR SECURITY IN URBAN REGIONS

Andreas Armborst
*University of Freiburg, Sociology, Freiburg, Germany*

The urban environment is related to different kinds of social problems like crime, urban unrest, poverty and segregation, which taken together amount to urban insecurities, actual and perceived. Europe has seen rapid expansion of its urban environments, with favorable and less favorable consequences of this development. As the urban and architectural landscape changes, so does the pattern of deviant behavior. The presentation depicts the EU project BESECURE – an international research consortium composed of private sector representatives, research organizations, urban planners and NGOs. The team investigates criminogenic and preventive factors in eight European urban regions: Belfast (UK), The Hague (NL), Freiburg (GER), London Tower Hamlets (UK), London Lewisham (UK), Napels (IT), Reggio di Calabria (IT), Poznan (PL).In each case study areas hot spots of crime and insecurity are identified and investigated in regard to their criminogenic and preventive features: Which spatial, social, and institutional factors facilitate criminal behavior (such as drug dealing) in a particualr area of the city and which actors engage by what means in the prevention of crime in the setting?

**19**

# MANAGERIAL EXPERTISE AND EXPERIENCE IN URBAN SECURITY: THE PROSPECTIVE CONTRIBUTION OF POSTGRADUATE CRIMINOLOGY'

Adam Edwards, Gordon Hughes, Nicholas Lord Lord
*Cardiff University, School of Social Sciences, Cardiff, United Kingdom*

The paper discusses findings from project URBIS (See, http://www.urbisproject.eu/index.php/en/) which questions the possibilities for 'urban security management' given the increasing freedom of movement of people, goods and services across national borders, an increasingly austere economic climate and consequent pressures on governing capacity in European cities. The distinctiveness of the current situation is captured in the idea of 'acting locally while thinking globally' about threats to the freedom and security of European citizens. In particular, the project explores which public authorities are empowered and legally obliged to manage urban security, what skills and competencies they have to undertake this responsibility and what educational and training provision currently exists in support of their work. This paper concentrates on the kinds of managerial expertise and experiences which respondents from the European Society of Criminology (ESC) and policy-makers in the European Crime Prevention Network (EUCPN) have identified as priorities for the strategic management of urban security in European cities. It uses this prioritisation as a basis for reflecting on the kind of postgraduate education and training that putative urban security managers require in order to fulfil their managerial role.

# BORDERS, TECHNOLOGY, AND MOBILITY: FORMER YUGOSLAVIA'S STATES IN AND OUT OF THE (CYBER)'FORTRESS EUROPE'

Sanja Milivojevic
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Contemporary 'world in motion' (Inda & Rosaldo 2002) is underpinned by two overlapping yet contrasting processes: removing the borders for some; and generating new segregation zones for 'human waste' (Bauman 1998), for whom the processes of social exclusion are ever-present. 'The excluded' encompass a broad category of 'the Other': from organized crime networks, terrorists and paedophiles, to refugees, asylum seekers, working class/unskilled immigrants, and migrant sex workers. In this context, policing the border is becoming a centrepiece of state intervention (Weber 2012), and is increasingly mobile, incorporating pre-emptive and repressive measures both at and beyond the physical border. Commonly tied to security narratives (Pickering, 2008, p. 175; see also Neal 2009), border-policing initiatives are carried out by a range of public and private actors, and include the range of new technologies, such as biometric data, central database of passport photos, wireless surveillance and facial recognition technology (Kozlowski 2004; Evelien 2005; Sun et al. 2011). In Europe, the officials argue that '[t]he abolition of internal border controls cannot come at the expense of security' (European Commission 2012). Occasionally, the walls of the 'Fortress Europe' are physical; more often, they are less visible yet potentially more effective. The segregation zones in modern Europe have been largely built, expanded and maintained through numerous hi-tech initiatives, creating what some commentators call 'Cyber-Fortress Europe' (Guild et al. 2008).

This paper will look at three former Yugoslavia's states that are at the moment in various stages of the European integration process – Slovenia, Croatia, and Serbia. The paper will investigate key points of development of 'Cyber-Fortress Europe', as well key debates in relation to border policies in these countries. It will identify the requirements imposed by the EU to ascending countries in the context of border security, especially in relation to the introduction of new technologies around and at the border. Finally, the paper will reflect on how the process of EU (non) enlargement might impact on crime countermeasures and mobility in the region.

**21**
**FROM THE USUAL TO UNUSUAL SUSPECTS: THE 'FORGOTTEN ACTORS' IN DISCOURSES OF CRIME.**

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Criminology, and to a lesser extent criminal justice agencies, have recognised the need to extend the boundaries of crime and 'race' discourses beyond the narratives of 'black' and white communities in order to recognise the complex diversity of citizens and citizenship. However, it is still the case that there are communities whose experiences and perspectives remain hidden and ignored. These communities thus become assumed into broader community and 'race' criminal justice policy making contexts. This paper offers case studies of two such groups - the Chinese and Gypsy and Traveller communities in England and Wales - to examine how and why such groups remain on the periphery of community and criminal justice partnerships and practices. We reveal the cultural assumptions and stereotypes criminal justice agencies draw on when conceptualising these communities and discuss the obstacles and barriers faced in forging working partnerships between them. This paper argues that in order for criminal justice policies to effectively engage with all communities, an inclusive approach, which recognises and makes use of the stories of crime and crime control from the communities themselves, should be adopted.

**22**
# POLICING HATE AGAINST GYPSIES, TRAVELLERS AND ROMA IN EUROPE

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The policing of Gypsies, Travellers and Roma in Europe is largely perceived as the management of problematic communities who do not conform to traditional sedentarist notions of stopping and staying in particular places. Gypsies, Travellers and Roma are therefore stigmatised by communities as strangers who need to be controlled and assimilated. This paper explores how the institutionalised process of stigmatisation of Gypsies, Travellers and Roma has resulted in them experiencing high levels of crime committed against them that is borne of bigotry. The paper therefore examines how policing hate against Gypsies, Travellers and Roma in Europe is addressed by trans-national, national and local initiatives, policy and practice. The paper draws on empirical research and desk based policy analysis carried out by the author. The paper concludes that policing approaches across Europe are ill-prepared to support and manage Gypsies, Travellers and Roma as victims of hate crime. It considers new approaches to academic and practice perceptions of Gypsies, Travellers and Roma that may facilitate better policing of hate for these communities and others.

**23**
# POLICING AIRPORTS: MUSLIM EXPERIENCES OF INJUSTICE AND 'OTHERING'

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The problem of societal breakdown, 'revealed' in alienation, disengagement, and anti-social behaviour (including extremist violence), has in recent years been a central theme informing the development of policing policy and practice. In this paper, I examine one response of state authorities, which has been to subject particular minority communities to increased practices of surveillance and intervention. Drawing on interviews conducted with 55 Muslims in Scotland, I consider how the experience of interactions with border control and fellow travellers at airports may inadvertently work to deepen social alienation and division. More particularly, I report (a) how such interactions are felt and understood and the role of national and other salient identities in this process; (b) the consequences for people's understanding of themselves and their relationship with authorities; and (c) how these understandings in turn are used to explain non-compliance and disengagement from authorities. I will conclude with a discussion of preliminary findings from my current partnership work at two UK airports. The purpose of this work is to share knowledge with airport personnel about Muslims' and airport personnel's subjective experiences of airport encounters; and to involve airport personnel in identifying what should and can change.

**24**
**THE OFFENDERS OF DISABLIST HATE CRIME**

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This presentation looks at the topic of disablist hate crime and the offenders of these crimes. The results were produced using data from four years of the Crime Survey for England and Wales, from the 2007/08 sweep to the 2010/11 sweep. Statisitcal analysis and frequencies were performed on the datasets to ascertain what the characteristics of people were that committed hate crimes against disabled people for example the age of the offender, the gender of the offender, if the offender was known to the victim and where the offence took place. The umltimate aim is to discover if there is a distinct profile of a disablist hate crime offender.

The implications of this research are that it will add to the limited knowledge we have of who the offenders of disablist hate crime are. Research into the topic of hate crime is a relatively recent development, wth research into disablist hate crime being even more so. The bulk of the research that has been permormed on disablist hate crime centres on the victims of these crimes, therefore it is important that academic attention is paid to the offenders of these crimes if we wish to attempt to reduce the incidences of these crimes.

**Keywords:** *Disability, Hate Crime, Disablist Hate Crime, Offenders*

**25**
## DO WORDS GENERATE VIOLENCE? HATE SPEECH DEBATES IN HUNGARY

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The main object of the lecture is the history of hate speech regulation in Hungary which offers lessons in itself about the legal culture of the country, and besides it the recent turn in the regulation towards a more limited concept of free speech gives a specific relevance to the topic (the IX Article of the Fundamental Law of Hungary restricts free speech in order to protect the dignity of the Hungarian nation and the national, ethnical, racial and religious communities).

During the lecture I will sum up the relevant case law of the Hungarian courts and the Equal Treatment Authority and evaluate the possible consequences of the reform. The main issue of the lecture is the discursive interpretation of hate speech debates through the presentation of the relevant cases in Hungary. These cases created a great turmoil in their time in a limited space of elite discourse but otherwise met the silence of the masses of victims and even the growing sympathy of the public opinion. I will argue that in a semi- peripheral country whose (legal) culture is deeply penetrated by prejudice and indifference to the idea of equal dignity the victims of prejudice and discriminative behavior show humble level of legal consciousness, modest interest in these legal solutions, and tend to avoid them, but meanwhile we face utterly conscious and off-hand use of these measures from right-wing actors.

The aim of the lecture is to argue that as a semi-peripheral country, Hungary faces problems which can not be described and understood perfectly in the terms of the Western democracies and the 'pitfalls' of Hungarian practice are deeply rooted in this mostly overlooked aspect of the question.

# STATUS AND CRIMINALITY

## 26
## BETWEEN ART AND BED TIME: THE IMPORTANCE OF STRUCTURED PRO-SOCIAL ACTIVITIES FOR JUVENILES IN INSTITUTIONAL CARE

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Most young people have positive relations to family and friends – and participate in pro-social activities (*school*, *work* and *leisure time*). In contrast, delinquent youths, placed in detention centers, often have dysfunctional relations and negative life experiences in these key areas. The aim of the study is to explore how Swedish detention centers train and prepare the residents in order to improve social relationship skills, school performances, post detention enhance employability, and psychosocial growth by offering challenging pro-social activities (e.g. music, sports, religion, artistry), during their stay at the facility. The project includes 6 Swedish state run institutions (8 wards), where The Correctional Program Assessment Inventory 2000 (CPAI) is used to perform 39 interviews with management and key staff. In addition, we perfomed 120 hours of observations, and administered a questionnaire to all staff (n=102) in the participating wards. Result show that of the total time awake, the residents spend much more time in non-supervised activities (watching TV, playing computer games, spending time with fellow-residents, sports), than in scheduled staff-monitored (school, work, pro-social activities) activities. Both scheduled and non-scheduled activities have a diffuse – or no connection at all – link to a pedagogical, theoretical or methodological viewpoint. The dilemma that the residents neither receive a genuine education, nor job-training, including working moral society values, in order to be prepared for life outside the facility, is discussed.

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# A MIXED-METHODS INVESTIGATION OF THE MOTIVES, METHODS AND CONSEQUENCES OF GANG DESISTANCE

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Prior research typically finds that gang membership is transient in nature, with involvement typically lasting less than one year. In comparison to the knowledge surrounding reasons for joining a gang, researchers know relatively little about leaving gangs. Recent research has begun to build this knowledge base, but multi-site, multi-method studies are still needed to better understand this phenomenon. An increased understanding of gang desistance can help researchers and policy makers intervene in the lives of youth who are gang-involved. In this presentation we provide a mixed-methods investigation of reasons for leaving the gang, methods of gang desistance, as well as any consequences that may result from leaving a gang. To examine these processes we integrate survey data from a sample of 3,820 American students with 180 supplemental interviews with self-identified gang youth from the larger sample. Survey data describe the over-arching patterns of why and how youth leave their gangs. The qualitative interviews provide an in-depth description of these processes.

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**FRIENDSHIP RELATIONS AMONG MALE YOUTH AT EARLY STAGES OF DESISTANCE**

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The question of what contributes to desistance from delinquency is one important topic of criminological sociology. This paper addresses friendship relations among male youth (aged 17-20) at early stages of desistance. While delinquent peer groups are often considered a cause and consequence of individual delinquent behavior in youth by criminological research, the meaning of friendship networks for desistance is largely neglected. Based in a larger study of qualitative, retrospective interviews in Germany, twenty qualitative semi-structured interviews of male youth and of twenty-seven field experts were analysed to explore the role of friendship relations in supporting desistance from juvenile delinquency. Overall, the data illustrates different patterns of desisting from delinquency that are supported by and related to friendship relations in different ways. Especially the volatile dynamics within friendship relations and changing friendship concepts among the youth appear to be crucial in this context. Results indicate that friendship relations may serve as an essential part of the social network of young people in supporting non-delinquent behavior.

**HOW DO MINOR AND SEVERE DEVIANT BEHAVIORS AFFECT THE SOCIAL STATUS AMONG ADOLESCENTS? AN APPLICATION OF COMPLETE SOCIAL NETWORK ANALYSIS ACCOUNTING FOR THE SCHOOL CONTEXT**

Marie Christine Bergmann, Dirk Baier
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Since adolescence is characterized by a relatively high willingness to violate behavioral norms it seems logical to assume that those adolescents who do not behave conformably exhibit a higher status compared to peers who follow societal norms. However, previous research on the association between social status of adolescents and delinquency delivered contradicting findings. Some scholars do find a positive association between social status and delinquency whereas others find no or even a negative relationship. In order to shed further light on this association it seems necessary to differentiate between severe and minor deviance. We expect a rather status enhancing influence of minor deviant behavior and a status limiting effect of severe deviance. Using complete network data of 145 school classes of the 9th grade, we are additionally able to reveal whether the association between delinquency and social status does vary by class characteristics. For instance, in classes with a lower level of violence, violating social norms might be less common and therefore might affect the association of deviant behaviors and social status. In order to account for the clustered structure of the data, multilevel analyses are conducted. Social status is measured by the number of classmates who denominated a fellow pupil as a friend. Minor deviant behavior is captured by truancy, binge drinking and shoplifting, whereas severe delinquency is captured by assault and severe thievery. The results indicate that predominantly the consumption of alcohol increases the social status among peers. Regarding the other forms of deviant behavior no association with the number of friend denominations is found. As a second step and accounting for the high level of variance on the school level, class characteristics are included in the analysis. Implications for further research are discussed.

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**30**
# THE SCHOOL AS AN INFLUENCING FACTOR OF TRUANCY

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As previous research has shown, truants have a higher risk of becoming delinquent. Thus, truancy is an important predictor of violent and other criminal behavior. However, the causes of truancy are only seldom analyzed in criminological research. Since truancy is a school related behavior, it can be assumed that school factors play a major role in causing it. Using a German wide representative sample of almost 40.000 pupils of the ninth grade from 1.200 schools several school factors and their relationship with truancy are tested. These factors are theoretical derived from a push-and-pull-model. Push factors are for instance teacher bullying or violent schoolmates, pull factors are responsive teachers and positive relationships with schoolmates. The results show that teacher bullying and low teacher control significantly increase truancy. Compared with individual risk factors like self-control or school achievement school factors are of lower importance. Additional analyses reveal that there are interactions between individual and school level variables: A high level of teacher bullying particularly increases truancy of pupils with bad grades.

# JUVENILE JUSTICE

**31**
## CHAOTIC PATHWAYS IN AND OUT OF THE BELGIAN JUVENILE JUSTICE SYSTEM

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In this paper we will present the results of an ongoing research on life histories of (former) juvenile delinquents, the effects of and experiences with the Belgian juvenile justice system and desistance from crime.

First, we will present the quantitative results on the trajectories throughout the Belgian juvenile justice system. Some results illustrate an iatrogenic effect of juvenile justice interventions on (life) pathway of youngsters. Therefore, we need to analyse the logic behind the decisions made in those trajectories in a more qualitative manner to get insight into the decisional process of the juvenile justice system.

These more quantitative results on trajectories will then be confronted with the experiences of (former) juvenile justice clients and how they have perceived the trajectory and the contact with the juvenile judge. We will have specific attention for (1) the way in which former juvenile justice clients see the impact of the interventions on their lives, (2) how they experienced the juvenile justice interventions, and (3) how they see their future.

# YOUTH DETENTION IN EUROPE: THE BELGIAN CASE
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In a European comparative perspective, Belgium is often seen as a non-punitive case when it comes to the detention of minors. However, in this paper we will problematize this view.

Although the Belgian Juvenile Justice system can be identified as a classical welfare/protectional system, forms of detention are available to the juvenile justice courts since the very beginning in 1912. Moreover, since 2002 the Federal government introduced new youth detention centers. In 2006 the Belgian juvenile justice system was reformed, with some specific implications concerning the placement/detention of juveniles. Finally, in 2008 a Prison Master Plan was launched by the Minister of Justice which included the implementation of specific youth prisons

Based on available official data for the past 10 years as well as available empirical research we will sketch the Belgian situation regarding the use of the different forms of detention.

We intend to give a critical analysis of the Belgian case regarding youth detention within a comparative perspective including France, the United Kingdom and The Netherlands.

**33**
## GENDERED USE OF POLICE AND BAIL RELEASE CONDITIONS IN CANADA

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In Canada there is concern that an increasing number of bail release conditions are being imposed on youths (Doob and Webster, 2013; Sprott 2012). Moreover, the conditions may not relate to the nature of the alleged offence, to ensuring that the accused attends court, or to reducing public danger (Myers and Dhillon, 2013; Sprott and Doob, 2010). Additionally, there is some evidence of a gendered use of certain release conditions (Sprott and Doob, 2010). Using three years of completed court cases from a large urban court, this study investigates the number and nature of both police and bail release conditions placed on youths. Results reveal significant differences in both the number and nature of release conditions placed on boys vs. girls. With very little being known about the accused at this stage aside from the alleged offence and criminal history, only subjective, personal judgments can be used about the risks accuseds may pose. Thus, it may be that both police and bail release conditions are being crafted based on gendered views of offending and how to manage the risks boys vs. girls may pose on release. Theoretical and policy implications are discussed.

**Keywords:** *police release, bail release, conditions, gender*

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**VOICES FROM INSIDE THE JUVENILE JUSTICE SYSTEM AND BEYOND. PATHWAYS AND LIFE EXPERIENCES OF JUVENILES AFTER YOUTH JUSTICE INTERVENTION (INTERUNIVERSITY ATTRACTION POLE (IAPVII/22) – BELSPO).**

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Throughout the 20th century the Belgian juvenile justice system has been the subject of much criticism and debate. On the one hand, the 'welfare system' has been criticised because it lacks respect for children's (due process) rights. On the other hand, the welfare model (which aims at 'protecting' children and youth) has also been criticised for its far-reaching interventions, often labelled as arbitrary, too severe, stigmatising, etc. National and international research increasingly stresses the *iatrogenic* effect of youth justice interventions. This effect appears to be twofold: the interventions not only impact on youngsters' youth justice (and criminal justice) pathways as such, but as well on their further life experiences in a more broader sense. Youth justice interventions might engender negative effects even years after they have been imposed. In other words, these interventions might have side effects on the youngsters' lives long after they attained majority.

However, the perspective of former children in the juvenile justice system about the possible impact of the juvenile system is rarely heard. That is the reason why we started in February 2013 (until 2017) with a research project with the focus on the experiences of former children of the juvenile justice system in Belgium (1945-1990). To understand the impact of the youth justice intervention on their life trajectory, we will make use of (oral) life history interviews with those former children of the juvenile justice system. In a second phase of this research project, we also make use of their case files (but only when the respondents will give permission) to make a reconstruction of their life trajectory.

In this contribution, I will focus on a literature overview and the research design of this project. Some reflections about methodological issues and difficulties within the 'trajectory' research will be made.

**Keywords:** *Voice of juveniles, impact of youth justice interventions, trajectories, life stories*

**COMMUNITY SANCTIONS AND MEASURES WORKING GROUP: RETHINKING COMMUNITY SANCTIONS AND MEASURES. SOCIOLOGY AND HUMAN RIGHTS**

**35**
**PROBATION AND SOCIAL SOLIDARITY**

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Compared to the sociology of the prison, the 'sociology of probation' has been comparatively neglected. In Europe and the USA that neglect is beginning to be addressed by a number of scholars, both empirically and conceptually. Where these scholars (and the few 'Punishment and Society' theorists who have considered probation, like Jonathan Simon and David Garland) have looked to the founding figures in the sociology of punishment, they have tended to examine probation through a Foucauldian or, occasionally, a Marxist lens. This paper looks in a different direction -- to Durkheim -- to try to make sense of probation's historical development. In particular it seeks to consider whether and to what extent probation can ever fulfill the expressive functions of punishment, and play a part in building social solidarity. Ultimately, it questions whether probation's perennial legitimation crises rest in failure to articulate a morally expressive identity, suggesting that probation research's obsession with its instrumental utllity has unwittingly played a part in its struggles.

# MIND THE GAP: PUNISHMENT, SOCIETY AND COMMUNITY SANCTIONS

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In most Western jurisdictions, offenders subject to community sanctions (which include both community-based sentences and the post-custodial supervision of individuals released from prison) heavily outnumber those serving custodial sentences. Yet it would appear that scholars of punishment and society have largely concerned themselves with the phenomenon of 'mass imprisonment', whilst the parallel and stealthy rise of the 'mass community supervision' has failed to attract serious attention, rendering community sanctions the 'Cinderella' of the field. This paper explores the extent to which community sanctions have been neglected by scholars of punishment and society, taking as its starting point the recent authoritative overview of the field by Simon & Sparks (2013). It investigates whether the apparent gap in the literature reflects a real neglect of community sanctions by scholars in the punishment and society tradition, or whether it is a function of where Simon and Sparks choose to focus their attention. The paper goes on to explore why it might be that community sanctions appear not to have attracted anything like the scholarly attention paid to other penal sanctions (most notably prisons), despite their rapid growth and diversification in many jurisdictions in recent years.

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## "ONE CANNOT LEGISLATE KINDNESS": THE DEVELOPMENT OF EUROPEAN LEGAL INSTRUMENTS GOVERNING NON-CUSTODIAL SANCTIONS

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It is well known that non-custodial sanctions in common law and civil law jurisdictions have different legal and historical roots. Nevertheless, various pan-European instruments have emerged that seek to shape the imposition and the manner of implementation of such sanctions across the continent. These instruments operate within the frameworks of both the Council of Europe and the European Union.

This paper explores the techniques that have been used to establish sufficient consensus in Europe for such instruments to be adopted. It describes the various organisations, including some that operate internationally and not only within Europe, that have contributed to such a consensus. Particular attention is paid to the penological theories and human rights ideals that have served as shared values that could be applied to find agreement.

The paper then goes on to consider the tensions that remain within these instruments as a result of the underlying doctrinal differences, and it speculates briefly about how these differences may manifest themselves in the future.

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**GAINING A LOCAL PERSPECTIVE IN INTERNATIONAL DEVELOPMENT OF COMMUNITY SANCTIONS. A STAKEHOLDER EVALUATION AND CONSULTATION PROCESS USED IN JORDAN**

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The author had the opportunity to conduct a series of consultation and evaluation interviews and meetings with a wide range of stakeholders, both within and outside the Criminal Justice system in Jordan, to establish a model of Community Sanctions that was appropriate for Jordan. This work is part of a wider Criminal Justice Reform Neighbourhood project, funded by the EU. The meetings were conducted with UK criminal justice expert Joe Woods. Often international work inherits a development contract which has already set the parameters, and the beneficiary country can somtimes feel that international experts impose their ideas in shaping policy and practice. This was an opportunity for the beneficiary country to create the model, within international standards of human rights.

The methodology used was based on Guba and Lincoln's Fourth Generation Evaluation, which had been used previously by the author in her MPhil, evaluating probation work with long term prisoners. This methodology involves interviewing the first respondent with a very brief introduction, i.e. to describe the topic of developing a new punishment in Jordan to be served in the community and asking for their thoughts. The researchers then build on that material with the second and consequent respondents. The main content of the interview comes from the respondents, with minimal clarification and prompting from the interviewer. The interviews took place over four months with over 150 individuals and small groups (ranging from from Secretary Generals and judges and prosecutors to local community groups, victims' organisations and offenders). Interview notes were checked with the interviewees and anonymity was confirmed. The emerging themes from the interviews formed the grouping of the results, which were then collated into a database. The results were taken forward through a report prepared for the Ministry of Justice, based on "claims, concerns and issues" (Guba and Lincoln) i.e. areas of clear agreement, areas of clear disagreement and issues for further discussion. A model for Community Sanctions in Jordan has been drafted and these issues will be futher discussed with stakeholders. Jordan has a strong tradition of tribal law and mediation and it was important to gain an understanding of how this and the role of the victim links to the formal court system.

Further interviews and focus groups are taking place, using the same approach, as we refine the questions to explore. Both researchers have had experience of developing community sanctions in other countries and felt that it was important for Jordan to define the model as far as possible, within core principles of human rights and European probation principles.

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# CROSSING CULTURES: TRANSFERRING PUBLIC POLICY AND PRACTICE - A CASE STUDY FROM TURKEY

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There has been a considerable amount of international exchange in criminal justice in recent years, with countries seeking to learn from each other and sometimes to import specific institutions and practices. This area of activity, commonly known as *policy transfer*, has also generated an extensive academic literature. Much the literature, however, has been relatively theoretical and / or set at a high level of policy; the details and processes of how transfer takes place in practice have received much less attention.  This has opened up something of a divide between theory and practice, aggravated by the considerations that relatively few of the 'theorists' have personally been involved in transfer activities and that no more than a few of those who have been directly involved have gone on to write about their experiences.  Mary Anne McFarlane and Rob Canton are compiling an edited collection of papers that tries to bridge this divide in a book to be published later year by Palgrave Macmillan. Their book discusses in detail a project in Turkey to develop probation practice, especially in working with the victims of crime and with young offenders. The chapters are reflective accounts and critical discussions of the experiences of many of the experts who were personally involved in delivering the project.

Although the book focuses on a particular project, it also stands as a *case study*: a detailed description and analysis of a single project which may nevertheless illuminate other activities of this type. Any such activity must take account of differences (for example) of culture and tradition, of language, law, attitudes towards diversity, processes of policy development, management and training. The ways in which the contributors responded to these challenges are set out here and their reflections on their experiences will be of value to those planning transfer activities in other countries and indeed in other professional areas. The book raises several fundamental questions, some of which have been relatively neglected in the literature. Will 'what works' in one country work in another? How should effective practices be adapted to take account of the different context? How should such projects be evaluated? What would count as success? These reflections are of considerable theoretical interest because the inquiry involved in addressing them illuminates the 'drivers' of criminal justice development. Policy transfer could indeed be seen as applied comparative criminology.

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## BREAKING DOWN THE CORPORATE CRIME KNOWLEDGE BASE: LESSONS LEARNED FROM A SYSTEMATIC REVIEW OF CORPORATE CRIME DETERRENCE

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A recent Campbell Collaboration Systematic Review was conducted to examine the deterrent effects of official actions by governments and regulatory agencies on corporate crime (Simpson, Rorie, Alper, Schell-Busey, Laufer, and Smith, 2013). Systematic reviews rely on extensive and exhaustive literature reviews, but are limited in the kinds of research that qualify for inclusion and in the ways that the data are examined and understood. In this paper, we conduct a critical assessment of the knowledge base utilized for the corporate crime systematic review. Specifically, how does a critical approach to corporate crime differ from the empirically based approach adopted by meta-analytical research? What is gained and what lost comparing the two approaches? Can we use the data from a systematic review to reveal particular biases (resulting from where are the data generated)? Given the wide range of corporate crime types and the wide range of official actions that may be taken, what types of crimes and what types of actions are being studied and what is missing? Finally, the paper examines the gaps in the current literature and describes an agenda for future research to improve our understanding of the effectiveness of official responses to corporate crime.

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# TRAJECTORIES OF WHITE-COLLAR OFFENDERS IN THE NETHERLANDS: DIVERGENT CRIMINAL CAREERS AND PROFILES

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**Objective**: This paper analyzes the criminal development and socio-demographic profile of a sample of prosecuted white-collar offenders in the Netherlands. It identifies trajectory groups and describes profiles based on criminal, socio-demographic and selection offence characteristics.

**Methods**: Following the offence-based approach to white-collar crime, the criminal development of 644 prosecuted white-collar offenders in the Netherlands was examined on the basis of registered cases at the Netherlands Prosecution Service from 12 years up to the end of the observation period. Additionally, socio-demographic background information about the sample was gathered. Trajectory analysis was used to describe the age-crime curve and trajectories.

**Results**: Underneath the general age-crime curve the criminal career dimensions vary substantially for the sample. The socio-demographic profile shows a heterogeneous view of white-collar offenders. Trajectory analysis distinguished four trajectories of offenders with distinct socio-demographic and criminal profiles. Two adult-onset groups are characterized by low frequency offending (78.2 %) - Stereotypical White-Collar Offenders and Adult Onset Offenders - and two chronic groups are characterized by high frequency offending (17.8%) - Adult Persisters and Stereotypical Criminals.

**Conclusions**: The overall age-crime curve, mapped for the first time in the present study, and the divergent trajectories of white-collar offenders stress the need for further research into adult offending. The rich data in this study show a substantial diversity in criminal development and socio-demographic profiles suggesting different (developmental) causes for criminal behavior in white-collar offenders. Traditional and 'new' opportunity structures for white-collar crime may operate differently for the various trajectory groups. Implications for further research are discussed.

# MIDDLE-CLASS OFFENDERS AS EMPLOYEES: A 35-YEAR FOLLOW-UP

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A 35-year follow-up of a series of 317 middle-class offenders in England and Wales suggests that the dangers of employing offenders may be more limited than expected. This is an important finding in the present employment context which has changed for the worse from an offender's perspective.

The series of middle-class offenders contacted the Apex Trust, an employment agency for ex-offenders, between January 1970 and February 1974. 54% were placed into white-collar employment by Apex. Although 40% of the total series were subsequently convicted, only 8% were subsequently convicted of offences which directly and adversely affected an employer. The bulk of the OAE (offences against employers) convictions (around two-thirds) occurred after being 'at risk' between two and ten years. In addition, around one-sixth occur before the two-year point and another one-sixth occur after the ten-year point. Overall this work should challenge the 'exaggerated fears' of employers. However, there are problems in trying to predict who is likely to commit OAE offences after being interviewed. Interestingly, variables which normally predict subsequent criminal activity made no impact in trying to predict offences against an employer.

# EMPLOYEE OFFENCES AND REPORTING BEHAVIOUR OF VICTIMIZED BUSINESSES

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The reporting behaviour of private companies can be influenced by several factors: the type and the seriousness of the crime experienced, the resulting damages, the characteristics of the offender, the fear for reputational damage, the trust in the police forces, etc.

One of the most important advantages of victimization surveys is the possibility to identify and to study the information collected on the offences not reported to the police, and to understand the reasons for not reporting them to the relevant authorities.

On the basis of the results of the first Survey on Crime Against Business in Switzerland (2009-2010), this paper aims at presenting the level of crime reporting among Swiss companies, respectively by analysing the main businesses' structural, environmental and organizational factors; factors which could influence the decision of reporting a crime ,or not, when dealing with employee offences.

Indeed, across different countries, crimes against businesses committed by employees are among the least reported to the police, highlighting the need for further research on this issue.

**Keywords:** *Crime against business, employee offences, crime reporting to the police*

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# FRAUDSTERS: PEOPLE OF FLESH AND BLOOD, CRIMINAL ENTREPRENEURS OR SCOUNDRELS?

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A research project looked for a profile of fraudsters guilty of investment fraud, bankruptcy fraud or internal fraud within banks. To that end their criminal files have been analysed to learn their backgrounds and criminal history. To shed light on their modus operandi and their motivations for committing the fraud, the prosecution files of 41 cases were investigated. Finally, attention is paid to the criminal law outcome of the cases: conviction and sentencing.

To obtain insight in these aspects 41 cases of investment fraud (15 cases), bankruptcy fraud (15 cases) and internal fraud within banks (11) have been analysed. Apart of the criminal files, data have been drawn from police records, the data of previous convictions in addition to interviews with financial investigators and prosecutors.

The findings of research are divided in three main subjects. The first concerns the human profile of the fraudsters as people of 'flesh and blood' who tend to see themselves as entrepreneurs rather than criminals. In this regard attention will be paid not only to a general description of the fraudsters and their daily activities but also to their criminal history. As far as their criminal history is concerned, it is important to know whether they commit fraud on an incidental or structural basis. The second main subject concerns the acts of the fraud schemes themselves. Attention will be paid to the nature of their frauds, the amount and damage per case. The third aspects is about the results of the prosecution and conviction of the fraudsters. Therefore, the verdicts first instance have been studied in order to get insight into the severity of the punishment in relation to the crime.

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# LEGAL PHILOSOPHY, LEGAL PRACTICE OF PUNISHMENT AND ITS ALTERNATIVES

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## PUNISHMENT AND ITS ALTERNATIVES, FROM A LEGAL PHILOSOPHERS ASPECT OF VIEW

ILIJA Manasiev
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The aim of this paper is to deal with the main theories concerning punishment as a sociological and philosophical concept. As for this reason, a special argumentation will be delivered to show the correlation to punishment, not only to the legal system, but as well its connection to the part of the legal philosophy which is concerned with the different legal values as justice, peace, and human dignity are.

The paper uses several methods to prove its scientific value. The used methods are historical method, content analysis, legal method and comparative method. The historical method in this paper has been used to present historically the development of the social system for punishment. The method of content analysis has been used in the paper to clarify and present different approaches to the problem of punishment as a social, legal and philosophical category. For the purposes of comparison among many different theories, aims and arguments concerning punishment as a social and legal system, the comparative method of study has been used.

This paper begins with the basic theories concerning punishment, dating its roots to ancient history up to the contemporary writers in Criminology, Criminal law, and Philosophy of law. Punishment has been connected closely to its function, and goals which have been critically argued in the paper, challenging both its structure and goals, through the concept of uncertainty of future conduct and human nature.

The first thesis is that punishment has its own social structure, that forces the other part of the legal system to empower the physical and political power embedded in the state institutions, both of them deriving from the argument that punishment and its system, are a tool for social and legal orientation of people that are a part of a certain legal and social system.

The second part of the paper concerns with the several legal and social relationships concerning the whole process of punishment. Systems for punishing people and citizens have different approaches. The paper aims toward a parallel in moral and legal significance of punishment.

At the conclusion of the paper it is important to say that punishment is a ancient procedure for fulfilling social and legal purposes, that are connected to the individual and group emotions as fear and comfort on one hand, and justice and human dignity on the other side. It creates different and many relationships, that are relative from the aspect of which legal or moral system is applied.

# PUNISHMENT AND CHARITY: SOCIAL CAPITAL AND SOCIAL CONTROL

Philippa Tomczak
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The penal voluntary/charitable sector has long been under-researched but is particularly topical at present. A number of recent policy developments in England and Wales aim to increase the role of this sector in criminal justice (e.g. *Payment by results* pilot schemes, *Breaking the Cycle* Green Paper, *The Corston Report*). These developments have triggered a flurry of academic commentary which provides a marketised understanding of the sector. Scholars have noted that reforms threaten the sector's ethos and independence, posing dilemmas of institutionalisation (Mills et al., 2011; Corcoran, 2011; Maguire, 2012; Neilson, 2009).

However, there remains a need to better understand the relationship between punishment and charity, and the interactions between penal voluntary organisations and the criminal justice system that occur both with a contract and informally. Drawing on qualitative data collected through documentary analysis and interviews with a broad range of voluntary and statutory stakeholders, I provide a new exploration of the penal voluntary sector. Inspired by the tenets of actor network theory, this exploration is historically informed, politically enabling and more theoretically complete than existing accounts, which tend to be dystopian and raise few possibilities for progress or activism. This analysis explores the potential for (ex-)offenders and society to benefit as a result of charitable involvement in punishment (e.g. providing and enabling user access to services and supporting the process of desistance) and illustrates the potential net-widening and control functions of penal voluntary organisations.

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# NEW ALTERNATIVES IN PUNISHMENT: THE "SAFE CUSTODY" AND THE SPANISH CRIMINAL LAW

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The Ministry of Justice wants to amend the Criminal Code to create a new security measure after completion of sentence for serious offenses convicted. This is the safe custody, which would detain up to 10 years in prison, after serving his sentence. It would be a security measure imposed cumulatively to the sentence.

A rigorous analysis of safe custody must wait for the approval of the bill, although it seems that the new measure would apply to serious crimes: sexual assault and child abuse, but also drug trafficking or violent crime and and repeat offenders of serious crimes. It is not reviewable permanent prison, but close enough: longer stay in prison inmate after serving their sentence.

The rise in crime and the existence of high levels of fear of crime among the population are accompanied by a lack of confidence that the measures applied during the execution of punishment will be able to rehabilitate the offender, contribute to public policy of crime prevention are oriented towards the use of long imprisonment accompanied by other measures of incapacitation.

It is a measure imported mainly from Germany, where it is present since 1933 and already used in countries such as Switzerland, UK, France, Austria and Denmark to protect society from criminals when they have served multiple offenders and his prison term.

In USA are very sensitive about sex offenders and have gone on applying measures to neutralize them, which have ranged from public records for this crimes and the chemical castration as a condition of probation, to the creation of measurement known as civil or involuntary commitment under which the prisoner has already served time in custody should remain indefinitely until it ceases to represent a danger to society.

The much-touted social alarm excuse our political representatives to enter a new model of criminal policy aimed at the prevention and punishment of offenses very strictly to preserve security by giving upfreedom in aclear policy of "zero tolerance" for recidivist crime. These reforms based on a disproportionate increase in penalties, whose deterrence effect is more than doubtful, are undermining the most basic guarantees in criminal law that we worked hard to conquer.

The popular discourses of "iron fist policy against crime" which legitimize the reduction of fundamental rights, through policies such as increased penalties and police repression, application of death penalty and emergency laws... They are the result not only from authoritarian conceptions by some political actors in the state, but the pressure on their governments, dominant minorities which operate on media, suitable for generating a social alarm from a massive spread of crimes.

A new system of security measures involving deprivation of liberty based on the dangerousness of the author is going to be a turning point in our criminal justice system that may have consequences even at the constitutional level jeopardizing the principle of guilt.

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# AGENDA-FRAMING AND THE CONSTITUTION OF THE TENABLE AND UNTENABLE IN PENAL POLICY

Richard Jones
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Several sociologists of punishment have argued that the degree of a society's punitiveness is explicable in terms of structural factors of one kind or another. However it is possible that no such causal relationship exists, and that degree of punitiveness is instead a matter of each society's political choice. This raises a question, though, as to why certain policy options are considered viable at a given time in a given country while others are politically inconceivable. This is important in relation to re-imagining penal policy because before one can consider and promote more moderate penal policies we need first to understand why some penal policies are considered self-evidently politically viable, while others are currently completely off the political agenda. The answer cannot simply be that some policies are completely impossible either to imagine or to implement, since penal policy varies hugely between countries as well as within a given country over a period of time. Indeed, in some areas of politics (for example, foreign policy, support for overseas military engagements, or political opinion polls) support often appears to change significantly over quite short periods of time, with quite different policies successively dominating the political agenda. Drawing from research in criminology, sociology, political science and social policy, this paper develops a model of policy 'tenability' in general, before applying it specifically to the area of criminal justice policy. It is argued that this sheds light on topics such as prison abolitionism, the abolition of the death penalty, and prison sentencing; helps identify some necessary preconditions for penal moderation; helps develop our understanding of penal populism; and suggests how a political dimension can supplement sociological studies of punishment.

# AUTHOR MEETS CRITIC SESSION ON TRANSITIONAL JUSTICE AND CRIMINOLOGY: TOWARDS A FRUITFUL DIALOGUE

Stephan Parmentier
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The past half-century has witnessed numerous incidents of extreme violence involving huge numbers of victims and implicating many perpetrators, in Guatemala, ex-Yugoslavia and Rwanda, to name just a few countries. Since the 1990s a new field of study, called transitional justice, has seen the light of day, developing to study how regimes deal with the aftermath of past crimes and human rights violations and (re-)construct the future of individuals, communities and societies. It is most striking that criminology, thé discipline of describing and explaining crimes and the behaviour of offenders and victims, has paid virtually no attention to international crimes and serious violations of human rights. Why this is the case and how both fields can enter into a fruitful dialogue is the aim of this session.
The session is designed as an 'author meets critic' encounter because it will allow comments from an outside academic on two recently published books in the field of transitional justice:
- M. FINEMAN & E. ZINSSTAG (2013) (eds.), *Feminist Perspectives on Transitional Justice. From International and Criminal to Alternative Forms of Justice*, volume 13 Series on Transitional Justice. Cambridge/Antwerp/Portland: Intersentia Publishers, 362 p.
- J. TAMARIT SUMALLA (forthcoming in July 2013) *Historical Memory and Criminal Justice in Spain. A Case of Late Transitional Justice*, volume 14 Series on Transitional Justice. Cambridge/Antwerp/Portland: Intersentia Publishers.

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**TRANSITIONAL JUSTICE AND CRIMINOLOGY: LEARNING FROM EACH OTHER**

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Transtitional Justice, and in particular Truth and Reconciliation commisssions have profited from criminologicval input over the past decades. Restorative Justice has been criminology's major contribution, and transtional justice has helped to prmote restorative justice processes. In addition, criminological engagement with victims, and the increasingly important role of vicitms has decisively shaped transtitional justice processes. However this ahs been a one-way road, and it is a timely endeavour to look at lessons that we can take away from transitional justice processes.  The strong engagement with transitional justice and victims is juxtaposed with a much lower level of contribution to international criminal justice, its procedures and institutions.  In addition, there is little research on perpetrators and mass atrocity events. The two books offer new insights for both types of engagement. They also question a number of assumptions about transitional justice as e.g. the speed, the de-th and the breadth of such procedures. As international justice is presently 'put on trial' the contribution of criminology is needed.

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# HISTORICAL MEMORY AND CRIMINAL JUSTICE IN SPAIN. A CASE OF LATE TRANSITIONAL JUSTICE

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The Spanish transition from the Franco regime to democracy has not been a very popular subject amongst researchers examining transitional justice at the international level. This impression can be easily supported by conducting a search through the list of countries in which the attention of publications and/or scientific activities have focused on this subject. However, Spain presents certain peculiarities that make it an interesting case in which to explore Comparative Law and Criminology. It has sometimes been seen as a model of peaceful transition, but has also been labelled as an example of an "amnesic" transition to a democratic system in which victims' rights, justice and truth were forgotten. During the Spanish transition, some of the decisions taken were very different from those made in Europe and in certain Latin-American countries. This presentation aims to analyse the laws, policies and judicial decisions adopted in Spain that were related to the construction of the past and could therefore be understood as measures of transitional justice.

**Keywords:** *transitional justice, Spain, impunity, justice*

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**FEMINIST PERSPECTIVES ON TRANSITIONAL JUSTICE**

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Truth-seeking mechanisms, international criminal law developments, and other forms of transitionaljustice have become ubiquitous in societies emerging from long years of conflict, instability and oppression and moving into a post-conflict, more peaceful era. In practice, both top-down and bottom-up approaches to transitional justice are being formally and informally developed in places such as South Africa, Liberia, Peru, Chile, the Democratic Republic of Congo, Sierra Leone, Rwanda, the former Yugoslavia, and Northern Ireland. Many studies, conferences and debates exist on a number of aspects of these developments and working in favour of the further elaboration of theories relating to transition justice generally. However, rarely have these processes been examined and critiqued through a feminist lens. The position of women, particularly their specific victimisation, is typically not taken into account in any systematic manner. Seldom do commentators consider whether the recently developed mechanisms for promoting peace and reconciliation will actually help the position of women in a society moving out of repression or conflict. This is unfortunate, since post-conflict societies, because they must rebuild, are ideally poised to introduce standards that would enable and ensure the active participation of the entire population, including women, in building a stable and more democratic polity.

This book aims to help fill this gap by offering some insights of what women and feminist views are on the topic of transitional justice or better said 'justice in transition'. This approach allows us to look at the transformative powers of justice after a period of conflict or insecurity and therefore to include some not directly or uniquely transitional justice views in its strict sense and not entirely or purely feministic views. Instead this is an effort to look in many directions and from different points of views at what justice in periods of transition can do for women and from women's point of view in a post-conflict or post-repression context.

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# AGAINST FISSIPARITY: ATROCITY, JUSTICE AND THE 'UNDISCIPLINED' ACADEMY

Jon Shute
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In recent years, Criminology has begun a long-overdue engagement with inter- and intra- state mass violence, but faces considerable and enduring challenges. Some challenges are related to the essential contestablilty and complexity of the subject matter, while others relate to the sometimes meaningful, often arbitrary, division of academic labour and the non-linear process of knowledge-production in intersitial fields. This paper first offers a brief critical survey of recent trends in criminological and socio-legal scholarship on mass violence and its legacy, and then, with reference to key arguments of the author(s) and book(s) reviewed, discusses the potential for a criminology of atrocity to both learn from and inform the strongly cognate literature on transitional justice. The paper concludes with a call for a core research agenda, together with the promotion of what Woolford (2006) has called an 'undisciplined' - that is, a reflexive, interdisciplinary and critical - approach to that project.

**METHODS AND APPROACHES IN THE PREVENTION OF REOFFENDING I.**

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**REDUCING RECIDIVISM THROUGH PROBATION SUPERVISION**
Chris Trotter
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This paper presents findings from a systematic literature review of studies which have examined the relationship between client recidivism and supervision skills of probation officers, and others who supervise offenders on community corrections orders. It concludes from the eight studies examined that when probation officers display high levels of certain supervision skills, their clients have recidivism rates up to 55 per-cent lower when compared to clients who are supervised by officers who display low levels of those skills. The studies point to the skills of pro-social modelling, problem solving and cognitive techniques as consistently related to low client recidivism, however, the studies use varying definitions of those skills. For example the studies place different emphasis on who decides which issues are to be addressed – the worker or the client. Also there is much overlap in the definitions of the key skills with some studies identifying problem solving and pro-social modelling as components of cognitive skils rather than as separate skills.

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# EXPLORING PRISON EDUCATION IN IRELAND: PRISONER'S EXPERIENCES, SOCIAL CAPITAL AND DESISTANCE

Geraldine Cleere
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While the link between prison education and reduced rates of recidivism is well established in the criminological literature, less is known about the relationship between prison education and desistance (the process of ceasing to commit crime). Several international studies suggest that prison education promotes change in offenders which, it is hypothesised, can in turn lead to an increase in social capital and social bonds, both of which are proved to be important contributing factors in the process of desistance.

The multi-method research project which underpins this paper is specifically designed to explore, through interviews, prisoners' experiences of prison education and to investigate whether or not participation in prison education contributes to an offender's social capital and enhances their ability to desist from crime. Quantitatively, this paper examines levels of social capital and prison-based social capital among prisoners participating and not participating in prison education. This paper will present the findings of the research beginning with a discussion of the conceptual framework and methodology, followed by an examination of the possible links between prison education, social capital and desistance from crime. Having presented the findings, the paper will conclude by considering the implications for theory and practice.

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**THE SIGNIFICANCE OF OPENNESS DURING YOUTH CUSTODY FOR RECIDIVISM**

Tove Pettersson
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In 1999, Sweden introduced a new Act focused on young persons aged 15–17 who commit serious offences. The object of the Act was to replace prison sentences with a new sanction in the form of youth custody, which would involve a placement in a special approved home. An earlier study shows that the sanction has not only been used as a replacement for prison sentences, but has also led to an expansion in custodial sentencing in the form of "net-widening". There has also been a substantial increase in the length of custodial sentences awarded in connection with the new sanction. Together these findings raise questions about the consequences of having expanded the group of youths sentenced to a custodial sanction in Sweden, and of the increased length of the custodial sentences to which this group is subjected.

Interestingly this prior study also shows that the youths who were not subsequently registered for recidivism had more regularly been on day leave and night leave from the institutions in which they served their sentences. However, it is difficult to know whether it is the openness of the sentence that has affected the risk for recidivism or whether it is other factors (other than prior criminality which was controlled for) that have affected both the likelihood of being given institutional leave and the recidivism risk.

Against this back drop this study aims to further investigate the connection between openness and recidivism. The data consists of all youths in Sweden sentenced to youth custody 1999-2007 and their recidivism three and five years after the sentencing. A large number of information before, during and after the youth custody has been collected. Also interviews with staff members and convicted youths have been conducted. Some preliminary results will be presented.

**CROSSING THE BRIDGE BETWEEN OFFENSE, CRIMINAL SANCTION AND SOCIAL REINTEGRATION OF JUVENILE DELINQUENTS**

Mihaela Tomita
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The research of juvenile delinquentsresilience is considered, by specialists, as a first fundamental step, both in terms of identifying the causes that lead to committing crimes by juveniles and especially for identifying the most effective recuperative responses that professionals working with this category of minors, are called to respond and intervene. Our research, based on the experience of working with children from reeducation centers for minors, seeks to show that the cause-effect relationship is an essential first step in establishing the necessary recuperative intervention for each juvenile offender, through the study of risk and protective factors.

Ourworking hypothesis is that the study and understanding of the complex relationship between the two components, the two categories of factors, lead to the improvement of the delinquent minors' resilience and are basic tools for choosing the most effective intervention. The development of research techniques for improving the resilience of this category of children can lead, implicitly, to the effective assessment of strategies, policies and innovative programs for the effectiveness of the criminal justice system for minors. This paper represents the results of a qualitative research, based on the focus group method, research that reflects the opinion of professionals working with juvenile offenders within the criminal justice system in Romania.

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# POLICING WORKING GROUP: PLURAL POLICING OF PUBLIC PLACES

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## PLURAL POLICING OF PUBLIC PLACES

Jan Terpstra
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One of the main developments over the past two decades in the field of policing and security has been the pluralisation of policing. Many countries were faced with the rise of new providers of policing, in addition to the regular police. To a significant degree this process of pluralisation is a local phenomenon. The new forms of policing generally concentrate on the management of petty crime and social disorder in public places. Multiple actors may be involved in the prevention and management of crime and insecurities sometimes in local security networks and partnerships. International comparative studies are needed to understand plural policing and the consequences it may have. In addition to important similarities in plural policing between the different jurisdictions, it may expected that there are also significant differences in plural policing, as well as in its legal, social, political and economic contexts and in the impact it may have. This session focuses on a comparison between different European practises of plural policing crime and social disorder in the public space. A comparison of the legal infrastructure, the operational setting, the cooperation and the daily practice of different local actors (public police, city-wardens, police support officers, inspectorates…) operating in the public space to tackle crime and disorder will be discussed in the Netherlands, Belgium, France and the UK.
Presentations in this panel are by:
- Elke Devroe (Belgium): Plural policing in Belgium
- Jacques de Maillard (France): Plural policing of social disorder in France
- Trevor Jones (England & Wales): Plural policing in England & Wales
- Jan Terpstra/Bas van Stokkom (Netherlands): Who patrols the streets? An international comparison.
Chairman: Jan Terpstra/Elke Devroe (e-mail: j.terpstra@jur.ru.nl)

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# PLURAL POLICING IN BELGIUM

Elke Devroe
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One of the challenging consequences of the late modernity was the shift from governing to governance, the *responsabilisation* of local actors and citizens in the security field and the *fregmentation* of policing in the public space. Multiple actors are preventing and tackling crime, disorder and insecurities in big cities, steered by the Mayor, in the so-called '*integral security approach*'. This lecture will describe, based on empirical data from the PHD '*A swelling culture of control? The genesis and the application of the incivility law in Belgium*' (Devroe, 2012), different surveillance agencies operating in the public space to prevent and tackle disorder. In Belgium the '*wardens of peace'* were installed in the cities, and given specials tasks of prevention, surveillance, re-assuring and even controlling citizens in the public space. They have limited arresting competences and do not wear fire-arms. However, their tasks and role is gaining importance and they are regarded as the 'eyes and ears' of the Mayor. In this lecture their official competences, their daily life experiences and the relation with the (public and private) police are discussed.

# PLURAL POLICING OF SOCIAL DISORDERS IN FRANCE

Jacques De Maillard, Mathieu Zagrodzki
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At the interface between social prevention, mediation and repression, have emerged a series of new jobs over the past twenty years. They blur the boundary between policing and social control. The question then is whether these new agents actually help to regulate collective spaces, *ie* to prevent disorders, to resolve conflicts or to promote forms of living together. Based on a study of the nightwatchers (*correspondants de nuit*) and security inspectors (*inspecteurs de sécurité*) of the City of Paris, this article examines their role on the basis of the skills they are able to mobilize, their presence in neighbourhoods and their participation into local security partnerships. These new professions do not address the domain of prevention in the usual sense, any more than law enforcement, but seem to correspond to the professionalisation of monitoring and disapproval. The question, then, is whether this represents another way of policing cities and enforcing peace and order, not performed explicitly by criminal justice professionals or directly by the community, but by new professionals attuned to their neighbourhoods. This article questions the ambivalences, paradoxes and weaknesses of these new jobs and, therefore, the difficult renewal of public safety functions.

# ELECTED POLICE AND CRIME COMMISSIONERS AND PLURAL POLICING ACCOUNTABILITY IN ENGLAND AND WALES

Trevor Jones
*Cardiff University, School of Social Sciences, Cardiff, United Kingdom*

The pluralization of policing in England & Wales is now widely recognized. A burgeoning private security sector and a plethora of municipal and other bodies are involved in the provision of investigation, law enforcement, loss prevention, patrol and public reassurance functions, as well as the public police. Recent years have seen a particular debate in England and Wales on proposals for the further privatization of public policing functions in the face of significant public expenditure cuts. Policing pluralization brings a number of specific challenges for democratic accountability, for example raising concerns about transparency, fragmentation, equity and effectiveness. However, debates about policing accountability remain focused firmly upon the public police institution. This paper examines the issue of plural policing accountability in light of the recent establishment of elected Police and Crime Commissioners (PCCs) in England & Wales. It explores the emerging impact of elected PCCs on policing accountability, and reflects on the potential of PCCs for bringing 'policing beyond the police' into the realm of democratic governance.

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**WHO PATROLS THE STREETS? A COMPARATIVE STUDY OF PLURAL POLICING**
Jan Terpstra, <u>Bas Van Stokkom</u>
*University of Nijmegen, Institute of Criminology, Nijmegen, The Netherlands*

This presentation will be based on a recent international comparison of plural policing in five different countries (the Netherlands, England & Wales, Belgium, Austria and Canada (Ontario). This study dealt with the non-police providers of policing in (semi-) public places (like city guards, wardens, enforcement officers, private security officers, etc.). Which factors contributed to their rise and growth? What are their tasks and powers, and how do these relate to those of the police? Which challenges and problems arise with this pluralisation of policing? Despite important differences in plural policing, there are also significant similarities in this pluralisation of policing. An important factor contributing to this pluralisation, is that the public police fail to meet dominant expectations about their visibility and their patrol and enforcement tasks. Local governments and agencies try to find solutions for this problem by contracting or establishing new policing providers. The result is the rise of a plural policing complex, with important differences not only between the countries, but also from city to city. The study shows five main differences in plural policing between the countries. These differences concern the extent to which the non-police providers of patrol services and enforcement tasks were privatized, the formal regulation of this field, the degree of integration with the public police, their powers, and (formalized) quality requirements for the non-police policing officers. The presentation will also deal with future trajectories in plural policing.

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## CONDITIONAL RELEASE FOR FURTHER POLICE ENQUIRES IN ENGLAND AND WALES: A LEGITIMATE POLICE POWER?

Anthea Hucklesby
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Considerable research has been undertaken in the UK on a range of police powers which has highlighted a variety of issues most notably relating to gaps between law and practice, geographic variations and their disproportionate use for certain categories of suspects. The research has also demonstrated how the police are able to mould their powers to fit with their working rules and assumptions. Pre-charge bail – conditional release whilst the police carry out further inquiries before a charging decision is made - is an important and coercive police power which has remained largely hidden.

For proponents of pre-charge bail it is necessary and desirable for both the police and suspects because it enables suspects to be released whilst investigations continue beyond the detention time limits set by the Police and Criminal Evidence Act 1984. However, it raises significant concerns emanating from its use in the early stages of police investigations and its capacity to impact negatively upon suspects', victims and the public's views of the legitimacy of the police and the criminal justice process as a whole. This paper is based on empirical work conducted in two police forces in the UK. It draws on both quantitative and qualitative data to explore how pre-charge bail is used and to examine police views of its usefulness. The findings suggest that the way the law is framed enables the police to use pre-charge bail in ways which fit organizational imperatives and their working rules.

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# POLICE INTERROGATION AND CONFESSION RATES IN SWITZERLAND (2009-2011)

Julie Courvoisier
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This presentation shows the first results of a Ph.D. research on police interrogation techniques in Switzerland. This research aims to provide a better understanding of the process leading to confession or deny. In particular, it seeks to identify the facilitating and inhibiting factors playing a role in that process. It also seeks to measure the influence on that process of the new Criminal Procedure Code introduced in Switzerland on 1st January 2011, which incorporates as a major innovation the mandatory presence of a counselling lawyer during police interrogations of persons accused of having committed a serious offence.

The research is based on analysis of the interrogations conducted between 2009 and 2011 in three police units of the canton of Geneva in Switzerland: the crime squad, the vice squad and the juvenile squad. Data from these interrogations were classified according to several factors including the type and the severity of the offence, the age and the gender of the suspect, his/her ethnic group or criminal records, in order to identify the possible relations between these factors and the confession rates of the suspects interrogated.

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# POLICE INTERROGATIONS OF JUVENILE OFFENDERS: CHILDREN'S RIGHTS NOT ALLOWED? THE BELGIAN CASE

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Police interrogations are the starting point of criminal procedures against juvenile offenders. However, research on police interrogations of juvenile offenders remains scarce. In Belgium this seems even more true, for there has never been any scientific research on how police interrogates juvenile offenders. Moreover, legislation and literature on this subject are limited. When it comes to police interrogations of minor victims of sexual abuse, it's another story: the interrogation of that target group receives a lot more attention.

In this contribution we will reflect on the interrogation of the juvenile offender from a children's rights perspective, based on an overview of legislation, literature and case-law.

On the one hand we will analyse the international, European and national children's rights framework, applicable at the level of the police. More precisely we will analyse what fundamental rights are accorded to minors who come into conflict with the law and who are interrogated by the (Belgian) police.

On the other hand, questions can and should be raised on whether and how these rights are applied in practice. Does the rhetoric match the reality of the practice? What major problems can occur in daily practice?

# USE OF DNA IN POLICE INVESTIGATIVE WORK FOR INCREASING OFFENDER IDENTIFICATION AND CASE CLEARANCE RATES

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The expansion of the Norwegian DNA database in 2008, the so called DNA reform, was funded on the myth that DNA increases the detection rate of volume crime significantly. The DNA reform in Norway was therefore especially targeted towards increasing the clearance rate for low-detectability property offences. The DNA database has now expanded from including DNA profiles of people convicted of serious crimes to also include profiles of anyone convicted of a criminal offence leading to imprisonment.

Previous research has identified various factors associated with solving a crime. First of all, most crimes that are solved are solved at the crime scene by patrol officers, not the investigators. Further, it is the complexity of the case rather than the skills, methods, and techniques of the investigators that determines the probability of solving it. Detectives or investigators do not, as popular fiction portrays, spend time on "mysteries", they concentrate on cases which are more or less already solved, and spend their time preparing cases for the prosecution. According to Brodeur (2010), forensics plays almost no part in solving crime. However, they play a crucial role in court.

In our ongoing research on the Norwegian DNA reform, we analyze the impact of DNA at various stages of criminal investigation and prosecution. In this paper, we will present findings from our study regarding the effect of DNA on clearance rates.

# 'CRITICAL REVIEW' IN CRIMINAL INVESTIGATION: AN ANALYSIS OF 26 REVIEW CASES IN THE DUTCH POLICE FORCE

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In 2004, Dutch society and legal order were shocked by a miscarriage of justice involving the so-called Schiedam Park murder. An innocent man was wrongfully convicted for sexual abuse of two young children and murder of one of them. This case was a spur for police reform.

Tunnel vision in the police investigating team was seen as one of the most important causes of this serious failure in criminal justice. In 2006 'critical review' was introduced in the Dutch police force as a measure to prevent tunnel vision in criminal investigation. Five years after the introduction of this measure, an analysis of 26 review cases and in-depth interviews with police officers took place in order to gain insight into the organization, implementation and effects of critical review on criminal investigation.

This study shows that in practice the organization and implementation of the review are highly divergent. Five different styles of critical review can be distinguished, ranging from reviewers only paying attention to minor details to reviewers consistently behaving like a devil's advocate. Many reviewers do not try directly to prevent tunnel vision, but rather attempt to solve the criminal case. Critical review proves to have concrete effects on the criminal investigation process, although their scope usually appears to be limited. Although these effects are modest and review demands scarce police resources, I recommend a continuation and further development of critical review.

# BEING CRIMINOLOGISTS: TEACHING, RESEARCHING, NETWORKING

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## GRAPHICAL LITERACY IN CRIMINOLOGY

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It is today generally recognized that statistics are social constructions which have to be contextualized. It is even truer for graphical representations which contain a selection of results, visualize particular aspects and therefore guide interpretations. The constructed character of surveys, the choice of the type of graph and the importance of the "dark figure" demand a triple vigilance in the interpretation of graphs in criminology.

At the University of Lausanne, the authors conducted during a course on *Crime, justice and prison in Switzerland* an educational experiment. The students were invited to work in groups to describe graphs which became increasingly complex. The objective was to train students in description techniques. They have been taught to identify the limits of the available information, to discover difficulties in reading graphs, to understand risks of misinterpretation and to write short, but precise descriptions.

The authors present the difficulties encountered by students of criminology in the comprehension and description of graphs and the necessity of graphical literacy training. They elaborate a few guidelines for working with graphs.

**Keywords:** *Graphical literacy, Statistics, Teaching, Experimentation*

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# BEING CRIMINOLOGISTS, PRACTICING CRIMINOLOGY

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Criminology takes a multidisciplinary approach to its subject, drawing upon theoretical frameworks with roots in wider disciplinary inquiry (Einstadter & Henry, 2006, 28). Cohen famously noted: "*Somewhat like a parasite, criminology attached itself to its host subjects (notably law, psychology, psychiatry and sociology) and drew from them methods, theories and academic credibility.*"But, importantly, he continues:*"At the same time, somewhat like a colonial power landing on new territory, each of these disciplines descended on the eternally fascinating subjects of crime and punishment and claimed them as its own."* (Cohen, 1988: 4).

In the book '*What is criminology',* a whole range of authors provide a variety of answers on this question but interestingly, none of these contributors have a first degree in criminology. These disciplinarians see an increasing internal fragmentation, and observe that some of the inherent diversity of our discipline might be lost if the number of undergraduate degrees spring up (Bosworth & Hoyle, 2011, p. 541). Einstadter & Henry (2006: 331), on the other hand, argue that the greatest challenge for criminology is to accomplish interdisciplinary criminological thinking through the lens of disciplinarians.

It is this with this thought that we want to enter in the debate.We, having a BSc and MSc degree in criminology, do not necessarily perceive a loss of diversity. On the contrary, thisdiversity seems to be the point of departure in our own profession as researchers. Boundaries, then, are always questioned. But we will argue that they remain of importance. As Soothill, Peelo & Taylor (2002) point out; they allow us to practice criminology as academic researchers on the one hand, and enable everyone, on the other hand, to attribute certain skillsand insights graduates are expected to have achieved.

# THE EUROPEAN JOURNAL OF CRIMINOLOGY: A SOCIAL NETWORK ANALYSIS.

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Social Network Analysis is both a theory and an analytical technique for the study of social structures. The particularity of this method is the non-inferential quantitative treatment of qualitative data: human relations and their positions in a particular network are the key issue (Wellman, 1988; Lozares, 1996; Scott, 2000; Borgatti et al. 2009). In this case those involving the academic criminological research in Europe.

Coinciding with the tenth issue of the European Journal of Criminology, an analysis from this reticular paradigm is presented based on all authors published from January 2004 to July 2013. References from journal articles and chapter books cited in the papers are used to determine the relationships.

The objectives of this study are, on the one hand, to describe the actual state of the intellectual capital generated around the European Society of Criminology through its annual conference, working groups and the journal. The result is a sociogram representing asymmetrical connections where clear clusters of researchers are drawn, and different structural variables such as global, intermediate and local power are studied, identifying determinate actors. To interpret this data compositional variables are analyzed, such as gender, research centre, research topic, academic position, etc.

On the other hand, a discussion is offered about using the results of the social network analysis to plan academic and research careers, for example research stays.

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**FINDING BETTER WAYS TO CONNECT RESEARCHERS GLOBALLY**

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The goal of this field, like all others, is to make progress toward advancing knowledge and to inform public policy decisions by helping them become more empirical and rational.  Given the dramatic rise globally in criminology as a field in recent years, it is imperative that greater effort is devoted to connecting those persons interested in similar research areas, so that knowledge and ideas can be developed and tested more quickly and effectively.  This presentation will examine existing methods of connecting researchers, and ask questions about new ways to accomplish this vital task.  The purpose is to find better methods for linking those interested in similar substantive areas, so that collaborative work can be more easily organized, comparative work enhanced, and knowledge built more rapidly.  It appears that professional organizations offer a framework, but that additional dedicated efforts are needed to connect individuals interested in pursuing work in specific areas, thereby contributing to cumulative research findings.  Alternative ideas for accomplishing this goal will be offered in order to obtain feedback from the audience.

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**CRIME ANALYSIS WITH THE USE OF GEOGRAPHIC INFORMATION SYSTEMS - STUDENT PANEL**

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The aim of a crime mapping with the use of Geographic Information Systems (GIS) is synthesis and presentation of the research findings on transparent maps. The GIS present ''a tool that connects the programs for a database management and graphic designs, and creates the visual images with a different data and the various cartographic formats. Displaying the data on maps makes it easier to understand *where*, *when*, and *who* has committed a crime. Besides, a real power of GIS is to enable users to analyse multiple layers of information at the same time ...''. (Klinkon and Meško, 2005: 133-134). The maps, in which events are presented as points (i.e., hot spots) are most commonly used at a specific police work because they provide a very accurate display of the location and because they allow the more efficient planning of the police operational activities.

In Slovenia the police started to use GIS in 1992 with a main goal to provide quality information necessary for the effective and efficient implementation of the operational police duties. On the other hand, scientific research studies that have used the analysis of the spatial data bases of crime were rare (Pečar, 1975; Meško, Dobovšek and Bohinc, 2003; Klinkon, Meško and Rebernik, 2004; Meško, Maver and Klinkon, 2010). Not earlier than in 2011, after the consent of Slovene police leadership, the spatial crime bases started to be used for a research and educational purposes. One form of the mentioned data base use has been the teaching of crime mapping at the postgraduate study program, which has led into student's individual research works. The final result of their study and analysis are contributions planned to be presented in this student panel entitled *Crime Analysis with the Use of Geographic Information Systems*. Their papers present first steps in the analysis of crime maps and crime areas conducted for the educational and research purposes. The aim of the panel is to enable students to present their results to the general public and gain experience of giving a public lecture at a foreign scientific conference.

At the Student Panel the following four papers will be presented:

**Study on fear of crime in the Municipality of Trbovlje**
Rok Hacin and Gorazd Meško
**Analysis of Rape Occurrences in Slovenia from 2008 to 2012 and the use of Geographic Information Systems (GIS) to predict Possible Locations in 2013**
Sara Korpič and Aljaž Viraj
**Comparative research of geospatial analysis of property crime in Slovenia**
Zala Žvab
**Crime Trends and Crime Maps Analysis with the use of Geographic Information Systems (GIS) - A Pilot Exploration**
Rok Hacin and Katja Eman
Panel Chair: Assistant Professor Katja Eman, Ph.D.
Panel Discussant: Professor Gorazd Meško, Ph.D.

**Keywords:** *Geographic Information Systems (GIS), geospatial analysis, crime mapping, crime analysis, Slovenia*
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# STUDY ON FEAR OF CRIME IN THE MUNICIPALITY OF TRBOVLJE

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The paper presents findings from a student research project at the Faculty of Criminal Justice and Security, University of Maribor on spatial distribution of reported crime to the police and a study on fear of crime were conducted in summer 2013 (from June to September) in the Trbovlje municipality, Slovenia. We used the data on crime from 2008 to a middle of the year 2012. The results of the study using a GIS tools (ArcGIS) show a high level of resemblance between the reported crimes and fear of crime in residents who life close to crime hot spots. The results also show that more recorded crime in high crime areas is associated by more fear of crime, especially by elder people and females, as already known from the past studies on fear on crime in Slovenia and abroad (Pain, 2000; Meško, 2002; Hirtenlehner, Meško and Vošnjak, 2009; Meško, Šifrer and Vošnjak, 2012).
Previous studies in Slovenia consisted of only geographical analyses of distribution crime and public disorder offences. This study is original because we are trying to establish geographical distribution of crime and fear using crime-mapping tools (ArcGIS). The results of the study imply starting points for policing and policy making with the purpose of implementing appropriate crime control measures.

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# ANALYSIS OF RAPE OCCURRENCES IN SLOVENIA FROM 2008 TO 2012 AND THE USE OF GIS TO PREDICT POSSIBLE LOCATIONS IN 2013

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Predictive policing techniques are the new frontier in the area of combating crime. With the help of computer power we are now able to predict crime in the future which is a very powerful tool. The purpose of this paper is to examine rape occurrences in Slovenia between the years of 2008-2012. In this analysis we focused on certain parameters and tried to uncover if there are any characteristics that are present in all rape occurrences. Official police statistics were used for the analysis of the 4 year chosen span. Furthermore, analysed incidents were geographically presented on a map using an analytical tool called ArcGis. In addition, together with crime mapping, crime predictive policing tools were used within the same computer programme to try and predict future areas where the likelihood of rape is high.

Most of rape incidents in the time period examined occurred in residential buildings of bigger cities, followed by open natural space such as forests or fields. A few cases stand out of the average, like hospitals and schools. Usually no tools or weapons are used in committing the crime. In very few instances the perpetrators use rope, firearms and other items. Most of the rape incidents happen early evening and in the night time. Knowing the characteristics of rape incidents and uncovering similarities that exist in all instances that occurred through the examined years helps develop effective preventive measures. Using predictive policing tools creates maps that have high risk areas highlighted which can help women to be more careful or avoid these areas altogether. Police can also focus more on these areas and distribute their patrols more effectively; therefore the results of this paper are meant for all organizations and individuals that deal with reducing occurrences of rape.

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**COMPARATIVE STUDY OF GEOSPATIAL ANALYSIS OF PROPERTY CRIME IN SLOVENIA**

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Property crime is the most often registered felony in Slovenian crime statistics and thereby one of the most problematic areas of police investigation in Slovenia. In addition, each year police notice some new development in offender techniques (leaving small amount or no trace evidence on the scene of the crime, etc.). The Police Directorate Ljubljana has been planning and organizing different preventive techniques for preventing offences that fall under the area of property crime. The purpose of this paper is to present a study on property crime in the capital city of Slovenia in the year 2011. Afterwards results had been compared with data from year 2001 conducted by Meško, Dobovšek and Bohinc (2003). In the study, official police statistics for year 2011 was used. For making comparison with analysis from year 2001 possible, we used the same offences that fall under property crime (theft, grand theft, burglary, predatory theft, the withdrawal of the motor vehicle). The same geographical areas of Police Directorate Ljubljana e.g., (Police Station Bežigrad, Police Station Centre, Police Station Moste, Police Station Šiška and Police Station Vič) were used and analysed incidents were geographically presented on a map using an analytical tool ArcGIS. Results of the comparison show that in the area of Police Station Centre a small decrease in number of offences has been detected, where in the areas of other police stations increase in criminal offences was found and some evidence of mobility of property crime were detected. Knowing the new problematic areas of property crime, results can help contribute to more focused and thereby successful planning of the police crime-prevention activities.

# CRIME TRENDS AND CRIME MAPS ANALYSIS WITH THE USE OF GEOGRAPHIC INFORMATION SYSTEMS (GIS) - A PILOT EXPLORATION

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Crime mapping is a tool used by law enforcement agencies, particularly the police, and allows them a visual presentation of a crime on a map or regional network. Such presentation of criminal offences enables the identification of patterns, problematic areas, and other information. This is turn raises the efficiency of crime response and prevention. The purpose of this paper is to analyze the trends and the distribution of crime on the territory of Slovenia in the period 2008-2012.

With the use of the Geographic Information Systems (ArcGIS software tool) a crime distribution map was prepared. On the map of Slovenia criminal offences and hot areas detected by the Slovene police were located. We located hot spots, which occur mainly in urban areas of Slovenia. Ljubljana and Maribor, as the largest Slovenian cities, where around 35 per cent of all crimes committed in Slovenia are located, particularly stand out. The crime analysis in the regions revealed that the Štajerska region, in spite of powerful crime concentration area (Maribor) has much more diversified crime, compared to the coastal Primorska region where the crime is rather strictly limited to urban centres. Crime in the areas of national borders is relatively low; whereby the highest number was detected at the Slovene-Croatian border, which is in terms of surveillance and border crossings also the most burdened. Results in the form of maps are a very good starting point for the planning of further work of the police and other law enforcement agencies, particularly in terms of greater control and prevention of crime in the identified areas.

# POLICE AND CRIME: THE ROLE OF EDUCATION, INNOVATIONS AND THE MEDIA IN POLICING

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## MAKE WAY FOR THE 'THINKING POLICE OFFICER': EXPLORING PROFESSIONAL BENEFITS FOR POLICE OFFICERS ENGAGING IN HIGHER EDUCATION EDUCATION

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In recent years police forces, policy makers and stakeholders in England & Wales have placed the need for police officer educational attainment at the heart of the modernisation and professionalization agendas. Yet, despite a consensus on the need for police education and training, the requisite level at which this education provision should be pitched is somewhat ambiguous and contradictory. For example, Sir Peter Neyroud in his 2011 review of police leadership and training recommended collaboration between Universities and Police Forces, who typically deliver and award 4, 5 & 6 programmes and qualifications on the QAA. Yet in 2012 the new College of Policing introduced the Certificate in Knowledge of Policing, the minimum qualification for new recruits, which is a Level 3 qualification on the QCF framework. This paper draws on reflections from police officers who have engaged with a QAA Level 6 critical policing studies programme at a North West Higher Education Institution. It addresses whether or not these police officers think that their Level 6 education has positively impacted their professional practice, the hurdles faced engaging with and completing the programme, and whether or not they recommend the programme for future police officers. It will be argued that police officer engagement with Level 6 Higher Education programmes produces an unprecedented level of critical knowledge and understanding that positively impacts police professionalism, competency, organisational culture, investigative quality and police stakeholder relations. Within the European context of this conference, this paper aims to provide an empirical framework and a portfolio of findings which can be utilised by police forces outside of England & Wales in relation to police education and training.

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# POLICING INNOVATIONS: A THEORETICAL CLARIFICATION AND AN OVERVIEW OF THEIR IMPLEMENTATION IN SWITZERLAND

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In the last 20 to 30 years, several police innovations (like Community Policing, Problem-Oriented Policing, Hot-Spots Policing or Compstat) have been developed and implemented. Our concern is that these innovations has often been summarized or compared in an inaccurate way. This created confusion and a misunderstanding of the differences and peculiarities of the various approaches.

This paper shows a new illustration of the differences and connections between the police innovations, dividing them in strategic and operational approaches. Furthermore, it will be discussed how deeply the Swiss police forces implemented and combined these innovations. The data are based on a unique survey among the majority of the Swiss police forces, covering the state, city and municipal police forces. Although the survey is not completely finished yet, the results suggest that the majority of the Swiss police pursue a Community Policing, Problem-Oriented and a Hot-Spots Policing approach. In contrast, Zero-Tolerance Policing doesn't seem to be an acceptable option.

# SIMULATED POLICING AND THE VIEWER SOCIETY: POLICING THE 21ST CENTURY

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Police organisations are increasingly utilising social media and other forms of new communications technologies to communicate with the public in diverse and innovative ways. Many of these emerging modes of communication bypass the traditional media. We have argued elsewhere (Lee & McGovern, 2012) that such communications constitute a new form of what O'Malley (2010) has referred to as 'simulated policing'. These forms of simulated policing coincide with the development of a viewer society where images of policing have increasingly become entertainment. That is, the gap between real and fictional policing as become increasingly blurred as police have also become media centres. Based on research interviews with police public relations professionals and an online survey of the public, this paper considers the relationship between procedural justice, new communication technologies, and the police / media / public intersection. We suggest the policing is becoming heyperreal, and that the gap between operational policing and image work has all but dissappeared.

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# THE POLICING OF PROTEST IN SPAIN

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Policing protest in Spain has been a neglected topic in academia. Only a few studies exist, focusing on the transition from dictatorship to democracy (1976-1982). This is surprising when contrasted with the occurrence of serious problems during countersummits in 2001-2, or the more recent violent repression of some protests by new social movements (15M, indignados). The aim of this study is double: on the one hand, to address official public statistics on protest policing, and on the other hand to attempt to describe the model followed in Spain for policing protests.

This study starts by analyzing the statistics published by the Ministry of Home Affairs about protests ("the exercise of the right of assembly and demonstration"): number of demonstrations, compliance of protesters with the legally established obligation to previously communicate the protest to authorities, number of arrests and injuries during the course of protests. This analysis underlines the scarcity and shortcomings of the official data and leads to the hypothesis that arrests and injuries are under recorded.

In order to verify if this is the case, a revision of the news items on protests in the newspaper *El País* has been conducted for the years 2009, 2010 and 2011. Data on arrests and injuries have been recorded and show that official statistics are in at least in this regard unreliable.

Official data, the news database as well as complementary sources (such as laws and police regulations, Annual Reports by the Ombudsman and Press Releases from protesters) are used to try to ascertain if there is such a thing as a dominant policing model in Spain, and how it is placed in relation to the emergence of harsher forms of policing transgressive protests since Seattle.

# MOTIVATION AND EXPECTATIONS OF GERMAN POLICE OFFICERS PREPARING FOR INTERNATIONAL PEACE MISSIONS

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In recent years, the civilian policing tasks in peacekeeping operations have increased. This way, the role and relevance of the police in international peace missions has changed. The public focuses mainly on the outcomes of police officers in missions. But it is necessary to have a look one step earlier and to question: How is the training and preparation for police officers for missions abroad? And what are their motivation and expectations?

Although there has been an academic discussion about the work of police officers in international missions and about the outcomes, only little empirical research has been focused on the training and preparation for missions abroad. The different nations involved in missions like Afghanistan bring in different police systems and structures (like gendarmerie systems and strict separation of military and police). Also different training and preparation courses for tasks in such international peace operations are provided.

The paper presents the results of a participant observation and a survey of a special training program for police officers which prepares the participants for international peace missions especially for Afghanistan. Furthermore, the presentation will discuss the link between the results and trends in international policing, theoretical implications, and the convergence of military and police roles in international missions (Greener 2009).

# VICTIMS AND VICTIMISATION: DIFFERENT ASPECTS

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## BURGLARY IN GERMANY - RECENT DEVELOPMENTS AND CONSEQUENCES FOR VICTIMS

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This talk deals with burglary as a recently much discussed phenomenon in Germany. At the beginning, the results of a thorough analysis of official crime statitstics are outlined. These findings give cause for concern: Regarding period from 2006 to 2012 an increase of 26% is registered in this domain. Additionally, crime clearance rates have remained on a low level for many years. Even if the police is to establish a suspect, criminal convictions only take place in rare cases. Finally, there are severe regional differences in frequency and judicial handling of burglary in Germany.

The main part of the talk deals with a burglary´s consequences for the victims. In this respect, not much is known yet. A representative national victim survey recently conducted by the Criminological Reasearch Institut (CFN) of Lower Saxony (N= 11.428), provides considerable insights. The results indicate that victimes of burglary experience the crime differently: While some victims experience no consequences at all, others suffer from anxiety and sleep disturbances for extended periods of time. Over and above, reactions to a burglary are manifold: Besides installation of security technology, social withdrawal and creation of social control in the neighborhood, a considerable amount of victims of burglary moves house.

In conclusion, a deductive summary of the presented results is followed by a short outlook on another recent research project of the CFN. This project involves the substantial regional differnces in burglary that have been detected in the analysis of the offical crime statistics.

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# FOOD AND CRIME: THE FORGOTTEN VICTIMS

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The aim of the presentation is to discuss the similarities and differences of victimization between offences in general, white-collar crime and the particularity of the food sector.

Typical victims are identifiable persons who have been physically, financially or emotionally harmed. In addition the effects of violence are visible or financial losses can be measured. In contrast to criminal offences in general, offences in the food sector show special characteristics: Due to nearly total anonymity offenders practically do not take any risks of being detected or even prosecuted. Moreover possible effects on the consumer's long term health cannot be proved. Almost all victims do not recognize these special offences or even regard themselves as victims. If scandals like the recent 'horsemeat scandal' in Europe become public, a lot of consumers react as other victims: They transform themselves as wrong-doers justifying this with their request for food as cheap as possible. On the other hand consumers lose confidence in official statements, the authorities and the government. They are the victims, who are, if not physically, at least emotionally harmed and might be under a great deal of psychological pressure.

It will be shown that there is a need for further fundamental criminological research not only about white-collar crime in general but on crime related to the food sector. The victims of white-collar offences have been forgotten partly, the victims of food related crime still do not exist.

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# IMPACTS OF HATE VICTIMISATION: PRELIMINARY FINDINGS FROM THE ALL WALES HATE CRIME PROJECT

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In this paper we present emerging research findings from the All Wales Hate Crime Project. The paper focuses on the psychological and physical impacts of hate crime victimisation across seven equality strands (age; gender; disability/impairment; race/ethnicity; religion/belief, sexual orientation, and transgender status/gender identity). Factor Analysis was conducted on 22 survey items that specified various hate crime victim impacts. A two factor solution was reached that related to psychological effects and physical impacts. Several equality strands emerged as significant predictors for both impact factors demonstrating the effects of hate crime victimisation are not homogeneous. Moreover, both victim and perpetrator factors were influential in predicting psychological effect and physical impact. In relation to the former, both criminal hate acts and incidents of hate-related low level persistent disorder resulted in significant negative impacts. The qualitative data generated from interviews with hate crime victims reinforce the profound impact that hate crime can have on individuals and their families, and highlights the complex nature of victimisation on the basis of intersectional identity. We discuss the potential policy implications such findings may have for the immediate response to, and long term reduction of hate crime victimisation.

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**VICTIMIZATION OF PERSONS WITH MENTAL ILLNESS IN THE UK: THE MODERATING INFLUENCE OF CONNECTEDNESS**

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Research shows that persons with mental illness face greater risks of violent victimization than those who do not suffer from mental illness (Hiday et al., 2001; Silver et al., 2005). A recent review suggests that between 4% and 35% of persons with severe mental illness experience victimization, a much higher rate than that of the general population (Maniglio, 2009). The bulk of this research has been conducted with U.S. based and institutionalized samples. Thus, relatively less is known about non-U.S. and non-institutionalized populations; however, one study has examined violent victimization rates and risk factors for such experience in four inner-city areas in England among persons diagnosed with psychosis (Walsh et al., 2003). What remains unclear is to what extent persons with mental health problems other than psychosis are victimized among a national-level sample of persons residing in the United Kingdom and what factors put these individuals at risk for victimization. Further, an investigation as to what factors may moderate this risk has yet to be undertaken. Using data from wave 1 of the Life Opportunities Survey (LOS)[1], a nationally representative study of disability issues in the United Kingdom, we investigate the relationship between mental health problems and violent victimization. Past year prevalence estimates of victimization amongst individuals with mental health problems from the LOS parallel other community-based surveys. We find that approximately 12% of those with mental health problems experience a past year violent victimization. Using logistic regression to predict past year incidence of violent victimization, we find that individuals with a mental health problem have significantly higher odds of being victimized than their non-disordered counterparts. Further, we find that having contact with a greater number of people moderates the impact of mental health problems on victimization. Specifically, the effect of mental health problems is lessened in the presence of a larger number of social contacts. This indicates that connectedness can buffer some of the harmful consequences of mental health problems and suggests an alternative to traditional interventions, such as involuntary outpatient commitment. We discuss the implications of these findings for social policy and for clinical practice.

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**[1]** Office for National Statistics. Social Survey Division, *Life Opportunities Survey: Wave One, 2009-2011* [computer file]. *3rd Edition.* Colchester, Essex: UK Data Archive [distributor], March 2012. SN: 6653, http://dx.doi.org/10.5255/UKDA-SN-6653-2

# UNACCOMPANIED LATINO YOUTH ON THE UNITED STATES – MEXICO BORDER: A QUALITATIVE STUDY

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This study explores whether a sample of  12 undocumented Latino youth in the United States are able to overcome obstacles (e.g., racism, discrimination, language barriers, abuse, poverty, lack of education, violence, stress, fear, etc.) to be, or continue to be, productive individuals in the United States. These undocumented youth are confronted with barriers that limit their chances for upward mobility, as evident in their restricted access to higher education, legal employment, and social services. What may be done to assist these youth to maximize their potential?  Through in-depth interviews with undocumented Latino youth in the Rio Grande Valley, Texas, area (United States – Mexico Border), the researcher has examined how legal status shapes the way these undocumented youth perceive their existence in the United States. Twelve undocumented individuals have been interviewed, and semi-structured interviews have been employed to extract participants' migration and life experiences in the U.S. As expected, many of these undocumented Latino youth who crossed the U.S./Mexican border without parents unveiled encounters in which they have been exploited by human smugglers (coyotes), employers and others. Due to their status, these interviews have also disclosed how these youths have been victims of crimes (e.g., abuse, violence, etc.), their motivations, how and why they decided to migrate and stay in America.

Findings about these undetected youth's experiences while migrating to the U.S., their border crossing experiences, as well as, the strains and struggles that accompany these youth's voyages are described. The hopes, motivation and envisage of these youth are also presented. Participant narratives and detailed descriptions about why, when, and how these youth came to the U.S./Mexico border and crossed into the United States is provided. Despite their undocumented status, minimal support from outside sources (e.g., parents, government support) and multiple barriers (e.g., language barrier, lack of occupational opportunities, minimal education), these undocumented youth demonstrate high levels of resiliency by continuing to seek employment and by attempting to better their lives while living on the U.S./Mexican border (Rio Grande Valley, Texas).

# CRIMINAL JUSTICE AND HUMAN RIGHTS I.

**87**
## PRISON OMBUDSMEN – LINKING PRISONER WELFARE AND HUMAN RIGHTS

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Research on prison ombudsmen is rare and mostly limited to the common law world (Buck et al 2011; Stuhmcke 2010). This author builds on the concept of prison ombudsmen as human rights facilitators (c.f. Carl Eurocrim2011) and compares institutions existing in the UK and Germany. Particular focus is placed on the work of the North Rhine-Westphalian Prison Ombudsman.

The work of prison ombudsmen has so far not been analysed for its influence on prisoner welfare. During the presentation, examples from the Annual Report of the North Rhine-Westphalian Prison Ombudsman will be employed to demonstrate the direct link between the work of prison ombudsmen and prisoner welfare. Special focus will be placed on action driven by complaints, by participation in official hearings and own-motion investigation. The author argues in favour of equipping prison ombudsmen in particular with own-motion powers of investigation. A future application of prison ombudsmen as National Preventive Mechanisms under the Optional Protocol to the Convention against Torture (OPCAT) is suggested.

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# THE DOMESTIC VISITING SYSTEM IN ENGLISH PRISONS AND ARTICLE 8 OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS: A TALE OF TWO PRISONS

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The enactment of the Human Rights Act in 1998, combined with a growing movement towards developing a more human rights based approach to prison management, means that National Offender Management Service policies on managing family contact in prisons increasingly highlight the importance of balancing security considerations with respecting prisoners' family lives under Article 8 of the European Convention on Human Rights (1950). However, there is little empirical research as to how, and if, this balancing act works in practice. Drawing on interviews conducted in two male local English prisons with prisoners and their families and extensive observation of each stage of the visiting system, this paper will demonstrate that there is a disparity between policy rhetoric on the importance of Article 8 ECHR and how this translates into practice. It will be argued that rather than human rights norms, the quality of family contact in prisons was influenced by other factors, such as staff culture, leading to stark extremes in how family contact was experienced by prisoners and their visitors. This paper will explore how aspects of the prison visiting system in England can actively undermine prisoners' efforts to maintain their family life, and the extent to which the current visiting system may not necessarily be in breach of Article 8 *per se* but at times can veer from its spirit.

**89**
**EXAMINING THE CARE AND TREATMENT OF SEX OFFENDERS IN THE LEBANON**

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This research is concerned with the care and treatment of sex offenders in the Lebanon and examines how re-offending behavior is viewed and managed within the Lebanese Criminal Justice System. Fifty interviews were conducted with prisoners and criminal justice practitioners, lawyers, judges, police and prison staff. The interviews aimed at capturing the criminal justice practitioners' experiences of and attitudes towards sex offenders and how they think reoffending behavior could be addressed. It also aimed at examining sex offenders' experiences and attitudes towards the criminal justice system, as well as, their opinions surrounding how the system can reduce reoffending behavior. Thematic analysis of the resulting data highlighted the lack of treatment, the importance of religion and cultural, human rights violation, and over all corruption as factors in the care of treatment of sex offenders. Investigating the opinions of criminal justice agents towards legislation surrounding sex offences, numerous participants highlighted religion and culture as the main barrier in amending the outdated legislation. In relation to corruption, the problem was highlighted throughout the criminal justice system with several professionals admitting to accepting bribes, delaying court processes, and sentencing influenced by political pressure. Finally, human rights violations were highlighted when detainees reported cases of torture, degrading treatment and unjust detention. Human rights violations were further extended to prisoners who are threatened and tortured by 'head prisoners', and basic human needs are ignored. The consequences of these findings are discussed in relation to current developments in the treatment of sex offenders in western criminal justice systems and international human rights legislation.

**90**
**THE DEVELOPMENT OF THE INSPECTION OF PRISONS: DEBUNKING SOME MYTHS**
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Prison inspection in the United Kingdom developed first in Ireland in the late 17th century and then in the first quarter of the 18th century. Despite support from John Howard and Elizabeth Fry it was not until 1835 that it was established in Great Britain. This paper will analyse the development of the prison inspectorate from 1835 until the present day. It will debunk some of the myths that have grown up concerning that development and offer some thoughts on the role of the inspectorate in the future. It will also compare the development of the other major criminal justice inspectorates, scrutinising the work of police probation courts and the crown prosecution service. By tracking the evolution of prison inspection across time - taking the long view - shared themes and commonalities of approach will be exposed which would otherwise be hidden. Particular attention will be paid to the relationship between inspection and the inspectorates' political masters and the paper will explore the ways ministers have sought to shape and influence the development of inspection to serve their own policiy objectives and tease out those factors which have held that process back. Finally the paper will draw attention to the extent to which inspectorates are creatures of their time and as such are effected not only by changes in the services they inspect, but also by changes in the broader societies of which they are a part.

**Keywords:** *Prisons, Inspectorate, History*

# CYBERVICTIMS

## MUG PUNTERS? EXAMINING THE VICTIMISATION OF ONLINE GAMBLERS

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The explosive growth of the internet as a public and commercial vehicle has provided new opportunities for gambling based activities to take place online. Complexities in regulating the online gambling environment have given rise to a marketplace replete with criminal potential. Despite this, there has, to date, been very little empirical research into internet gambling and crime. This paper explores the prevalence and nature of crime and victimisation perpetrated against online gamblers by gambling organisations. It examines the organisational dynamics of fraud and theft committed by online gambling operations against their clientele.

**92**
# THE CYBER-ROUTINE OF CYBERVICTIMS: PREDICTIVE MODEL

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The rise of cybercrime in recent decades has prompted empirical research – applying various criminological theories – into its phenomenology, its social and economic impact, and the characteristics of aggressors and victims. Nevertheless, it is only recently that studies of cybervictimization have proliferated, the majority of which have focused on descriptive analyses of victimization in specific cybercrimes and determination of the risk factors associated with those crimes. The present research, part of a national project financed by the Spanish Ministry of Competitiveness and Innovation, hopes to move beyond a description of cybercrime victims of and offer an explanatory model of cybervictimization for social as well as economic crimes that ultimately allows us to establish prevention strategies based on scientific evidence. Beginning from a reconceptualization of opportunity theories of crime, the project proposes the hypothesis that users, in their daily activities, define their own risk zone for social victimization and sexual harassment, as well as for economic victimization, which ranges from crude forms of fraud to the most sophisticated phishing schemes.
Using a probabilistic method, stratified by age, sex, and autonomous region, we obtained a representative sample of the Spanish population of regular Internet users consisting of 500 subjects between 18 and 65 years of age. Information was collected through a telephone survey created *ad hoc* that allowed us to obtain data about sixteen forms of cybervictimization and the daily activity of the internet users. The survey was administered using the CATI (Computer Assisted Telephone Interviewing) system. The results demonstrate, in addition to the prevalence of and the risk factors associated with different forms of victimization, that victims define their risk zone by the ways they use the Internet, as particular goods and spheres of privacy are incorporated into cyberspace in the absence of digital systems of self-protection.

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# VIDEOS OR INTIMATE IMAGES ON THE INTERNET

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Cases of videos with scenes of intimate life are becoming more frequent. These are usually obtained in agreement with the victim, but published without consent. So common are cases in which the victim has sex with your partner or is showing or undressing during a communication via internet. Image capture is made with her o his consent. Posting on social networks, forums, pornographic websites, etc. are unauthorized.

This paper discusses the need of criminalization of this behaviour. Some authors believe that it would cover a loophole at the Spanish penal code. The current article 197.4 Spanish penal code punished non-consensual dissemination of intimate images, always come also preceded by an authorized collection. That is the reason why they are in favour of the proposed reform of Spanish Penal Code in 2012.

On the other hand, other authors consider that criminal protection of the privacy is based on illicit access to the privacy. So if there is no such illicit access, no relevant criminal injury for intimacy. These cases should remain in the field of civil liability in accordance with the principle of criminal fragmentation.

# GETTING HOOKED, STAYING ATTUNED, COOLING OUT – PROCESSES OF CYBER FRAUD VICTIMIZATION

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Force and Fraud (together with ritualism and charisma) are part of what Talcott Parsons called the anomic structure of social action as opposed to integration (interaction based on rationality and reciprocity of expectations). Erving Goffman translated this line of sociological thought in order to study the organisation of social experience by using Bateson's concept of frames and its two-pronged structure of integrated frames (keys) and anomic frames (designs and fabrications). Frame analysis (Goffman 1974) is a powerful theory in order to understand those forms of crime which rely on tricks, illusions and – in a general way – on the manipulation of social experience. In this paper we want to look at the structures and processes of fraud by using the internet. Although both, offender and victim, are involved in the same process, we focus on the perspective of the victims and argue that victimization is a process that is structured by three phases. In a getting-hooked-phase future victims start reducing their levels of risk perception. Sometimes getting hooked is caused by stress, sometimes by irresistible wants of desired products (cheap I-Pads etc.). In a second phase victim and offender interact within an (anomic) fabrication, that is a frame which capacities of deception are controlled by the offender while the victim interacts on illusory assumptions about reality. This phase might be called frame maintenance or staying-attuned-phase. In a third phase of cooling out (the term is taken from Goffman's paper „On Cooling the Mark Out") victims are kept in a state of non-activity, either by being ashamed, by a mood of hopelessness and lack of agency or by further deceptions. Getting hooked is a process of isolation from socially shared assumptions, staying attuned is a kind of passage through an illusory reality and cooling out can be understood as a reintegration with the sober grounds of experience. The victimization process, then, can be understood in terms of the structure of rites of passage.

# PRISON LIFE AND IMPRISONMENT I.

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## 'WHAT IS QUALITY' IN PRISON EVALUATION? TOWARDS A THEORY OF MORAL PERFORMANCE IN CRIMINAL JUSTICE.

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Following a series of investigations of suicides and suicide attempts in prison, it became clear that some prison environments are more survivable than others, and that prison environments can be meaningfully conceptualised and evaluated using an inter-subjectively created moral framework. Applying this framework to the study of differences between public and private sector prison environments has helped to reveal some of the important sources of both a) the pains of imprisonment and b) personal development or human flourishing. The 'big five' dimensions of quality include humanity, help and assistance, staff professionalism, and organisation and consistency. Whether the best prison environments can encourage human beings to 'flourish', 'grow desirable virtues', or even achieve high scores on these dimensions, remains to be determined.

This paper draws on several recently completed empirical research projects over a period of ten years (with colleagues) to propose a new theory of the (moral) quality of life in prison, and the consequences of variations found.

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**OPEN OR CLOSED CASE: AN ANALYSIS OF THE SOCIAL CLIMATE IN IRELAND'S OPEN PRISONS.**

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Evidence from several international empirical studies on the social climate in prison suggests that there are a number of significant dimensional components which are pivotal to the social climate within prison.  These include, amongst others, emotional feedback, safety and rehabilitation prospects.   It has also been suggested that even the physical environment can have an input into the social climate as well as the functionality of prisons generally.  However, the majority of previous studies have focused mainly on high security or closed prisons where a therapeutic focus may be secondary. Open prisons, on the other hand, put an emphasis on therapeutic incentives and concentrate on the re-entry requirements of prisoners.  There is limited empirical data relating to the social climate of open prisons and whether the social climates of these types of facilities differ significantly from those high security closed prisons previously examined.

This paper will seek to examine the social climate within two Irish open prisons to ascertain the social climate of both.  It will aim to determine common social climate factors.   In addition, it will endeavour to identify the social climate commonalties and disparities, if any, and whether similarities exist between those found in previous empirical research in closed prisons.  If there are distinctions, are they discernible and transferable or merely local to the individual or type of prison?   If transferability is possible it may facilitate improved future social climate for staff and prisoners within other prisons where such climate may be poor or negative.

**Keywords:** *social climate, open prisons, commonalities*

**97**

# END-OF-LIFE IN SWISS PRISON: FIRST FINDINGS FROM A STUDY ON INSTITUTIONS AND ACTORS

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What a good end-of-life (EOL) means, is a particularly relevant question in the context of confinement and prison. People in prison are not free to choose how and where they die. Most issues and problems related to EOL in the general population are the same in the prison setting. However, discussions about good dying and palliative care show that precisely those persons who cannot choose how and where they die require special attention. Moreover, the conditions and processes connected with the EOL in prisons present a number of obstacles and contradictions. These make meeting the demands of care and pain relief in the setting of incarceration and punishment more difficult. Swiss prisons house a steadily growing number of older persons. This is due to demographic change and a trend for stricter and longer sentences, including lifelong confinement. This paper reports first findings of what it means to die in the closed prison system of Switzerland and what ethical, legal and security-related issues are important. It is based on an on-going study financed by the Swiss National Science Foundation, using ethnographic methods, case studies and legal analyses, to examine EOL and its institutional handling from the perspective of different actors and at different institutional levels in the Swiss penitentiary system.

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# RIGHTS AS NUMBERS? MEASURING PRISON SUICIDE RISK

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This paper draws attention to forms of measurement in both prison management and human rights law and practice. Its particular focus is prison suicide risk. How, for example, are we to interpret a court finding that a 10% risk of suicide may be a violation of the right to life protected by Article 2 ECHR? Equally, how significant are the results of quantitative surveys of 'moral performance'within the English prison system which relate particular prison environments to prisoner vulnerability? Drawing together legal and criminological perspectives, the paper will reflect on the increasing turn to quantification and raise questions about its impact on prison governance, prisoner experiences and human rights law and practice.

# PRISON LIFE AND IMPRISONMENT II.

## 100
## SPACE, SUPPORT AND FRIENDSHIP IN WOMEN'S EXPERIENCES OF IMPRISONMENT

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Sociological studies of women's prisons have tended to assume that women's adaptations to imprisonment can primarily be explained in terms of (implicitly universal) imported gender characteristics. In contrast, relatively little attention has been paid to the significance of situational factors, such as regime or architecture, in shaping social relations among women prisoners. Building on Kruttschnitt and Gartner's (2005) study, which demonstrates clearly that women's adaptations to imprisonment are shaped by the conditions of their confinement, this discussion will build on this work to explore how the nature of *prison space* shapes relations among women prisoners and consequently their ability to give and receive the social support that is vital to coping with a period of imprisonment. It explores how prisoners sought to manage the inherent instability of prison space in part through their own spatial practices in order to maximise opportunities for positive sociality and support. The practices and relations that emerged demonstrate how spatiality, sociality and power can be seen to be inextricably interconnected.

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# THE FAMILY SITUATION OF WOMEN INCARCERATED IN THE SPANISH PENITENTIARY SYSTEM

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The family situations of incarcerated people in the Spanish penitentiary system are characterized by great diversity: large families, single parents (lone mothers), sons and daughters in prison or outside of it, partners or other relatives who are also imprisoned, families away from the place of execution of the sentence, etc.

In the case of incarcerated women, circumstances as the shortage of women's modules existing in the Spanish context, the lack of modules for mothers or the complex relationships they have with their families, among other factors, tend to toughen the already harsh conditions of incarceration that women inmates usually have to face.

The need to address this specific and complex reality, has led family sociology to develop several analytical resources for its study. Moreover, the penitentiary authorities have launched (or enhanced) some prison programs that theoretically pose an improvement of the situation in which people are serving sentences, such as the Respectful Modules (Módulos de respeto) and the Therapeutic and Educational Units (Unidades Terapéuticas y Educativas).

The aim of this paper is to provide a theoretical and normative review of the different ways to approach family situations of women imprisoned in the Spanish penitentiary system that is helpful as a starting point for future theoretical and empirical approach from a non-androcentric perspective.

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# WOMEN PRISONERS RESETTLEMENT: RESPONSIBILIZATION, CAPITAL AND THE IMPACT ON DESISTANCE FROM CRIME.

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This paper will present the findings from the only UK study on the prison based resettlement practices of women prisoners and the relation this has to desistence. This research aimed to investigate how women in the last three months of a three or more year prison sentence, planned and prepared for their release. Using data generated from qualitative interviews with women prisoners and prison staff over a 13 month period in a closed women's prison in England, this paper will argue that the pre-release experience of women prisoners and the prison resettlement practice overall hinders the desistance process. This is due to issues surrounding the possession of capital and a responsibilization agenda that runs throughout the prison.

This research has found it is only the women who already possess all forms of capital (social, cultural, economic and symbolic) that are able to negotiate the prison's resettlement system and access and engage with support services research has shown to be vital for avoiding re-offending on release. In addition there is a responsibilization discourse that runs throughout the prison which has a significant impact on the women prisoners' ability to plan for their release. The prison staff view was found to perpetuate this responsibilization process and revealed a juxtaposition between the prisoners' views of resettlement and the staff views on the availability and access to provision. Staff believe that the women possess the necessary capital (often being assisted by them) and should take responsibility for accessing services but instead lack the motivation to change. However, the women prisoners believe they have the motivation but lack the practical resources and capital needed to successfully plan for release.

The findings from this research demonstrate how the women prisoners are beginning to construct and create a new life narrative or story that will account for past offending and future cessation from crime. They are attempting to make plans, organise a new life and are motivated to desist on release. However, the chronic lack in all forms of capital, the responsibilization discourse and the additional practical and structural barriers the women face combine to make the process of planning for release challenging, problematic and at times impossible.

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**PRISON ANTI-DRUG TREATMENT IN A WOMEN'S PRISON: PRESCRIBED AND NEGOTIATED IDENTITIES.**

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Besides increased security measures and control, anti-drug treatment programs have dramatically expanded in Swedish prisons the last ten years. Today nearly 800 of the 5000 places in Swedish prisons are intended for anti-drug treatment. This paper addresses the institutional effects of this transition in the case of a women's prison with a treatment wing. Data have been collected during 2012-2013 by documents, observations and interviews with staff and prisoners, as part of a Nordic research project. The prison has for many years run a 12-steps (AA/NA) program in one wing, with external full-time therapists running groups in the wing daily. Prison officers are actively participating in the groups. Preliminary findings indicate that the prison officer identity, as well as the prisoner identities, are challenged and changing in the treatment setting, while the borders to other wings are strengthened. Within the treatment wing, prison officers are moving between the traditional prison officer role, and the role of "co-therapist", and this seems more awkward for the minority of male staff. The female prisoner identity is moving between the "Traditional Prisoner", the "Conscious Addict" and the "Good Friend", all depending on the situation. A conclusion is that this is an opportunity, but also a source to diffusion, for the prisoners.

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# GENDER AND INSTITUTIONAL MISCONDUCT: FINDINGS ON THE PREDICTIVE VALIDITY OF THE LSI-R

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Correctional administrators from across the globe use risk-needs assessment tools to help them determine which offenders may require more or less supervision. One widely used tool is the Level of Service Inventory-Revised (LSI-R). Researchers have found that the instrument predicts the likelihood of offender misconduct in both community and institutional settings. However, researchers have not yet determined whether the LSI-R similarly predicts institutional misconduct for male and female inmates. Some believe the instrument cannot accurately predict problematic future behavior for female offenders because it was created based on research conducted on samples that consisted solely of male offenders. But, others argue that the causes of deviant behavior are largely the same for both men and women, which implies that the LSI-R may effectively be used to determine appropriate levels of supervision for both male and female offenders.To date, only two studies have examined whether the LSI-R is a valid instrument for female inmates; the LSI-R predicted the odds of misbehavior behind bars in one of those studies, but null effects were found in the other. In neither study were outcomes for female inmates compared with those for male inmates. Given that no researcher to date has examined whether the LSI-R similarly predicts prison misconduct for male and for female inmates, comparisons across gender are warranted. Using data gathered on inmates confined in a Midwestern State, I examined the predictive validity of the LSI-R and its 10 subcomponents for all of those who entered prison during calendar year 2009. The predictors of prison misconduct during the first year of confinement were assessed for both male and female inmates.

# TERRORISM, DIGIHAD AND RECENT DEVELOPMENTS IN ORGANISED CRIME POLICIES IN EUROPE

## 104
## ORGANISED CRIME ON THE AGENDA

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Organised crime is discussed increasingly often by politicians and in the media, both in Europe and America. Since the year 2000, Swedish journalists have published 8000 articles about organised crime, which represents approximately eight times as many as were written during the 1990s. Discussions of topics that have a place on the political agenda can influence public policy, people's opinions about crime and also their fear of crime. On the other hand, many actors have much to gain by highlighting organised crime; it has a high news value and sells newspapers, politicians gain more support from voters and the police receive more resources. In spite of all this, the Swedish political and media debate on organised crime has not yet been studied. The purpose of this study is to analyse both the parliamentary debate and media descriptions of organised crime in Sweden since 1989/90. The focus is directed at the interaction between these two arenas and also at how the current view of organised crime has evolved. The ESC presentation will focus on the pilot study, which includes theory, previous research and a small sample of interviews with politicians, police officers and journalists.

**105**
**PREVENTION OF ORGANISED CRIME ON EU LEVEL**

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The Paper analyses the way European Union prevents the problem of organised crime.
Modern organised crime requires a multi- disciplinary approach to effectively prevent it. Therefore, the EU has developed the so-called "Administrative approach", and directed at all areas, such as: trafficking in human beings, arms and drugs, economic and financial crime, corruption, money laundering, cybercrime and enviromental crime. This approach is complementary to action against criminal groups under criminal law. Besides the administrative approach, crime prevention measure that will be examined is the European Crime Prevention Network and experiences from Member States regarding crime prevention. In order to contribute the prevetion policy, the EU also astablished a few Programmes: the Programme for the Prevention of and Fight against Crime (ISEC) and Daphne III Programme, which will be examined in this Paper too.
It is important to mention that so far, EU States have had primary responsibility for crime prevention matters. With the entry into force of the Lisbon Treaty (Art. 84 TFEU), the EU now has the possibility to establish measures to promote and support EU States' actions in this field.

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# ORGANIZED CRIME POLICIES IN GREECE AND THEIR IMPACT ON CRIMINAL POLICY

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The aim of this paper is to analyze organized crime policies in Greece. It examines the main legislative measures introduced in Greece since 2001 to combat organized crime (including terrorist acts).  It is argued that these OC policies seem to have a broader impact on the way that formal social control mechanisms deal with common criminality. More specifically, the examined policies resulted in a) a significant turn towards austerity and punitiveness in the penal system b) an extraordinary level of social control c) the introduction of collective responsibility d) the expansion of the notion of organized crime, easily applicable to a wide range of minor common criminal activities e) the extension of police investigating power. The particular policies have been adopted under an exceptional context - a state of emergency combined with strong international pressure, while they seem to have stable and long-lasting results in the way that criminal justice works. Greek OC policies were introduced to "fight" a dangerous phenomenon. At the same time, the particular policies seem to be dangerous for the liberal nature and the protective for human rights function of penal law.

**107**
**"10 YEARS OF DIGIHAD. THE EVOLUTION OF GLOBAL DIGITAL JIHADISM"**

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The Globalized world scenario is characterized by the development of digital inerconnections and the massive spread of mobile devices. Time and space are reducing. Knowledge, socialization and information sharing are changing themselves across the digital media environment. Internet and cyberspace can be considered as the fifth domain of war. The violent concept of Jihad in Terrorism represents the pillar of the asymmetric mediawar based on the mediatization of terror all over the world. Jihadism is serializing fear in everyday human mise en scene of violence against civilians, contaminating liquid insecurity of contemporary metropolis life. People, at the same time as public opinion and audience, are targeted, destabilizing and redefine urban-space security. Thanks to the cross-media digitalization, the infosphere is colonized by violent user-generated media contents. In Europe the post-lone-wolf Terrorism is rising, increasing the pervasiveness and the ability to settle as a substrate constituting the culture of hatred and a priori other-directed violence. During the last ten years and more than a decade from the "epic" terrorist attack against U.S.A., the dissemination of the "culture of Terrorism" is creating a "Generation T" that represents the main threat in the future scenario.

# MEDIATION IN LEGAL FRAMEWORK OF CRIMINAL POLICY

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## MEDIATION IN CRIMINAL CASES IN RELATION TO VIOLENT CRIMES AND CRIMES AGAINST PROPERTY

Zsuzsa Raduly
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In my presentation I would like to describe the results of my empirical research on mediation in criminal cases. During my research I examined the criminal cases in Szabolcs-Szatmár-Bereg county from between 2007 and 2010 where mediation procedure was applied.

I focused my analysis on the interpretations of the conditions under which a criminal case can be referred to mediation, and certain elements (and requirements) of criminal mediation such as confession of the accused or reparation in the judicial and prosecutorial practice. I also examined the above mentioned authorities' standing points on when the court procedure may be omitted and when do the characteristics of a crime result that the case is excluded from mediation. The results also show how they studied the offender's intention and ability to perform reparation and how they evaluated the efficiency of the mediation process.

In my presentation I would like to describe the structure and characteristics of delinquency and the imposition of punishment in the Hungarian judicial practice. I also would like to talk about the qualifications, employment statuses and income and assets statuses of the offenders involved in mediation. Next, the presentation will focus on the typical crimes and offenders referred to mediation as well as on the demonstration of the form of reparation and the efficiency of criminal mediation. It is very important to speak about juvenile delinquency and juvenile offenders in this context together with the special characteristics of their abilities regarding reparation considering the principles of criminal law in the legal state.

The aim of the presentation is to introduce the main points of the criminal procedure relevant to mediation and to draw attention to some practical problems as well. At the end of the presentation I will offer various solutions to these problems including legislative suggestions.

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**RESTORATIVE JUSTICE IN THE REPUBLIC OF IRELAND: THE STORY SO FAR**

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Restorative justice has developed incrementally in the Republic of Ireland. In December 2009 the Final Report of the National Commission on Restorative Justice (NCRJ) was published. The NCRJ stated that the introduction of restorative justice into the Irish criminal justice system would provide "a positive contribution to the lives of all citizens, especially those connected to offending behaviour." Over three years have passed since the NCRJ presented its Final Report. Up to this point restorative justice in Ireland has been legislated for at a youth justice level only. At an adult level, restorative justice operates through two local community schemes in Nenagh in County Tipperary, and Tallaght in south Dublin. This paper will review the work undertaken by the NCRJ as well as outlining the development of restorative justice in Ireland at a youth justice level (as per the Children Act 2001) and an adult level. The authors will also critically examine what has happened since the NCRJ recommended that "a restorative perspective be introduced nationally into the Irish criminal justice system."

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# RESTORATIVE JUSTICE, «VICTIM/OFFENDER» AND HUMAN RIGHTS

Morten Holmboe
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The restorative justice movement deserves praise for having addressed its «critical issues», i.a. the danger of co-opting to the existing criminal system. Nevertheless, as words are important for how we think, I believe that there is an important topic that has not been addressed very much: The use of the words «victim» and «offender», and how it can lead to a presumption of guilt and false confessions.

I concentrate here on the victim-offender mediation that is closely connected to the traditional criminal system. The case may go to trial if the parties do not agree to the facts of the case and find an equitable solution.

If A accuses B of a criminal act, the accusation may be objectively true, or objectively false. But in the vast literature on restorative justice, it is hard to come by any other words for the parties than «victim» and «offender». In my view, this wording presupposes that the accusation is true.

In many cases, the «offender» assumes responsibility and does his best to compensate the «victim». The confession may then seem as the ultimate evidence that the accusation was correct.

But the question is: Can we trust every confession? Or: Does the alleged, but innocent «offender» have any incentives to assume a responsibility that is not his? Inspired by John Langbein's ground-breaking article «Torture and Plea Bargaining», I suggest that the risk for false confessions is real.

This is closely connected to the next question: What is the proper place of human rights in a restorative justice process? The opinions in the literature have been somewhat divided.

In my view, there are at least three reasons for taking human rights seriously in restorative justice:

- Under human rights, we are all guaranteed the right of the presumption of innocence and the right to a fair trial – even in cases when the punishment is not severe. Restorative justice should not be used to circumvent these guarantees.
- The (relatively) lenient reaction a suspect can expect in restorative justice may create a temptation to «assume responsibility» to avoid the risk of being sentenced to a severe punishment. This risk becomes greater when the possible punishment is more serious.
- If a restorative justice process leads to a false confession, the process may seem good to the criminal system, to the restorative justice movement and to the «victim». But this outcome will neither be «restorative» nor an example of «justice».

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## APPLYING CIRCLES AND INCLUDING THE AFFECTED COMMUNITY AND THE SOCIETAL ASPECT INTO RESTORATIVE DIALOGUES - A WAY TOWARDS A COMPREHENSIVE REACTION TO CRIME

Dora Szegő
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My presentation gives an insight into the main conclusions of an experiment focusing on implement peacemaking circles into the justice system of Hungary. This approach emphasizes that since crime takes place in a context evoked, operated, suffered and bystanded by people, an effective reaction to crime should aim at including all people affected by the context into the restorative procedure.

A basic principle of the restorative justice (RJ) approach is that efficient response to crime is tailored to background factors, personal causes and needs of the affected people. However, frequently used RJ methods, such as victim-offender mediation (VOM) has been criticised in countries governed by the principle of legality for individualizing and privatizing the response to crime without including the societal viewpoints and interests sufficiently. The peacemaking circle method is a form or RJ– that besides involving the victim and the offender puts emphasis on including also community members and professionals into the dialogue about harm and restoration. Hence, the circle approach is an alternative that intends to address both levels: the personal and the societal aspects.

My presentation is based on a project, which examined the potential of the peacemaking circle method as a European model in the justice system of three European countries: Germany, Belgium and Hungary. The experiment tested the peacemaking circle method for a year in the penal procedure of four Hungarian counties in cases referred by the prosecutor or the judge.

The focus of my presentation is going to be: how the societal aspect is implemented into circle–dialogues, what kind of impact do community members have on the restoration procedure and how can they help the parties' reintegration into the society. I will provide an insight into the relevance of community involvement into RJ dialogues, addressing broader levels of harm, revealing causes, motivations, circumstances and consequences of the offence. Furthermore, controlling and norm-representing function of community participants is also going to be highlighted.

Finally, I would like to discuss what can be the added value of peacemaking circles compared to victim-offender mediation and what are those type of cases in which this method can be a gap-filling approach in the Hungarian justice procedure.

# TRAFFICKING IN HUMAN BEINGS: INTERNATIONAL, EUROPEAN, AND COUNTRY LEVEL APPROACHES

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**TRAFFICKING IN HUMAN BEINGS: INTERNATIONAL, EUROPEAN, AND COUNTRY LEVEL APPROACHES**

Marcelo Aebi
*University of Lausanne, Institute of Criminology and Criminal Law, Lausanne, Switzerland*

This panel presents four different and complementary approaches to the study and the prevention of trafficking in human beings. Each presentation covers a different level of intervention, starting from the international level, represented by the work done by the United Nations, passing to the European level, represented by the work of the Council of Europe in its 47 member States, going then to the European Union level and its work in the EU 27 member States, and finalizing with the particular case of the Netherlands through the work of the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children. Fabrizio Sarrica and Kristiina Kangaspunta (United Nations Office on Drugs and Crime, Global Report on Trafficking in Persons Unit) discuss the findings of the Global Report on Trafficking in Persons 2012, which is based on official data on human trafficking gathered from 132 countries around the world including information on 55,000 detected victims and 50,000 detected offenders. Jan van Dijk (University of Tilburg, Intervict) presents the work done by the Group of Experts on Action against Trafficking in Human Beings (GRETA) of the Council of Europe. This group is responsible for monitoring the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the member states, and it regularly publishes reports evaluating the measures taken by each country. Claudia Campistol (Autonomus University of Barcelona and University of Lausanne), Leontien van der Knaap (University of Tilburg, Intervict), Marcelo Aebi (University of Lausanne) and Jan van Dijk present the project "Tools for the validation and utilization of EU statistics on human trafficking" (TRAFSTAT), funded by the European Commission, which seeks to strengthen the comparability of statistics on trafficking in human beings across the member states of the European Union. Finally, Ieke de Vries (Bureau of the Netherlands National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children) focuses her presentation on data-collection and analyses of trafficking in human beings in the Netherlands, showing the utility that a forthcoming report on "visible and invisible human trafficking" could have for the Dutch government.

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**ANALYSING PATTERNS AND FLOWS OF TRAFFICKING IN PERSONS: THE USE OF OFFICIAL STATISTICS**

Fabrizio Sarrica

*UNODC, Global Report on Trafficking in Persons Unit, Vienna, Austria*

This presentation discusses the methodology and the research approach of the UNODC Global Report on Trafficking in Persons 2012. The Global Report is based on official data on human trafficking gathered from 132 countries around the world including information on 55,000 detected victims and 50,000 detected offenders. This presentation displays strengths and limitations, and shows how the information collected by UNODC was used at the time of the production of the Report. The presentation will also discuss the findings of the Report in light of the methodology used. The report includes an overview of the profile of detected victims and offenders and it sheds light on the myriad trafficking flows observed locally and globally, as well the type of exploitation that characterizes these flows. Trafficking patterns and flows at the national, regional and global levels are analyzed. The report presents trends on trafficking patterns, and conducts some germinal statistical analysis on the factors affecting trafficking in persons. For the first time on this area of research, the Global Report identifies some of the predictors of human trafficking flows, pointing at as some socio-economic variables. Presented in the Global Report 2012, these results shows how this research approach may open the doors to further quantitative analysis on trafficking in persons. Acknowledging the limitation of official information, it is argued that many findings of the report are useful at the policy level. They can also be used as pointers to identify important research topics that need further analysis.

# INCREASING THE COMPARABILITY OF STATISTICS ON TRAFFICKING IN HUMAN BEINGS ACROSS EU COUNTRIES: THE TRAFSTAT PROJECT

Claudia Campistol[1], Leontien Van der Knaap[2], Jan Van Dijk[2], Marcelo F. Aebi[1]
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[2]*University of Tilburg, INTERVICT, Tilburg, The Netherlands*

The project "Tools for the validation and utilization of EU statistics on human trafficking" (TRAFSTAT), funded by the European Commission, aims to improve the comparability of the statistics on trafficking in human produced in the member states of the European Union (EU). The research team of this project applies the proven methodology of the *European Sourcebook of Crime and Criminal Justice Statistics* to establish a network of experts – composed mainly of National Rapporteurs on Trafficking in Human Beings (THB) – from all EU member states. This network will help establishing the extent to which the current EU Trafficking in Human Beings (THB) statistics developed by each country are comparable, and in which ways they can be reasonably improved in order to achieve comparability. In the first phase of the project, a questionnaire has been sent to the members of the network. The questionnaire includes a series of quantitative and qualitative indicators which seek to collect data and metadata on the way in which THB statistics are constructed in each country. This presentation shows the main results of that first phase of the project and is based on the answers received to the questionnaire. It will illustrate the current diversity on the construction of THB statistics across countries, as well as the problems that must be overcome in order to improve comparability. It will also show examples of misuse of the current statistics by the media, and the way in which a reliable set of statistics could be used to identify early warning signals, for example on new forms, markets or victim groups, which can be communicated to alert relevant authorities in the EU and the member states of emerging trends.

**Keywords:** *Trafficking in Human Beings, Statistics, Comparative criminology*
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**TOWARDS A SCORECARD FOR ANTI -THB POLICIES**

Jan Van Dijk
*University of Tilburg, Law School, Tilburg, The Netherlands*

The Group of Experts on Action against Trafficking in Human Beings (GRETA) is responsible for monitoring the implementation of the 2005 Council of Europe Convention on Action against Trafficking in Human Beings by the State Parties (presently 40). GRETA regularly publishes reports evaluating the measures taken by the Parties and formulating recommendations for improvements. On the basis of the first thirteen country reports of GRETA a checklist was designed detailing 34 key policy requirements applied by GRETA regarding Prevention, Protection and Prosecution respectively. Based on GRETA's recommendations to individual countries, their performances on these 34 requirements have been assessed quantitatively on a scale of 0 to 2. Scores overall and scores for each of the three main dimensions of individual countries have been calculated. These scores have been compared with the ratings on the evaluations published by the US State Department showing a high degree of congruence. Some examples will be given of how these scores can be used both for policy monitoring and benchmarking as for academic, analytical purposes.

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## THE UTILITY OF HUMAN TRAFFICKING STATISTICS: COUNTRY LEVEL APPROACH

Ieke De Vries
*The Hague, The Netherlands*

The presentation will focus on data-collection and analysis of trafficking in human beings in the Netherlands, showing the utility that a report on 'visible and invisible human trafficking' could have for the Dutch government. There are many different statistics about human trafficking in circulation. The desire to estimate the scale of the phenomenon is widely shared, which is understandable since human trafficking is a complex offence which, although increasingly visible in practice, is nevertheless still often difficult to see. The key to the mandate of the Dutch Rapporteur is to identify the nature and scale of human trafficking in the Netherlands. In a recent study '*Trafficking in human beings: Visible and Invisible*' (2012), the Dutch Rapporteur tried to identify what quantitative data are currently available on human trafficking in the Netherlands. The report covers a range of subjects: the number of (possible) victims of human trafficking registered in the Netherlands, their characteristics and the sectors in which they are believed to be exploited, as well as how many suspects have been prosecuted over the years and what their backgrounds are. This report also analyses the investigations of human trafficking carried out in 2009 and the types of suspects involved. The key message of the report is*: 'To tackle human trafficking effectively, it must be made visible. Human trafficking that is hidden must be revealed – and once revealed, it must be better registered.'* Whereas statistics do not show the full reality on human trafficking (how much do we not see?), statistics can be very informative and may be of actual use to stakeholders since they indicate the 'information one should be seeking'. Quantitative data can outline the contours of the human trafficking problem and may expose bottlenecks in attempts to combat it.

The Dutch Rapporteur works independently and reports to the Dutch government. The government responds to the reports to Parliament. The presentation will show the utility of above mentioned report for the Dutch government but also for other national and international stakeholders.

# SYSTEMATIC REVIEWS AND EXPERIMENTS

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**WHEN EUROPEAN COUNTRIES ARE IN RECESSION, WHY SHOULD THEY SPEND SCARCE PUBLIC RESOURCES COMBATTING CRIME?**

Jacquelline Mallender, Rory Tierney, Mirja Gutheil
*Matrix Knowledge, London, United Kingdom*

The authors will present the results of a recent analysis of four systematic reviews of studies which report economic analysis of criminal justice interventions and an overview of findings from economic modelling in this area internationally. Despite the paucity of research, these studies consistently show that if an intervention is effective, it can generate significant economic benefits to taxpayers, victims and wider society can be substantial, with benefits exceeding intervention costs several times over. The authors also provide a review of the growth in the use of pay-for-performance contracts and social impact bonds as mechanisms for government to invest in these programmes whilst minimizing the risk of waste should the programmes fail to meet impact expectations. The authors conclude that whilst there are general lessons, context is important and governments need to adopt locally relevant solutions, underpinned by evidence, to get maximum return on investment.

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**TURNING POINT: AN EXPERIMENT ON DIVERSION VS. PROSECUTION**

Peter Neyroud
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Operation Turning Point is a randomised controlled trial based in Birmingham, UK. The trial has been designed to compare the relative effectiveness and cost benefit of police prosecuting low harm offenders with a treatment, a "turning point contract", which combines a deferred prosecution with a set of conditions that are agreed with the offender and which are intended to support desistance. The 2 groups – the control (prosecuted) and thetreatment (Turning Point) group – are allocated by random assignment by the Cambridge Gateway. The trial is being evaluated by comparing the control and treatment groups against their outcomes for prevalence and seriousness of offending and the cost-benefit of the two interventions. This paper will present an interim report, describing the setting up of the trial and some emerging findings from the research. The study will have important implications for the future of diversion and sentencing policies.

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**CUSTODIAL VS. NON-CUSTODIAL SENTENCES: AN UPDATE AFTER 10 YEARS**

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[3]*University of Zurich, Zurich, Switzerland*

In 2005, a Campbell systematic review on the relative effects (on re-offending) of custodial vs. non-custodial sanctions has been published. In 2013, this review has been updated and, beyond controlled trials, quasi-experimental studies have been included. The review concludes that rates of re-offending are lower following non-custodial sanctions in quasi-experiments, but not in controlled trials. Further, it was found that among quasi-experiments, strength of the research design is related to outcomes – weaker designs tending to favour alternative sanctions more than studies where pre-existing differences among convicts have been more rigorously controlled. This finding may have important policy implications. If re-offending does not differ much across sanctions, there is no empirical base for advocating one type of sanctions over others in relation to special deterrence. It also means that other goals of punishment, such as general deterrence, equity and legitimacy of the criminal justice system, can legitimately be considered in sentencing decisions.

# EDLC SESSION I: CRIMINAL CAREER PATTERNS

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**CHANGES AND SIMILARITIES IN OFFENCE PATTERNS IN THE EARLY STAGES OF DESISTANCE: A STUDY OF YOUNG ADULTS IN ENGLAND**

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[2]University of Cambridge, Institute of Criminology, Cambridge, United Kingdom

It is now well established that, at least among persistent offenders, desistance is normally a gradual rather than a sudden process. It is, however, much less clear how patterns of crime change during processes of desistance and persistence. Using the Sheffield Desistance Study, which followed a group of 113 young adult male offenders (most of whom had been persistent offenders) over three years, we shall look at offending patterns from official conviction data and self-reported criminality. Previous research has established that most were reconvicted, but the frequency of reconviction decreased sharply – however, a self-reported criminality measure indicated that while 61% reduced their criminality, 39% increased it. But were these the same types of crime? Does offending change in the early 20s? We shall consider changes in offending patterns alongside key mediating variables relevant to theories of desistance, particularly an expressed intention to stop offending and the number of 'obstacles to stopping offending' in offenders' lives. Where possible, quantitative data will be augmented by illustrative qualitative data from the Study.

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**CHANGING CRIME-MIX PATTERNS OF OFFENDING OVER THE LIFE COURSE: A COMPARATIVE STUDY IN ENGLAND & WALES AND THE NETHERLANDS.**

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This presentation introduces a comparative analysis of England and Wales Offenders Index data and the Netherlands Criminal Career and Life Course Study (CCLS), examining criminal lifestyles and how they change over time. The analysis will use a latent transition analysis approach which will jointly estimate the crime mix patterns (different offenders have different selections of offences) and the transition probabilities (offenders move from one pattern to another before desisting). We discuss issues relating to comparing the two datasets, including definitions of offences in the two jurisdictions and the year of birth distribution of the two samples. One additional issue is whether to carry out separate analyses of the two datasets or to combine the datasets, and pros and cons of each approach will be discussed. We will investigate whether some crime mix patterns are more specialised than others in terms of their long term patterns, and whether some crime patterns desist earlier than others. Preliminary results will be presented and discussed.

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# DEVELOPMENTAL TRAJECTORIES OF WHITE-COLLAR OFFENDERS IN A DUTCH CONVICTION COHORT

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Life course research has great merit for understanding the life course development of white-collar offenders, as well as the key dimensions of active white-collar offenders in the broader offender population. Although during the last two decades numerous longitudinal studies have empirically distinguished different groups of offenders with distinct patterns of offending over periods of the life course, only few researchers have adopted this approach to describe criminal development of white-collar offenders. This study uses group-based trajectory modeling and describes trajectory groups in a sample of white-collar offenders in the Netherlands. Information was based on criminal and selection offence characteristics using official data on crime from ages 12 to 50. The sample was selected from the Dutch 1977 conviction cohort. In line with previous research, findings confirm that white-collar offenders represent a heterogeneous group of offenders and recognize that different explanations may be needed to explain the development of different types of white-collar offenders.

# ISSDP PANEL ON DRUG DECRIMINALISATION: RIGHTS, PROGRESS AND EFFECTS

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**ISSDP PANEL ON DRUG DECRIMINALISATION: RIGHTS, PROGRESS AND EFFECTS**

Alex Stevens
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This panel will present research by members of the International Society for the Study of Drug Policy on the decriminalisation of illicit drugs. With the recent publication of the Organisation of American States report on drug policy and increasing momentum for legislative change within the USA, the blockage to international law reform on this issue is weakening. It is therefore important to examine the reasons, implementations and effects of drug decriminalisation. The panel will consist of three papers. The first, from Katherine Pettus, will focus on the implied right to be drug-free contained in the 1961 Single Convention and the way in which this used to legitimate criminalisation and other violations of human rights that are done in the name of drug control. The second paper, from Niamh Eastwood, will present the research carried out by Release (a British NGO) on the international spread of drug decriminalisation, which has now been adopted by at least 21 countries. She will also present the emerging evidence on the effects of drug decriminalisation on drug use patterns. The final paper will focus on the effects of a single case of drug decriminalisation; the Lambeth cannabis experiment. This was a policy, implemented in a borough of London in 2001 and 2002, in which the police avoided criminalising people for cannabis posession. Using econometric analysis, Brendon McConnell will explore the effects of this policy on drug use and other crimes. The panel will be chaired by Alex Stevens.

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# CLASH OF RIGHTS: SOVEREIGNTY, THE DRUG CONTROL TREATIES, AND THE RIGHT TO HEALTH

Katherine Pettus
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National criminal justice policies that comply with multilateral narcotics control treaties requiring Parties to control and punish specifically enumerated activities (cultivation, manufacture, trafficking, etc.) associated with illicit drug use often result in multiple, cumulative human rights violations cited by drug policy reform NGOs. Violations include incarceration and physical abuse of non-violent drug users, forced crop eradication, police and military surveillance and violence against civilian populations, over-regulation of medical opioids for cancer and AIDS patients, stigmatization and withholding of OST for IDUs seeking recovery. These human rights violations are legitimated by and alleged/contrived "human right" to be drug free that underpins the subtext of the same drug control conventions, beginning with the Single Convention on Narcotic Drugs. The International Narcotics Control Board charged by the UN with overseeing the drug control treaties, stated in its 1994 Annual Report: "Protecting the wellbeing of individual and society is the purpose of prohibiting the non-medical use of drugs, which is certainly not an attempt to limit human rights. The prevention of drug abuse problems by means of national and international control and demand reduction activities can be regarded as a basic human right of the individual and society." Although this "human right" is an stealth construction of the narcotics control regime (rather than a legitimately ratified right) well-funded anti-drug units and police forces all over the world "defend" it in the name of a global imaginary of disciplined, law-abiding citizens. Signatory Parties empowered the international narcotics control regime to dictate national criminalization and enforcement policies because Article 5 of The Single Convention on Narcotic Drugs requires state Parties to relinquish their sovereign police powers (over public health and criminalization policies regarding most aspects of narcotic drugs) to the United Nations in exchange for a globally centralized command and control center charged with supervising domestic policy. States' voluntary abnegation of sovereign power to comply with the international narcotics control regime effectively eviscerates their abilities to meet their human rights obligations (which by definition require an "intact" sovereign) and moots NGO human rights claims. Methods include review of international drug control and human rights law and analysis from political and legal theories of sovereignty.

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# THE IMPLEMENTATION OF DRUG DECRIMINALIZATION MODELS ACROSS THE GLOBE

Niamh Eastwood
*Release, London, United Kingdom*

The decriminalisation of drug possession offences has gained greater media and political attention, due largely to the Portuguese system adopted in 2001. Portugal has provided drug policy reform advocates with significant evidence about the positive impact of adopting decriminalisation when coupled with investment in public health services. However, Portugal is not the only jurisdiction to have adopted non-criminal sanctions for drug possession offences.

Release, the UK centre of expertise on drugs and the law, has published a review of countries and states that have adopted decriminalisation of drug use. The report defines decriminalisation as the removal of sanctions under criminal law, with the option to apply administrative penalties. Over 20 countries or states have adopted some form of decriminalisation – including Germany, Colombia, Czech Republic, Portugal and Poland, as well some US and Australian States.

Arguments against drug policy reform are often centered on the notion that anything that moves away from the criminalization of people who use drugs will lead to significant increases in drug use. Our report clearly demonstrates that the adoption of decriminalisation does not impact in any statistically significant way on rates of drug use within a jurisdiction. It also highlights the positive outcomes associated with the application of non-criminal sanctions for drug possession offences, such as reduced burden on the criminal justice system and improved social/emotional experiences for those who are not criminalized.

However, the research also highlights problems in relation to the implementation of models of decriminalisation. In particular issues arise in relation to the threshold of drugs used to determine whether an individual falls within the decriminalisation scheme; whether the police, prosecution or judiciary are assigned to determine the offence; and finally the type of sanctions adopted.

The presentation will provide an overview of the experience of other jurisdictions that have adopted a decriminalized model for drug possession offences and will discuss some of the implementation issues highlighted above.

The methodology for this report was a review of the existing research and commentary on those countries that have decided to pursue non-criminal sanctions for drug possession and/or use.

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**CRIME AND THE DEPENALIZATION OF CANNABIS POSSESSION: EVIDENCE FROM A POLICING EXPERIMENT**

Brendon McConnell
*University College London, Economics, London, United Kingdom*

We evaluate the impact on crime of a localized policing experiment that depenalized the possession of small quantities of cannabis in the London borough of Lambeth. Theory suggests such a policy will: (i) impact the size of the market for cannabis in Lambeth as well as neighboring boroughs as drug users move to Lambeth to purchase cannabis; (ii) allow the police to reallocate effort towards other types of crime. We investigate whether such changing crime patterns are observed during and after the depenalization policy is introduced in Lambeth using administrative records on criminal offences by drug type, by specific drug offences that proxy demand and supply side criminal activities, and for seven types of non-drug crime. We find that depenalization in Lambeth led to an increase in cannabis possession offences that persisted well after the policy experiment ended. Half of the increase is attributable to drugs tourism into Lambeth from neighboring boroughs after depenalization. We find little evidence that the policy caused the police to reallocate effort towards Class-A drug crime, rather the evidence suggests the police in Lambeth reallocate their effort towards non-drug crime: there are signi?cant reductions in five non-drug crime types, and significant improvements in police effectiveness against such crimes as measured by arrest and clear-up rates. These nuanced results s provide new insights for the current policy debate on the regulation of illicit drugs markets.

**Keywords:** *depenalization, drugs crime; non-drugs crime; police behavior*

# HOMICIDE IN EUROPE I.

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## HOMICIDE IN EUROPE

Marieke Liem
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Homicides are crimes involving the most severe types of violence. For a long time, homicide in Europe has constituted a neglected topic. Recent developments, however, have resulted in the establishment of (inter)national databases on homicides committed over extended time periods. In line with the conference theme, these developments now allow for homicide trend-analyses, as well as influences of policymaking on homicide in general, and specific types of homicide in particular. This two-part panel is organized by the European Homicide Research Group, consisting of representatives from roughly fifteen European countries. The goal of the Research Group is to increase systematic knowledge about lethal violence, necessary for assessing factors that foster violence, preventative measures, sentencing policy and punishment. The panel consists of two parts: The first focuses on various aspects of homicide, including:

-Matthias Bänziger and Martin Killias: *Unsolved Homicides in Switzerland: Patterns and Explanations.*
-Nora Markwalder: *Robbery Homicide.*
-Sven Granath and Joakim Sturup: *Child Homicides in Sweden.*
-Janne Kivivuori and Martti Lehti: *Homicide in Finland.*

The second panel focuses on intimate partner homicide in Europe specifically, reflecting a recent European effort to combine research on this topic to allow for cross-national comparisons. It includes the following presentations:

-Consuelo Corradi: *Femicide in Italy - An analysis of national data with cross-national comparisons.*
-Jasna Podreka: *The Psychosocial Characteristics of the Perpetrators of Intimate Partner Femicides.*
-Maria José Magalhães: *Femicide in Portugal.*
-Anna Costanza Baldry and C. Porcaro: Killed versus Abused Woman: Same Past as a Risk of Same Destiny?

**Keywords:** *homicide; violent crime; cross-national comparisons; femicide;*

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# UNSOLVED HOMICIDES IN SWITZERLAND: PATTERNS AND EXPLANATION

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Homicide is an extreme and – fortunately – a rare event. In Switzerland, the number of completed homicides varied in the last 30 years between 46 and 110 cases per year, only few of them being unsolved. According to Swiss statistics of police-recorded crime (PKS), 87% to 100% of all completed homicides have been solved between 2009 and 2011. In reality, however, fewer cases are solved. As a matter of fact, the police consider a case as being "solved" once they have a suspect in view, regardless whether or not this person is ever indicted or even convicted.

Regardless of these definitional issues, the question of how many homicides remain unsolved and why is interesting in itself. The Swiss Homicide Database (SHD) has now been used to study the characteristics of the unsolved cases. The SHD, covering more than 1,300 completed homicide cases committed between 1980 and 2004, was set up with the purpose to improve the empirical knowledge about constellations of homicide in Switzerland. The data of the 170 registered unsolved murder cases show that they occur more often in public than in private places and involve predominantly unmarried men below 40, of foreign nationality or with homosexual orientation. A logistic regression showed that the strongest predictors are sexual tendency of the victim and the location of the event.

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**ROBBERY HOMICIDE: SWISS FINDINGS IN AN INTERNATIONAL COMPARISON**

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The presentation aims to embed findings on robbery homicide in Switzerland in an international comparison. The purpose of this comparison is to find out whether robbery homicide presents similar characteristics in various countries or whether some aspects are specific to the crimes committed in Switzerland. The present analysis on robbery homicide is based on data from the Swiss Homicide Database, a database covering all homicide cases in Switzerland between 1980 and 2004. For the international comparison, data from several European countries, such as the Netherlands, Finland and England, as well as research from the USA and other non-european countries, was used. The issue of lack of data on homicide in Europe is also adressed in this presentation. Moreover, in order to evaluate the characteristics of robbery homicide, this type of crime is compared to standard homicide as well as robbery without lethal ending. The ultimate goal is to adress prevention measures of robbery homicide by evaluating the situational differences of this type of crime in various countries.

**Keywords:** *Robbery Homicide, Violence, International Comparison, European Homicide Research*

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**CHILD HOMICIDES IN SWEDEN 1990–1996 AND 2002–2008**

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Child homicide is the fifth most common cause of death and accounts for 4 percent of all deaths among children in Sweden. The objective of this study is to examine changes in child homicides in Sweden during the 1990s and the 2000s based on a study of all cases in Sweden during the periods 1990–1996 and 2002–2008. The results show a significant decrease in child homicides in Sweden over the past 20 years, with the main decline being due to a reduction in cases of filicide-suicides among parents. Analysis at both the individual, and aggregate, levels strongly supports the view that the reduction in child homicides is related to the increased prescription of antidepressant medication in the general population. This underscores that although most violence towards children is driven by social factors, when examining serious violence, and lethal violence in particular, medical and psychiatric factors also need to be taken in consideration. However, the antidepressant medication factor does not explain all of the reduction in child homicides in Sweden since the 1990-ties and more research is needed, not least on how a heightened level of interventions from the social services and a possible reduction in levels of economic stress may also have affected the child homicide rates.

# SOCIOLOGICAL PORTRAIT OF HOMICIDE OFFENDERS AND VICTIMS IN LITHUANIA

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Homicide as a social fact in scientific studies is mostly presented by official statistics which does not provide much deeper view on the culprit and the circumstances of the crime.

The research project "Homicide in Lithuania" (supported by Research Council of Lithuania) is based on the analysis of 1000 Lithuanian court decisions in homicide cases in years 2005-2012. Detailed information from the court decisions has been converted into quantitative data that is analysable by the statistical data analysis programs. This presentation concentrates on findings concerning statistics and correlates of circumstances of the crime, sociological, psychological, legal and demographical offenders characteristics. Victims characteristics that are presented in the court decisions are also sampled and statistically analysed in order to review homicide phenomenon in Lithuania comprehensively.

Preliminary findings show that most homicide has been committed during the state of alcohol intoxication both by victim and the offender. The victim is usually acquainted with the offender and the crime is committed in the living place of the former or the latter. Most people committing homicide are jobless, single or divorced that confirms social control theories.

# GENDER VIOLENCE: INTIMATE PARTNER VIOLENCE II.

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## VIOLENCE AGAINST MEN AND THE VALUES OF A PARTNERSHIP

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The paper reports first outcomes of the study of the intimate partner violence (IPV) carried out in the Czech Republic in 2012. It focuses on the context often neglected in surveys: the relevance of the topic, the values of a partnership, the self-control. The representative survey of Czech men (N = 1001) has demonstrated that life-time prevalence of physical or sexual violence experienced by men is about 10 %, however in the current partnership seems to be lower (3%). The incidence of a psychological abuse is substantially higher and it could be summarized into an index. The strongest predictors of the psychological violence are the self-control of the current partner and alcohol consumption, the role of some values or expectations is also confirmed. The role of social status is rather weak. We could expect a pathway dependency in the respect of the parental partnership of course. Although the value orientations had no substantial effect on IPV (if comparing to the self-control measures) we still keep this items in the questionnaire for women because the motivation to conserve the relationship should explain some cases of domestic violence.

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## FEMALE PERPETRATORS OF INTIMATE PARTNER VIOLENCE

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A limited amount of research has been conducted on female intimate partner violence perpetrators in the UK. Studies undertaken within other jurisdictions offer some insight into explanations but are of limited value when considering the experiences and behaviour of women in Britain. This paper draws on a combination of research findings emerging from interviews with female perpetrators and from case records identified within police data. The aim of the research is to promote recognition of the position and underlying motivations of women who perpetrate intimate partner violence. Results emphasise a variation in the characteristics of male and female perpetrated violence in terms of frequency, nature and impact highlighting potential differences in motivations and triggers which lead to partner abuse. A key element of the research conducted was to enable women's voices to be heard, providing an opportunity in which their experiences and reality could be explored unencumbered by expectations and assumptions. The underpinning commitment to reflect an account of the experiences of the women by using their own narratives is centre stage. The results provide insight into the context of the women's lives facilitating a deeper comprehension of process and the impact of social structures whilst offering a unique account of the range and nature of intimate partner violence perpetrated by women.

# STRATEGIES FOR THE FIGHT AGAINST FEMALE GENITAL MUTILATION IN EUROPE

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Female Genital Mutilation (FGM) comprises a whole range of practices that involve partial or total elimination of the external genitalia of women, and it causes serious physical (including death), psychological and sexual harm. Custom and tradition are the reasons most invoked for its use, especially when it forms part of a ritual of initiation to adulthood. Another reason alleged is that has a bearing on sexual identity, because FGM -also known as ablation- marks the difference between the sexes, with the consequent distribution of the roles each must play in life and marriage. Other reasons include beliefs about hygiene, aesthetics and health, because the clitoris is considered the male part fo women, and it is believed that it can even kill the man if it touches his penis and the baby if it touches his head during childbirth. Finally, and particularly among Muslim communities, religious reasons are invoked, even though the Koran contains no such appeal for this practice.

FMG occurs mainly in Africa and some Middle Eastern countries, but Europe is not exempt, where it is estimated that nearly 500,000 women have already suffered it, and about 180,000 are at risk of becoming new victims each year. And all this is happening despite the fact that FGM is punishable by law in the majority of European countries. It therefore becomes imperative to ask ourselves about the root of the problem. Why have not we eradicated this terrible practice?

The fight against this phenomenon cannot be limited to punishing it as a crime with high penalties (e.g. art. 149 of the Spanish Criminal Code: 6 to 12 years imprisonment). Perhaps there is something wrong in the way we in the Western world are approaching this problem. What we are really doing is reinforcing the stigma that already rests on these people. The criminalization of this problem has made that it becomes even more taboo. Criminalizing without going further means even to question the way in which children are loved in these cultures.

Any action against FGM must consider the multiplicity of factors that lead to this practice. We need to understand the complexity of the ideas and beliefs surrounding FGM, and we cannot ignore their cultural significance. Ablation must be combated through the training of primary care physicians, social workers and teachers, with the creation of informative materials, and, above all, proposing alternatives that could foster the initiation without mutilation. In short, the eradication of this practise should be presented as a matter of redefining or replacing these rites of passage, not eliminating them. Namely, we must seek to respect the ritual, keeping the handover of knowledge and membership in the group but omitting the phase of mutilation.

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**GOOD GIRLS – BAD BOYS? THE RELATIONSHIP BETWEEN MORALITY AND DELINQUENT BEHAVIOR.**

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The following paper analyzes the importance of morality defined as moral centrality, moral motivation and empathy for explaining gender differences in violent delinquent behavior. The three dimensions were used to investigate the cognitive and emotional parts of morality. Especially for violent behavior, larger gender differences were found compared to relational aggression or theft. A representative student survey in a rural area of Germany (N=3.706, M=14.76, SD=1.01, girls = 51 %) was conducted to test if morality can explain these gender differences. As predicted, the study revealed gender differences for morality and delinquent behavior, as girls showed higher amounts of moral centrality, moral motivation and empathy and lower rates of violent delinquent behavior. Furthermore, a logistic regression analysis using violent delinquent behavior as dependent variable showed that the gender effect will be reduced if morality is taken into account. Therefore, morality is one factor explaining gender differences in violent delinquent behavior.

# RESULTS OF THE INTERNATIONAL SELF-REPORT DELIQUENCY STUDIES

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## IS MALE GENDER STILL A RISK FACTOR FOR JUVENILE DELINQUENCY?

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Male gender has traditionally been regarded as a specific risk factor for juvenile delinquency. In recent years, however, several studies have reported a steady increase in the involvement of girls in deviant behaviour, and it has been hypothesised that the gap between the sexes is closing. In order to investigate the role of gender differences in the development of juvenile delinquency, we analysed the data from the International Self-Report Delinquency Study 2 (ISRD-2); we selected a sample of young people aged between 12 and 16 years, of both sexes, from 25 European countries (N=57,771) and assessed the differences between males and females with regard to the type and gravity of offences committed, the onset of deviant behaviour, the probability of being apprehended by the police and the probability of victimisation. Differences in antisocial behaviour between males and females were seen to vary from one country to another, and were greater in the countries of southern and eastern Europe. Nevertheless, male gender still proved to be a specific risk factor for juvenile delinquency. From the chronological standpoint, we noted that juvenile delinquency increases as age increases, while the ratio between male and female delinquency does not change significantly with age. Moreover, no gender differences emerged with regard to the onset of delinquency. The risk factors for female and male delinquency proved to be very similar. However, a few features of the family nucleus seemed to impact more strongly on females than on males.

# FIRST RESULTS OF INTERNATIONAL SELF-REPORT DELINQUENCY STUDIES (ISRD-3) IN SWITZERLAND

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The International Self-Report Delinquency Study (ISRD-3) is conducted for the third time and focuses on an international comparison of delinquency, victimization and substance use among juveniles. Switzerland is one of the countries that participated in two previous studies (ISRD-1 and ISRD-2). This research is being conducted in almost all cantons of Switzerland among students of the 7-9th grades of secondary schools. Until today about 2'000 students have already participated in the survey which allows for some preliminary conclusions. The methodological issues, available and estimated results of this research will be presented.

ISRD-3 in Switzerland, as well as in some other countries that participate in this study, is conducted in the form of online computerized survey. This gives an opportunity to get results immediately after the questions have been answered by the pupils and available data can be analyzed at any stage of data collection.

Among the main goals of ISRD-3 in Switzerland are the following: (1) to compare to what extent youth crime increased, decreased or remained stable in Switzerland in comparison with other countries that participated in ISRD-1 and ISRD-2 and participate in ISRD-3; (2) to explain changing trends over time and across countries; (3) to explain the international variability of delinquency pattern; and (4) test whether certain criminological theories can be generalized on an international level.

Collecting of the data is planned to be finished in the autumn of 2013. The estimated number of respondents will be about 3'000.

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# JUVENILE DELINQUENCY IN THE CZECH REPUBLIC: FIRST RESULTS FROM A SELF-REPORT SURVEY ISRD-3

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The presentation discusses the actual state of juvenile delinquency in the Czech Republic and its development in the last decade. The main source of data is the International Self-Report Delinquency Study (ISRD) which second sweep took place in 2006/7 and the third sweep during spring 2013. Both surveys consist of national samples of more than 3,000 juveniles from seventh to ninth grades of schools, i.e. students aged app. 12-16. First, prevalences of delinquency from ISRD-3 will be presented and the attention will be paid to several key correlates as well (e.g. gender, age, type of school). Second, the development of delinquency rates between the two sweeps of ISRD will be described and compared to the trend based on official police data. Third, we will focus on shifts in findings between ISRD-2 and ISRD-3, for instance it will be examined whether the trend of lowering gender differences in certain types of offending has continued after 2007. Finally, selected methodological aspects of the survey and its implementation in the Czech Republic will be discussed.

# SPECIAL CRIMINAL POLICY REACTION FOR SPECIAL TYPE OF CRIME

## IS THERE A NORDIC MODEL OF PROSTITUTION POLICY?
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Over the last decade there has been great interest internationally in the development of prostitution policies in the Nordic countries after Sweden, Norway and Iceland introduced general bans against buying sex while it continues to be legal to sell sex in all these countries. In addition, there is a partial ban against buying sex in Finland and a full criminalisation of the purchase of sex is also being debated on and off in Denmark. The policy development in the Nordic countries points to a different approach from that of several otherEuropean countries. Examples of this is how in the Netherlands, Germany and in Antwerp and Brussels in Belgium prostitution is approached with a form of regulation that includes decriminalisation of third-party involvement in prostitution and the issuing of licensesfor establishments that organise and promote prostitution. The choice to criminalise only the act of the buyer in the Nordic countries also stands in contrast to the policies in countries which criminalise both buying and selling sexual services, such as Romania, Croatia and Serbia. Internationally, this way of approaching prostitution is widespread.

The Nordic countries are often treated as representatives of a 'Nordic model' of prostitution policies, and are as such also often heralded for their progressive policies towards prostitution. Politicians, journalists, researchers and activists internationally relate their arguments about what prostitution policy to apply to particularly the Swedish case, discussing whether the 'Nordic model' or 'Swedish model' constitutes a 'best practice' for dealing with prostitution or not.

The legal reforms in the Nordic countries have come at different times and have, because of this and for other reasons, been influenced by different national and international discourses on prostitution, gender, sexuality, public space, social work, criminal justice, human trafficking and immigration, as well as by welfare state policies. However, they are also related to each other. In the Nordic countries the issue of prostitution has been high on the public agenda for several decades, and in most debates it is taken for granted that the countries share the goal of wanting to abolish prostitution. In this paper I explore similarities and differences in how the Nordic countries approach their prostitution, on paper and in practice, and discuss whether it is reasonable to speak of a Nordic model of prostitution policies.

# INTELLIGENCE AND RISK ASSESSMENT IN THE CASE OF SEX OFFENDERS

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Over the past 20 years police authorities in Germany have been classifying specific individuals as "dangerous offenders" (so-called *Gefährder*) and storing their data in police databases not on the evidence-based but on the fact-based assumption that the individuals in question will commit a serious offence in the future. Thus, this storage of data is based on an assessment by the police on whether these individuals constitute a potential risk requiring specific preventive measures. Such risk assessment measures have already been utilized in counter terrorism strategies and for the prevention of violence at sports events; however, they are currently extended to other areas, including the recidivism of sex offenders. After their release from prison, sex offenders are usually subject to police surveillance for a long period of time; their data is stored in specifically developed databases (*Sexualstraftäterdateien*); special programmes are applied in regional criminal investigation departments (*Landeskriminalämter*) to facilitate the exchange of data between the prison authorities, the institutions assigned with specific treatment interventions for offenders with psychological disorders, the law enforcement authorities, the probation services and the so-called "supervision of conduct" service.

Similar practices exist in other EU countries. Special emphasis is placed on England and Wales as it provides insight into the practices in reducing recidivism of sex offenders in a common law country. Non-legislative measures such as data storage (i.e. the ViSOR-Violent and Sex Offender Register-Database) and the cooperation of the competent authorities (Police and penitentiary authorities, probation service) are combined with legislative measures, such as the Sexual offences prevention orders (SOPOs) as provided by the Sexual Offences Act 2003.

This paper discusses the risk management practices with regard to post-release sex offenders in Germany as well as in England and Wales, with special focus on the sex offender databases of both countries and their effectiveness.

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# CANNABIS PRODUCTION IN BELGIUM: HOW IT WORKS AND WHAT HARM IT CAUSES

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Since the beginning of the new century domestic cannabis production has expanded rapidly in Belgium and the number of cannabis plantations dismantled by the police has increased sharply. The expansion of domestic cannabis cultivation is associated with heightened levels of violence and corruption and the involvement of criminal organizations. Little is known however about the exact market share of different types of cannabis producers, from small-scale cultivators to large-scale commercially oriented growers. And even less is known about the harms associated with cannabis production and the impact Belgian drug policy has on these harms.

The paper is intended to start filling these knowledge gaps. In particular, it aims to reconstruct the business model of cannabis production in Belgium and the role played in it by the different types of producers and, on this basis, assess the harms associated with cannabis production and its "accompanying" activities (e.g. use and threat of violence, corruption) per type of producers.

The paper draws on an extensive data collection carried out for a research project funded by the Federal Science Policy of Belgium and coordinated by Tom Decorte of the University of Ghent. In particular, it relies on an extensive web-survey of cannabis producers (n=1,293), interviews with 20 convicted producers and 32 experts and an analysis of 30 related criminal proceedings. To assess the harms associated with cannabis production and its "accompanying" activities (e.g. use and threat of violence, corruption), it uses the "harm assessment framework," a seminal methodology developed by Greenfield and Paoli (2011).

**Keywords:** *Drug markets, drug policy, cannabis cultivation, harms*

**RIOTS**

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**LET'S GET REAL ABOUT THE RIOTS – EXPLORING THE RELATIONSHIP BETWEEN DEPRIVATION AND THE ENGLISH SUMMER RIOTS OF 2011**

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Despite media and political rhetoric to the contrary, and academic theorising often offered without supportive empirical evidence, there is persuasive evidence to suggest an association between deprivation and those involved in the English summer riots of 2011 which continues to be ignored when developing responses to crime and crime prevention policy. This deep routed long-standing association between deprivation and 'criminality' has been a feature of crime statistics more generally and a backdrop of deprivation was also seen in previous riots in England – such as those in the 1980s. Although the media and politicians portrayed the 2011 riots as a shocking apolitical mindless display of violence and responded to it as such with harsh punitive measures, are we really that surprised when considering the context of increasing budget cuts, social inequality and youth unemployment? In this paper I explore some of these issues and present empirical evidence from two major cities in the North West of England, which highlights an association between deprivation and rioting in both charge and sentencing data. The paper argues that to mask the rioting as 'mindless criminality' is to ignore wider social responsibility for the conditions from which these disturbances arose and to silence important messages from disenfranchised youth and communities about the inequalities they suffer.

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**POLICING MEMBERSHIP IN HUSBY: FOUR FACTORS TO THE STOCKHOLM RIOTS**

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The stones thrown in the Stockholm riots were large granite blocks, stones that are used in the cobblestone pathways that grace the city, a sign of the relatively high standard of living in these residential neighborhoods. Husby is a long way away from the burned out hyperghettos of absolute deprivation. Despite the common media refrain about high rates of unemployment, economic grievances were not the primary motivating factor in these protests. After four nights of setting cars on fire and pelting stones at the police, we should note there has been no reported looting and only one commercial enterprise sustained any damage with one window knocked out. The police were the main targets of these protests and we should not lose sight of this critical point even as we develop broader explanations about underlying causes. As more information comes to light, commentators will no doubt have to revise these preliminary statements about the protests. But at this point I will say there were most likely four key factors that led to and help explain these violent confrontations: (1) a Security Gap, Legitimacy Gap, the over-enforcement of law and under-enforcement of protection; (2) Contested Membership, a fight for social recognition; (3) Spatial Stigmatization, the insistence that the suburbs are different and devalued; (4) Suburban Marginality, substandard education and high unemployment. While all four factors were at play, I think the riots were at their core about the policing of membership in Sweden, deemed to be illegitimate. This paper seeks to explain the riots, paying particular attention to the role of policing ethnic minorities as it collides with struggles over national belonging.

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# FANTASIES AND AFFECTS IN THE CRIMINALIZATION OF THE 2011 ENGLAND RIOTS

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The aim of this paper is to show that the 2011 England riots were affectively criminalized by the British government and popular press. In this regard, through the Lacanian psychoanalytically-inflected discourse theory, it is argued how the discourse of the conservative-led coalition government gripped subjects by rendering invisible socio-economic and political causes of the riots**.** The paper uses the "fantasmatic logics of critical explanation" (Glynos & Howarth, 2007) to examine the affective investment of 'the Big Society' discourse of the British government in the face of riots, the affective charge that relies on 'mending broken society'. It also explains the affective dimension of the popular press' discourse on the riots by appealing to the category of 'fantasy' and 'enjoyment'. It is thus argued that both the government and the popular press crudely criminalized the rioters and thereby reduced the cause of the disorders to moral concerns. The paper highlights the political and ideological significance of affects in discourse, which can be viewed from the immediate custody and the longer length of sentences dispensed to the rioters by underpinning the processes of criminalization.

# THE 2011 ENGLISH RIOTS IN RECENT HISTORICAL AND COMPARATIVE PERSPECTIVE

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The 2011 riots were the largest civil disturbances in England for a generation. This paper examines the riots in recent historical and comparative perspective. Looking at the history of civil disorder in the post-war period, it seeks to identify the commonanities and differences between the 2011 riots and those that occurred in previous decades. From the 'race riots' of the 1950s, through the major urban upheavals of the 1980s, it examines the changing social, cultural and poltical circumstances in which riots have occurred, and the varying ways in which such civil disorder has been framed and understood. In short, the paper argues that there was much about the 2011 riots that was recognisable from the disturbances of the earlier periods. And, yet, there were also elements of distinctiveness, not least in the speed with which such disorder spread, the means by which rioters communicated, and the extent of the acquisitive crime that accompanied the disturbances. Finally, the paper also seeks a brief comparative perspective by looking at the recent 2013 Stockholm riots and those in Paris in 2005, similarly seeking to examine the extent to which the disorders in England, France and Sweden share common characteristics.

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## PUNISHING DISADVANTAGE? MAKING THE CASE FOR A WELFARE-BASED APPROACH TO YOUTH JUSTICE

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It is well-established that children who offend tend to be socially and economically disadvantaged; and this is particularly true of those who commit more serious offences. Although the high levels of disadvantage are recognised, a largely punitive approach to child and youth offending and anti-social behaviour has developed in England and Wales. This punitiveness is exemplified in the low age of criminal responsibility in this jurisdiction, which stands at 10 years; and in public and political rhetoric about the 'threats' posed by children depicted as being beyond the control of their families, schools and communities. Until quite recently, the punitive approach was most clearly manifest in relatively high rates of imprisonment for child defendants. The past few years, however, have seen a dramatic decline in the child custody population. As of March 2013, there was a total of around 1,300 10 to 17-year-olds in custody in England and Wales; this compares to a peak custodial population of around 3,200 in October 2002.
This paper will consider the relationship between disadvantage and offending behaviour, and at the variable record of the England and Wales youth justice system in responding to the pressing and complex needs of the children who are caught up within it. In so doing, the paper will draw on the findings of two recent studies undertaken by the Institute for Criminal Policy Research at Birkbeck, University of London: a detailed profile of children in custody; and a review of the needs of, interventions provided to, children within custodial establishments. The paper will make the case for a youth justice system which puts more emphasis on addressing children's welfare needs and less emphasis on punitive responses, while also ensuring that children understand and take responsibility for their wrongdoing. The development of a welfare-based approach to youth justice would build on the progress already seen in terms of the reduced use of custody for children, and would include changes such as more effective use of restorative approaches to tackling offending and anti-social behaviour by children; closer integration between youth court and family court proceedings; and, potentially, raising the age of criminal responsibility.

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**INCOMPARABLE PUNITIVENESS? MULTIFACTORAL COMPARATIVE ANALYSIS OF THE DUTCH, SLOVENIAN AND HUNGARIAN INSTITUTIONS DEALING WITH THE AGE GROUP 12-16**

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In our globalizing world, referring to *"good experiences"* or *"punitive nature"* of a particular legal measure introduced by other countries is the most commonly used argument for or against the promotion of the same law. This kind of argument however misses to explain, that one example or model is only understandable in the context of many different, sometimes even the tiniest characteristic of the country in case. Without this understanding any argument remains scientifically empty, moreover practically useless.

In my paper I make an attempt to clear up misunderstandings and to get right picture about the institutions of child protection and juvenile justice dealing with a particular age group of deviant adolescents. A comparison on the methods and punitiveness of dealing with child or juvenile delinquency does not seem easy at first sight. We have to take into account not only the legal background, but its practical outcome, and several influencing factors, such as historical and cultural traditions, social climate and current policy issues. Besides the characteristics of these factors, their connection and correspondence may be an important issue in order to get to know the very sense of the topic.

I chose to compare the relevant institutions of my home country, Hungary, with a culturally close (Slovenia), and a very different (the Netherlands) country. As the very first step I set the age group to be examined according to the age of criminal responsibility prescribed in criminal law, and the rules of different levels of legislation on execution. My research aims to understand how we treat our children, and how does the day of a birthday induce that the social context of the same behaviour conceeds its exclusive role in evaluating the criminal act of a child, and personal responsibility becomes more important. How does it look like in practice? What does it mean for delinquent children in different countries? How do social welfare and juvenile justice overlap and cooperate with each other? What indicates the label of punitiveness in comparative context? With the help of multifactoral analysis I attempt to give suitable answers in my paper to these questions.

# 'ONCE I LEAVE CARE, I WILL FEEL FINE AGAIN'. EXPERIENCES OF YOUNG PEOPLE LEAVING CARE WITH REGARD TO HEALTH CARE

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CONTEXT: For most people, young adulthood is a period in which they start taking definite steps to achieve independence. Most young people succeed in making this transition to adulthood smoothly. Young people who have been cared for in residential institutions experience considerable difficulties during their transition to adulthood.

PURPOSE: The purpose of this qualitative study is to understand the experiences and needs of young people in youth care with regard to mental health at the eve of their transition to adulthood.

METHOD: To obtain an elaborate picture of the transition period, a follow-up study is used. The young people will be interviewed twice: once before they leave the youth care and once 18 months after the first interview. The research data are derived from in-depth qualitative interviews with 67 youth (ages 17-20). The research data of the first phase of the follow-up are presented. This presentation will focus on the voices of the youth themselves and what they need to manage the transition to adulthood successfully, with specific focus on the life domain 'mental health'.

RESULTS: The interviews reveal that the experience of residing in youth care is overall negative. Young people experience a series of significant losses and they perceive their time in care as leaving negative emotional scars. Few respondents develop strategies for coping and resilience during these experiences. They expect that the mere fact of 'leaving care' will help them in establishing a balanced mental health. They feel they do not need the support of mental health services to achieve this balance.

CONCLUSION: Attachment, grief, traumatic stress, and resilience can help inform best practice for youth care practitioners and caregivers involved in youth care.

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**YOUNG OFFENDERS' TRAUMA ON RELEASE FROM CUSTODY**

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The emotional trauma experienced by young people sentenced to a period of custody, particularly in the initial period of incarceration, has been well documented. Interacting with mental health issues, rates of self-harm and suicides are also know to be higher when inside. However, there is less understanding about the traumas experienced by young people as they leave custody to face the outside world again. Although 'resettlement' (or 'aftercare') of young offenders upon release is of interest to policymakers and academics alike, they have tended to focus on practical needs and support. In contrast, this paper asks how the transition from custody is experienced emotionally by the young people, and what personal adjustments they find they need to make.

The paper uses qualitative data from a series of research projects conducted in England and Wales by the authors over the past 15 years. The interpretative analysis explores themes highlighted by the young people themselves, including the stress of difficulties in relating to friends and family, adjusting to the pace of the outside world and dealing with every day interactions. Implications for policy and practice are discussed. This analysis was conducted as part of a new new five-year resettlement project called Beyond Youth Custody (www.beyondyouthcustody.net).

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**PATHWAYS OF TRANSFERRED JUVENILE DELINQUENTS: A QUALITATIVE STUDY ABOUT THE CONSEQUENCES OF TRANSFER ON CRIMINAL JUSTICE PATHWAYS INTO YOUNG ADULTHOOD.**

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In Belgium juvenile offenders under the age of 18 usually appear in the Youth Court. By exception, however, the juvenile can be tried according to the rules of penal law, either in Criminal Court or in the 'Extended Youth Court'. This mechanism is called 'transfer', 'waiver' or 'referral'. Several studies in the USA demonstrated that transferred offenders are more likely to recidivate, and at a higher rate, and more likely to be rearrested for more serious offences than juveniles retained in the juvenile justice system.

Previous Belgian research showed that within a follow-up period of 4 to 6 years, at least half of the transferred youngsters relapsed into crime. In order to gain insight in the question whether these high recidivism rates are caused by intrinsic characteristics of the population, and/or by the impact of the transfer decision, a follow-up research is conducted. In this contribution we will discuss the methods of this follow-up analysis and critically reflect on them. Possibly we will discuss some preliminary findings from the follow-up research.

# COMMUNITY SANCTIONS AND MEASURES WORKING GROUP: SOCIAL STRUCTURES AROUND REINTEGRATION

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## PROBATION SUPERVISION IN A MULTI-AGENCY CONTEXT: KEY THEMES FROM INTERVIEWS WITH SUPERVISEES AND SUPERVISORS

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This paper explores the experience of community supervision in the context of the increased use of voluntary sector organisations and private companies in the delivery of probation work. It identifies issues that are significant to people on both sides of the working relationship: supervisees and supervisors. It investigates whether there is anything distinctive about the input of the Probation Service and asks about understandings of good practice.

The paper draws on 40 interviews with low and medium risk offenders subject to community orders and on 18 interviews with probation offender managers. These interviews were conducted between November 2012 and May 2013 in two different places in southern England.

This research is timely given the intention of the UK Government, outlined in the policy document 'Transforming Rehabilitation', to transfer the supervision of low and medium risk offenders from the Probation Service in England and Wales to providers contracted from the private and voluntary sectors before the end of 2014. The paper concludes by making links between themes emerging from the research and possible future models of service delivery.

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**HOW TO RELEASE? STRUCTURES AND CONCEPTS FOR THE RESETTLEMENT OF PRISONERS IN GERMANY IN A EUROPEAN COMPARISON**

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In many European countries, release structures are currently a topic of debate both in criminal justice and penal/prison policy as well as in society as a whole. Whereas we can find one mainly risk- based focus on the release of so called "dangerous" offenders and the protection of society via surveillance and electronic monitoring, we also discover new ideas and projects with a focus on resettlement, considering recent research and theory by linking the needs and the social capital of the (ex-) offenders to the communities.

This paper will present some approaches and recent developments from Germany. 16 different jurisdictions of the Federal States (Laender) allow for a competition of a German "best practice" for the cooperation of prison and probation services. Whereas few Laender really try new ways through the restructure of competencies or the implementation of new release programs others seem to stuck with the old structures that often leads to unaccompanied periods after the release from prison. High numbers of cases for the probation officers and the German system of discretional conditional release play an important role for the problems of a comprehensive reform.

Other European countries (e.g. Denmark, England or Scotland) seem to have found different ways. The paper will discuss which questions need to be asked in order to identify - through international comparison - good practice models to assist (ex-) offenders during the release process and/or to prepare communities to (re-) integrate them.

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**CONDITIONAL RELEASE FROM PRISON FOLLOWED BY POST RELEASE SUPERVISION**

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**Conditional release from prison followed by post-release supervision**
Council of Europe Recommendation Rec(2000)22 of the Committee of Ministers to member states contains the improving of the implementation of the European rules on community sanctions and measures.
As a guiding principles for achieving a wider and more effective use of community sanctions and measures (Appendix 2) are examples: - alternatives to pre-trial detention such as requiring a suspected offender to reside at a specified address, to be supervised and assisted by an agency specified by a judicial authority;- probation as an independent sanction imposed without pronouncement of a sentence to imprisonment;- suspension of the enforcement of a sentence to imprisonment with imposed conditions;- community service (i.e. unpaid work on behalf of the community); and - conditional release from prison followed by post-release supervision.
In my lecture I focus on conditional release from prison in Europe. I compare the legislative basis, the decision-making body, the range of determinate prison sentences, period before release, absolute minimum period before release, automatic release, conditions and period of community supervision.

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**REINTEGRATION AND INTEGRATION: EXPLORING ASYLUM SEEKERS' AND EX-OFFENDERS' PATHWAYS TO CITIZENSHIP**

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Theory and research relating to the reintegration of ex-offenders and the integration of asylum seekers have developed almost completely independently from each other. However, these two areas both relate to people who are marginalised and stigmatised through legal and social processes and direct work with these individuals shares similar concepts and goals. This paper therefore seeks to identify insights through a critical comparison of these two areas of research, theory and practice, with the intention of enriching our understanding of both topics. Comparison between these two areas highlights that categories and labels are attached to people in asylum and criminal justice systems in ways that are treated as apolitical yet are highly political, with implications for their treatment in society. Notions of social capital play a key role in theory and practice related to people in these two groups, and the synthesis of research across these two areas generates important insights, particularly in terms of the relationship between 'objective' and 'subjective' aspects of integration. The notion of wishing to achieve the 'Good Life' is contentious in relation to both those seeking asylum and those involved in offending behaviour, yet this concept is helpful for understanding integration, identity construction and public attitudes. Legal constraints and notions of legitimacy have important implications for practice in both criminal justice and asylum systems. Although it is important to remain critical of notions such as 'integration', this comparison highlights that research, theory and practice in terms of asylum seekers working towards 'citizenship' may be valuable for understanding the processes by which people desist from offending behaviour and reintegrate into society, moving away from frameworks that focus heavily on criminal behaviour.

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## EXPLANATION OF DESISTANCE: CONTROL THEORY OR STRAIN THEORY?

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Although the control theory seems the leader theoretical framework to explain desistance (Sampson and Laub 1993, Laub and Sampson 2003), other scholars have argued that strain experienced by inmates at release is a relevant factor to distinguish between desisting and persisting people (Burnett 1992, Bottoms and Shapland 2011) and this finding seems compatible with strain theory. In order to increase the knowledge on this issue we present the results of a desistance study carried out in Barcelona between 2010-2012 67 prisoners and parolees were interviewed in 2010 and we identified a group with a desistance narrative and another group with a persistence narrative (Cid and Martí 2012). All the interviewees have been tracked to analyze recidivism and 36 have been re-interviewed. Quantitative analysis of the data obtained from interviews, data on recidivism and qualitative analysis of the interviews in the follow-up are combined to test which of both theories gives the clue to desistance. The results suggest a main causal process where social bonding explains the acquisition of a narrative of desistance and this narrative increases the element of belief that may play a role, in addition to other elements of control theory, to overcome strain and to resist temptations from criminal networks. However, it should be taken into account that social bonds imply some amount of support and this paper explores sceneries were bonded people have lost support.

# EUROC 2: WHITE-COLLAR CRIMES

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**LEGITIMACY AND WHITE-COLLAR CRIMES**

Michael Levi
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The assertion that legitimacy is obtained to a large measure by procedural justice is an important empirical claim, and has generated much fruitful research and policy benefits. In this paper, I will pose some questions for the application of the concept of legitimacy to white-collar crimes committed by corporate and financial services elites and offer some limited empirical data on attitudes and behaviour to illuminate the problems. I will begin by reviewing some relevant research that directly addresses the problems; move to consider attitudes to business legitimacy, regulatory and criminal sanctions, and the implications of recent banking fraud and money laundering scandals.

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# THE VAJONT DISASTER - 50 YEARS LATER

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The Vajont Dam has been completed in 1959 in the valley of the Vajont River in Italy, in the north Friuli Venezia Giulia region. It has been built by SADE (*Società Adriatica di Elettricità*, *Adriatic Energy Corporation*), the electricity supply and distribution monopolist in North-Eastern Italy during that period. Its owner, Giuseppe Volpi di Misurata, had been Mussolini's Minister of Finances for several years. SADE's monopoly regarding electricity supply and distribution in the North of Italy, and the building permits regarding the Vajont dam, were confirmed by the post-fascist government, owing to Volpi di Misurata's strong political connections. The dam had total governmental and police support, despite the strong opposition of the local communities.

The construction work started in 1957, but by 1959 shifts and fractures were noticed while building a new road on the side of the mountain. This led to new studies in which three different experts separately told SADE that the entire side of the mountain (the Monte Toc; in the ancient local dialect, "Toc" means "deeply rotten") was unstable and would likely collapse into the basin if the filling were completed. These three studies were totally ignored by SADE, and in February 1960, SADE was authorised to start filling the basin.

In the night of October, 9, 1963, at 10:39 pm, a massive landslide of about 260 million $m^3$ of forest, earth, and rock, completely filled up the reservoir in front of the dam. The resulting displacement of water caused 50 million $m^3$ of water to overtop the dam in a 250-metre-high (820 ft) wave, destroying five towns (Longarone, Codissago, Castellavazzo, Erto and Casso) in less than seven minutes, and killing near 2,000 people.

Despite the official governmental attempts to describe the disaster as accidental and totally unpredictable, the trial determined that the SADE had known that a landslide into the reservoir was inevitable, and that they kept that information and the connected data and analysis secret. Moreover, they knowingly maintained the water level at such a dangerously high level that a catastrophic wave leaping over the dam in the event of a landslide was a certainty. However, the penaltiesimposed during the process have been incredibly mild.

During this presentation, 50 years after the Vajont disaster, we will examine the case in details, analysing the responsibilities, omissions and decisions of the Italian government and of the SADE corporation. The trial outcomes will be examined as well, in connection with the relevant Italian criminal legislation.

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# CRIMINAL RESPONSIBILITY OF POLITICAL PARTIES FOR ECONOMIC CRIMES – DEMOCRACY ON TEST

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In April 2012, a Croatian County court began a corruption trial against the former prime minister Ivo Sanader, and against one of the major and most influential political parties in Croatia, the Croatian Democratic Union (CDU), which lost elections in December 2011. Charges were also brought against three other party officials by the Public Prosecutor for allegedly siphoning money from state companies. The party is accused of illegally gaining 31.6 million kuna (€4,2 million), while Sanader himself illegally gained 15 million kuna (€2 million). He was arrested in Austria in 2010 on an international warrant and extradited to Croatia in July 2011. This is the third indictment for Sanader, who is also on trial for alleged corruption in cases involving Hungarian oil and gas company Mol Nyrt. (MOL) and Austria's Hypo Alpe-Adria-Bank International AG.

Economic crimes that result in the substantial loss of profit and that are not prosecuted could have enormous effect on the overall economy, society and rule of law, especially if they are committed by the ruling political parties. The last is more visible in transitional societies such as Croatia. The establishment of the criminal responsibility of political parties is not always an easy task, especially taking into consideration not only the complexity of economic crimes and its elements but also the controversial nature of criminal responsibilities of legal entities. In countries that have adopted criminal responsibility of legal entities, the most severe punishment is the dissolution of legal entities. However, under the Croatian legislation, the political parties are exempted from such punishment. Furthermore, the ban on performance of certain activities or business transactions may not be imposed on political parties. The only way to dissolve a political party is envisaged in Art. 6 of the Croatian Constitution, prescribing that the political parties which "by their programs or violent activities aim to demolish the free democratic order endanger the existence of the Republic of Croatia" can be declared unconstitutional by the Constitutional Court of Croatia which means its termination. Of course, CDU never had a program that included corruption as a method.

This presentation focuses on the analysis of the two opposing interests: interests of democracy v. interests of justice. In transitional societies, prosecution and dissolution of political parties may lead to illegitimate limitations of certain political freedoms, especially election rights, because transitional justice is often influenced by certain political motives. In this respect, a parallel can be drawn with the imprisonment of political leaders for economic crimes, as in the Ukraine's *Timoshenko trial*. On the other hand, the interest of justice provides incentives to prosecute and impose the most severe sanctions when the judicial system satisfies minimum requirements of enabling fair trials.

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# REVERSING THE PUNITIVE TURN

René Van Swaaningen
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This is a paper on the relation between imprisonment rates, puntiveness and socio-political developments. It is a case study on the Netherlands, which is placed in an international context. Dutch penal developments are rather peculiar. Till the mid 1980s the country had very low imprisonment rates for such a densely populated, highly industrialised society. From the 1990s on an unprecedented steep increase followed, which was accompanied by strongly punitive discourse. Yet, without any clear cultural or political developments which could explain that, a drop in imprisonment rates followed again after 2005. Can punitive turns thus be reversed? In order to answer this question, the concept of punitiveness as such is examined, an outline is given of the most important socio-political and penal policy changes in the country and of developments inside the penal system. Special attention will be given to the development of non custodial sanctions and newly introduced crime control measures into society as such. The question is whether these are to be considered as being less punitive than imprisonment or indeed bring a carceral society, as Foucault saw it, a step closer. This paper is based on a book chapter the author has in 'European Penology?' (Daems, Snacken & Van Zyl Smit 2013) that will be presented at this conference.

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# EU MEMBERSHIP: SWORD OR SHIELD? AN IRISH PERSPECTIVE

Claire Hamilton
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Snackenand Dumortier (2012) argues that the case law of the ECHR acts as a 'shield' against the penal state but they also recoginse that the case law is sometimes ambivalent, using human rights to promote a penal approach. This presentation seeks to explore these arguments from the perspective of Ireland as a small country which has been a member of the EEC since 1973. In one sense, the 'Europeanization' of human rights has had a significant impact on the development of oversight mechanisms for the Irish criminal justice system and may have acted as a factor militating against state punitiveness in recent decades (Vaughan and Kilcommins, 2007; Hamilton, 2014). In another, the increasing securitisation agenda has had important effects for criminal justice practitioners working 'on the ground'. Legal changes, some of which were introduced in response to the events of 9/11, have recently been the subject of some criticism in the Irish Supreme Court. This case law is discussed with a view to assessing the impact of membership of the European polity on criminal justice policy in Ireland.

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## DECARERATION DELUSION? CAN THE INTENSIVE ALTERNATIVE TO CUSTODY (IAC) REALLY REDUCE THE PRISON POPULATION IN ENGLAND AND WALES?

Emmeline Taylor
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Brought in on several waves of decarceration rhetoric, this paper examines the current status of alternatives to custody (ATCs) in England and Wales. Two broad issues are explored with regard to the successful implementation of alternatives to custody using the Intensive Alternative to Custody (IAC) pilots as an illustrative example. Firstly the difficulty in securing judicial appetite for alternatives to custody is examined, and secondly, the extent to which the 'modernisation agenda' that is reshaping the probation service is ultimately undermining the delicate sentencing process involved in alternatives to custody. The second half of the paper turns to explore the presumed potential of alternatives to custody to reduce the prison population by diverting the least serious offenders from custodial sentences. By examining the stock and flow of prisoners in England and Wales, this presumed intention is placed under scrutiny. Rather than reducing the prison population the renewed call for 'tougher' community sentences could actually be increasing it through net-widening, up-tariffing and mesh-thinning.

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## TRUST AND PUNITIVE ATTITUDES

Mari-Liis Sööt
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The aim of the presentation is to present the results of the Estonian empirical study on trust and penal attitudes. The aim of the study was to identify how trust influences punitive attitudes, and to find out whether this differs in respect of thieves and corruption offenders. Most studies of punitive attitudes have been conducted either in the US, where they have often focused on the death penalty, or in West Europe (e.g., the UK). In terms of such studies, East Europe has so far largely remained an unexplored territory (some exceptions are the Polish study and the comparative study of Czech Republic and Florida). This study is an exception to that rule - it represents a case study of Estonia, an East European country.

The respondents surveyed in the study reported sentencing preferences that were harsher in the case of corruption offenders than in the case of common thieves. The study demonstrates that punitive attitudes towards thieves and corruption offenders are triggered by different mechanisms: most socio-demographic variables can explain punitive attitudes towards corruption offenders while trust in politicians can explain punitive attitudes towards thieves, but not towards corruption offenders. The study indicates that an examination of general punitive attitudes is not sufficient for understanding the punitive attitudes concerning a particular type of offence. The study also suggests that penal populism regarding non-violent street criminals is unlikely to boost politicians' approval ratings if trust in politicians is high.

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# PUNITIVENESS AND BEYOND - NOTES FROM SLOVENIA

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The discussion whether there has been an increase in punitivity in postmodern societies over the last few decades is controversial and blurred by the fact that different researchers rely on different research methods and focus upon different aspects to the issue. While there are criminologists who see clear indications of a more punitive trend in almost all the developed countries, others claim that the narrative of increased punitiveness is nothing but a myth. Taking this into account, this paper focuses on the penal trends in Slovenia over the past two decades. After gaining its independence, Slovenia has been witnessing, among other, a tendency towards growing punitive attitudes of its citizens, isolated but luminous examples of penal populism, harsher penal laws, more severe sanctions for administrative offences, and increased incarceration rates. Despite the fact that public punitive attitudes have so far not dictated penal policy directly, punitivity is continually rising. Criminal-justice system reforms have been carried out in the name of law and order by the right and the left either through separate or joined efforts aimed at, e.g., more security, less victimization, more public order, more effective suppression, detection, persecution of crimes, and the like. On the "sunny side of the Alps" these reforms have led to an ever lower public trust in and deeper crisis of the criminal-justice system. Now everyone is asking themselves the million-dollar question: how to surpass the crisis?

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# CRIMINOLOGICAL RESEARCH: AN APPLICATION TO PUBLIC POLICY

Kyle Mulrooney
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Criminological research has much to offer public policy. However, according to Matthews (2010), a large bulk of criminology engages with "so what criminology," consisting of low level theorization, thin, inconsistent, or vague concepts and categories, embodies a dubious methodology or has little or no policy relevance. This panel will focus on the latter, advancing a politically charged criminology which stresses the importance of an interplay between criminological research and public policy. Specifically, the panel will examine both policy and policy makers and the conditions in which policy is created; from the deeper cultural and structural changes being experienced in all "late modern" capitalist societies, to agency-led approaches which entail a stronger influence in the political arena through imitation and policy transfer (Newburn and Jones, 2007). Engaging with the theme of this years ESC conference, "Beyond Punitiveness: Crime and Crime Control in Europe in a Comparative Perspective," this panel will examine crime and its control in a variety of comparative criminal justice settings across Europe. The first presentation, "Doing Politics Through Critical Research: Critical Criminological Method and Political Activism," presented by Laura Naegler, examines how alternatives of critical research may be utilized for emancipatory endeavors and the achievement of social change. The second presentation, "Alternatives to Imprisonment for Defendants on Remand," presented by Nilay Kavur, compares the role of the prison for young defendants and the factors which lead to the improvident usage of imprisonment of young defendants in various European countries. Finally, "The War on Doping": A Critical Analysis of the Criminalization of Performance and Image Enhancing Drugs", presented by Kyle Mulrooney and Katinka van de Ven, will explore the blurring of the boundaries between the private regulation of sports and the criminalization of performance and image enhancing drugs (PIEDs) via internationally harmonized legal frameworks. Addressing very different subject matters, each paper will focus on specific issues of criminology and criminal justice, advancing public policy oriented responses and resolutions which seek to bolster the notion that criminological research has much to offer public policy.

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**ALTERNATIVES TO IMPRISONMENT FOR DEFENDANTS ON REMAND FOR THE CRIMINOLOGICAL RESEARCH: AN APPLICATION TO PUBLIC POLICY PANEL**

Nilay Kavur
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Being the most severe form of punishment in most countries, today, imprisonment is even used synonymously with punishment and yet, in certain periods and certain states, defendants on remand occupy a considerable space in prisons. As an example, 91% of all young prisoners in Turkey are not sentenced to imprisonment but are held on remand. A remarkably high percentage of prisoners on remand might not be uncommon in the Continental Europe with inquisitorial justice system in which the trial process takes long as the Judge takes his or her time to investigate all the documents. So, one of the reasons of these big populations in remand prisons is the slow pace of the courts. Security of the public is another reason given for incapacitating a defendant during the trial process. However, unsentenced prisoners on remand live through the experience of imprisonment equally as sentenced prisoners do and Inquisitorial system's slowness or the security of the public are not satisfactory explanations to keep defendants in prison. Hence, alternative systems to imprisonment should be discussed, especially for the young defendants on remand. This paper first presents facts about young remand prisoners from various European countries such as France, Germany, Netherlands, Hungary, UK, Greece and Turkey. Second, the prominent theories on punishment and imprisonment are examined to discuss the role of the prison for young defendants on remand. Lastly and most importantly, alternatives to imprisonment ranging from community-based systems to other institutional systems will be discussed to abolish imprisonment for defendants on remand. Best cases will be brought forward as exemplary while systems with negative outcomes will also be put forth.

**Keywords:** *imprisonment, defendants on remand*

# DOING POLITICS THROUGH CRITICAL RESEARCH: CRITICAL CRIMINOLOGICAL METHOD AND POLITICAL ACTIVISM

Laura Naegler

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In most critical criminological research concerning political activism, social movements, protest and resistance, the researcher is, sooner or later, confronted with the personal and political decision of 'taking sides'. Here, political standpoints and aims often converge with academic interests, and lines between the researcher and activist can easily blur. In this personally and intellectually challenging situation, the method of ethnography offers important values and advantages; however, ethnography produces, in itself, various dilemmas – for instance, the 'reification of representation' (Young 2011), displays of over-coherence, 'Othering' and the reinforcement of existing power relations through knowledge production.

In order to address and reflect upon these difficulties, and against the backdrop of the author´s own research on anarchist urban social movements and their control and criminalization, this paper argues for an ethnographic approach that unites the 'ethnographic sensibility' of cultural criminology (Ferrell et al. 2008) and the approaches of a *critical ethnography,* in the tradition of critical anthropology and post-structuralist/neo-Marxist approaches. Here, the critical ethnographic view that any research cannot exist 'outside' of power relations is of fundamental value for research on protest and resistance. Building on this argument, this paper addresses the role of the 'political' and the 'critical' in ethnographic research, and calls for its emancipatory contribution. It will also ask how – through a convergence of both ethnographic approaches – a political critique can be formulated and utilized for a critical methodology.

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**"THE WAR ON DOPING": A CRITICAL ANALYSIS OF THE CRIMINALIZATION OF PERFORMANCE AND IMAGE ENHANCING DRUGS**

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Current trends in the anti-doping policies of many international agencies and national governments express a staunch zero tolerance approach to the production, distribution and consumption of performance and image enhancing drugs (PIEDs). International documents such as WADA's World Anti-Doping Code and UNESCO's International Convention Against Doping in Sport set the global tone for anti-doping policies. Following suite, many national governments have adopted similar approaches in their domestic anti-doping policies. As such the boundaries between the private regulation of sport in the name of fair play, the health of the athlete and the "spirit of sport" become blurred with the public criminalization of PIEDs via internationally harmonized legal frameworks. Tracing the evolution of the criminalization of PIEDs and highlighting the relationship between the global (international) on the local (national), the authors maintain that a process of net widening is occurring paving the way for a rigorously pre-emptive, invasive and punitive global approach to anti-doping. Accounting for similarities and failures in "the war on drugs" this paper will propose alternatives to "the war on doping" by advancing regulation and harm reduction grounded in scientific awareness and education.

# METHODS AND APPROACHES IN THE PREVENTION OF REOFFENDING II.

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## THERAPEUTIC JUSTICE? THE RISE OF PROBLEM SOLVING COURTS IN NEW ZEALAND

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Problem solving courts, such as alcohol and other drug courts, aim to help offenders to tackle the underlying problems that have led to their offending behaviour in order to stop the revolving door between court and prison, and to reduce recidivism. Such courts operate through multi-disciplinary collaboration with legal officials (judges, prosecutors and defence lawyers), social service providers and victim groups. Rather than being immediately sentenced to a criminal justice sanction, offenders who plead guilty are encouraged to confront the causes of their offending by engaging with support and treatment services, and are personally monitored by specialist judges. In New Zealand, several problem solving courts such as family violence courts, a homelessness court, indigenous courts and alcohol and drug courts have recently been established. However, the function and effectiveness of these courts within a New Zealand context have received little attention. Drawing on a comprehensive literature review and a small-scale observational study, this paper will critically examine the operation of problem-solving courts and the likelihood of their success in reducing recidivism. It will argue that despite the popularity of these courts, resource implications and lack of commitment from agencies outside the problem-solving court process, may inhibit their efficacy.

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**CROSSING A BRIDGE WHILE BUILDING IT: CREATING A COMMUNITY OF PRACTICE AROUND A PILOT OF CARING DADS IN THE NETHERLANDS**

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In 2013-2014, the Caring Dads treament program for male domestic violence offenders will be piloted in two Dutch cities. The Caring Dads program (17 bi-weekly sessions) adresses abusive males in their roles as fathers, which research has shown to be a missing link in the prevention of future abuse. The program must be viewed as an additional intervention and certainly not a replacement for perpetrator treatment. The program also aims to contribute to the longer term health and welfare of children who were abused or exposed to violence in their homes.

The Dutch pilot will be organised in an interagency context of victim shelter work, the Salvation Army probation services, and safety houses, and will be evaluated by the Avans University of Applied Sciences. The evaluation will focus on feasability of the program and its necessary adaptations during transfer to the Dutch context, and formulating recommendations for further implementation in the Netherlands. In terms of methodology, this type of research provides a challenge to both practitioners and researchers: How do you build a bridge (transfer a program to a complex context) when you simultaneously want to cross it (address a difficult target group)? How can practitioners from very different backgrounds work together, and work with researchers in order to achieve this double goal?

Our contribution will kick-off with a comprehensive presentation of the Caring Dads program itself (model of change, inclusion criteria, session content, trainer competences, network context). After this, we will present our research methodology. In this methodology, action research and formal process evaluation are combined in a singular design. The action research involves collecting practice-based field experiences amongst all partners during the pilot, sharing them as dialogue content within a community of practice, and systematically using them for program improvement and to prepare the ground for further implementation. This dynamic context will be complemented and served by formal process evaluation. To conclude our presentation, we will describe how our community of practice has developed a growing knowledge base around feasability and adaptation of Caring Dads in the Netherlands, and how the formal process evaluation can serve as a support to this. We believe our contribution will have exemplary value for listeners who work in the field of innovation, program transfer and implementation, and process evaluation.

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## PREVENTION OF REOFFENDING: POST PENAL ASSISTANCE OF EX-PRISONERS - THE CASE OF THE REPUBLIC OF MACEDONIA -

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Post penal assistance is seen as an extended treatment of the convict. This form of treatment is an element of re-socialization as a continuous process aimed at successfully engagement of the ex-prisoner in the lawful life. Post penal assistance can be internal, that is encouragement and advice of the convicts to solve their own problems they would face immediately after release from the penal institution. On the other hand, is the external assistance that is manifested through various forms such as: providing temporary accommodation and nutrition, providing necessary treatment, selection of a new environment in which the convicted person will live, assisting in arranging family situation, finding suitable employment, enabling to finish school, providing financial assistance to cover the most necessary needs, etc. External post penal assistance is the real after care of ex-prisoners. Post penal assistance as a form of treatment provides achievement of the principles of humanity in the execution of criminal sanctions.Measures takenby the institutions and bodies responsible for post penal assistance should be in accordance with the needs of prisoners.

Return of prisoners in the community attracts the attention of penal policy makers. Data on high rates of recidivism inevitably raise the question of the post penal assistance. It is the aid that has a double effect. On one hand, it provides services to ex-prisoners after release from prison (e.g., housing, solving financial problems, unemployment problems, problems with disrupted family relations, etc.) thatwill help the transition from prison to society, and on the other hand, to protect the public from potential harm that will be caused to the society if the person reoffends.

The factthat the recidivism in the Republic of Macedonia most commonly occurs in the period immediately after release, namely, 4-6 months and 1 to 3 years after release from prison, it can be concluded that this is a critical period when post penal assistance has to be provided.

In the Republicof Macedonia there are no active organizations or institutions that provide effective post penal assistance to the people in need. It is necessary to take initiatives for formation of organizations that would provide post penal assistance to ex-prisoners, because these organizations will not only help a large number of prisoners, but will make an indirect effect on the society as a whole.

The positive experiences from the countries that have the best practices in the applicationof the post penal assistance (the case of the Anglo-Saxon countries) can serve as a good example for future amendments in the legislation and practice of the implementation of the post penal assistance in the Republic of Macedonia.

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# REINTEGRATION OF OFFENDERS: THE ROLE OF THE PROBATION SERVICE IN LITHUANIA

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Reintegration of convicts into society consists of two phases. First phase is carried out while convict serves penitentiary sentence. Reintegration of convicts in the second phase is continous process, which extends when convict is released from penitentiary on parole conditions and applied to probation. The role of the probation service with intensive supervision is analyzed from the perspective of experts and convicts on probation process, also taking into account given prison sentence. In Lithuania probation with intensive supervision was started on the 1st Jyly, 2012.
Qualitative research revealed that experts generally are oriented towards individualization of reintegration when intensive supervision is applied during the process of probation, inclusion of NGOs, enlargement of human recources. Convicts on probation are more willing to be released from penitentiary on intensive supervision conditions, because then they can stay with their family, look for a job and get the necessary help from Probation Agency officers and others included in the process.

# POLICING WORKING GROUP: NEGOTIATING INSTITUTIONAL CULTURE AND PUBLIC SENSIBILITIES: POLITY BUILDING, POLICING AND CRIME CONTROL IN LATE-MODERNITY

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## NEGOTIATING INSTITUTIONAL CULTURE AND PUBLIC SENSIBILITIES: POLITY BUILDING, POLICING AND CRIME CONTROL IN LATE-MODERNITY

Alistair Henry
*University of Edinburgh, School of Law, Edinburgh, United Kingdom*

The crime control complex has had an increasingly important role to play in building political capacity at all levels of the contemporary regulatory order (from the global to the local): it lies at the heart of contemporary debates on the liminalities of citizenship and the nature of inclusion; it is a mechanism through which political identities are constituted, ascribed, and sometimes resisted; and it undergirds efforts to construct new forms of community and political connection, to establish territorial and spatial integrity (Armstrong and McAra 2006 p 1). As an instrument of polity building, the crime control complex invokes a range of sensibilities which (sometimes) run counter to the rational use of research evidence in pursuit of crime reduction. The aim of this panel is to debate the role of policing and crime control in the context of late modernity, with a particular focus on four key dynamics at play within and between European polities in the early 21st century: accession, consolidation, deconstruction and reconstruction.
Alistair Henry and Lesley McAra: *Politics and negotiating criminal justice policy in Scotland within the UK: the cases of policing and youth justice*
Andy Aitchison: *Polity building and criminal justice in Bosnia and Herzegovina: reconstruction and the road to accession*
Paul Ponsaers: *Deconstruction, consolidation or reconstruction?: crime control and policing policy without government in Belgium*
Trevor Jones: tbc
Katja Franko Aas: *Crime control and the politics of inclusion and exclusion in the EU*

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**POLITICS AND THE NEGOTIATION OF CRIMINAL JUSTICE POLICY IN SCOTLAND WITHIN THE UK: THE CASES OF POLICING AND YOUTH JUSTICE**

Alistair Henry, Lesley McAra
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This presentation will argue that important aspects of the negotiation of criminal justice policy and practice are revealed and given emphasis by analysing them as (concomitantly) cultural practice, political strategy and normative project. Examples will be taken from recent developments in policing and youth justice in Scotland, which demonstrate both similarities and differences from developments elsewhere in Europe, reflecting trends of centralisation, the increasing purchase of discourses around economic efficiency, austerity and the challenge of public service provision, the tension between local responsiveness and professional practices, and the role of research evidence in policy-making and implementation processes. Taken together, the character of emerging developments in policing and youth justice in Scotland also reflect the possibilities fashioned by the political (and cultural?) deconstruction of the UK girded by devolution and, in particular, their role in the (imagined) reconstruction of a newly independent nation and polity.

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**POLITY BUILDING AND CRIMINAL JUSTICE IN BOSNIA AND HERZEGOVINA: RECONSTRUCTION AND THE ROAD TO 'EUROPEANISATION'**

Andy Aitchison
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The war and subsequent peace settlement left Bosnia and Herzegovina divided, with authority for policing, crime control, criminal procedure, and execution of criminal sanctions split across various levels of state and sub-state government. Bosnia and Herzegovina has since moved through a series of liminal states or sites as part of distinct, yet linked, processes of 'Europeanisation' and integration into Euro-Atlantic structures of cooperation and coordination. Throughout the last 15 years, a recurring theme in Bosnia and Herzegovina has been the development and expansion of crime control competence and capacity in state level bodies. To what extent does this reflect the use of crime control as a capacity building tool, to what extent is it simply a reflection of wider efforts at state (re)building manifesting in the criminal justice sector, and what is the impact of competing levels of identity supported by political communities at supra-state, trans-state, state and sub-state levels on these developments?

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## THE POLITICS OF POLICING AND COMMUNITY SAFETY IN POST-DEVOLUTION WALES

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In 1998, the Government of Wales Act transferred to a National Assembly for Wales competence in a number of high profile policy areas. Policing and criminal justice, however, remain non-devolved functions controlled by the UK government in London. There is wide recognition that community safety and crime reduction are closely related to a range of devolved areas of public policy including education, housing, economic development, health and local government. Indeed, the emergence in Wales of a distinctive policy discourse has already been noted in relation to community safety and youth justice, although debates remain about how far this has taken the form of concrete 'Welsh' policies and practices that present a marked contrast to those visible across the border in England. This paper provides an analysis of the politics of policing and community safety in post-Devolution Wales. It considers current debates about the possible devolution of policing and criminal justice in relation to broader arguments about the role of policing and crime control as symbols of national identity and important mechanisms of polity building.

# DECONSTRUCTION, CONSOLIDATION OR RECONSTRUCTION?: CRIME CONTROL AND POLICING POLICY WITHOUT GOVERNMENT IN BELGIUM

Paul Ponsaers
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The crime control complex in Belgium, and more specifically the police system, has been reformed in 1998. It was a dramatic process of *deconstruction* of the old system and at the same time of *construction* of the new one. Three former police agencies (communal police, gendarmerie national, criminal police) were combined in one new integrated system, structured on two levels (local and federal).

After 15 years of reform we can draw a evaluation of this process. In general we see a lot of known, old problems rising again. In some respect we can describe the reform now as a remake, a *reconstruction*, of the old crime control system. It seems the *consolidation* of very old characteristics, which make the reform obsolete: an outdated system of basic training, a consolidation of the former police culture, again growing competition between different components of the system, etc.

New pathways are needed to reframe the reform effort and create surplus value. These pathways lead rather to the redefinition of a new cultural framework than to structural change of the system. This kind of change is difficult to realize in the context of actual policy making.

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**CRIME CONTROL AND THE POLITICS OF INCLUSION AND EXCLUSION IN THE EU**

Katja Franko Aas
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Control of migration is becoming an increasingly important aspect of contemporary policing and the work of other criminal justice agencies. By drawing on findings from the project entitled 'Crime Control in the Borderlands of Europe', the paperaddresses criminal justice issues raised by the control of unwanted mobility and, more generally, reflects upon the connections between punishment and citizenship. It suggests that when penal power is used over individuals without formal membership (most notably, citizenship), it essentially changes its nature and becomes more openly exclusionary. The focus on punishment and reintegration of offenders is gradually being replaced by a focus on diversion, immobilisation and deportation. This also affects the standards of justice afforded to non-citizens. The development invites reflection upon the nature of European identity and the appropriate conceptual, theoretical and normative responses, which would enable us to address the emerging connections between globalization, the state and punitiveness.


**Keywords:** *migration control, punitiveness, Europe, citizenship*

# POLICE AND CRIME: PLURAL POLICING

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## POLICE AND CRIME COMMISSIONERS IN ENGLAND AND WALES: FALSE DAWN OR FRESH START FOR DEMOCRATIC POLICING?

Michael Rowe
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The inaugural election of Police and Crime Commissioners in November 2012 in England and Wales was promoted as a means of enhancing the local democratic accountability of police services. The paper explores the troubled process of the elections - which was characterized by very low levels of voter participation - and considers the prospects for the new office. A series of challenges inherent to the new role are identified: these include the scale of constituencies, problems of representation, challenges to the principle of police operational independence. Fundamentally, it is argued, the new office is hampered by a narrow focus only on local dimensions of public policing: wider conceptualization of plural policing are not reflected in the new role. More broadly, though, the paper draws upon a developing body of literature relating to democratic policing that is usually applied in the context of international development. This scholarship is applied to a mature democracy - a developed rather than developing nation - in an effort to promote a broader analysis of the value of PCCs to the pursuit of progressive democratic policing.

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# POLICE AND CRIME COMMISSIONERS: WHO SETS THE AGENDA?

Sophie Chambers
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The arrival of elected Police and Crime Commissioners to oversee local policing marks a new era for police governance in England and Wales. As a key part of the Coalition government's 'Big Society' agenda, the Commissioners are an attempt to improve police accountability to the public, as well as removing supposed bureaucracy, while attempting to place focus on 'local' enforcement priorities.
Introduced in 2011 under the Police Reform and Social Responsibility Act, the breadth of the reforms has seemingly left the role and duties of the Commissioners subject to wide ranging interpretation. As such, this potentially demonstrates a move away from the centralised control of Westminster, allowing for a greater local influence in setting the agenda for policing. However, recent reports from HM Chief Inspector of Constabulary and Home Affairs Select Committee reveal that this may not be the case.
In view of some of the debates which are already unfolding in England and Wales on this policy, this paper considers the extent to which Police and Crime Commissioners can be considered a genuine attempt at improving the participative democracy of the local public in agenda setting, or merely an effort to extend the arm of central government into the local sphere. Support for both sides of the debate is presented in the context of community safety agenda setting. Analysis of interviews with two Police and Crime Commissioners will be discussed, revealing how this legislation is being interpreted differently on the ground. Tracing the relevant policy developments through recent decades demonstrates a gradual movement from top-down agenda setting to bottom-up, on paper at least.

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# PLURAL POLICING IN KOSOVO?

Jelle Janssens
*IRCP, Department of Penal Law and Criminology, Ghent, Belgium*

Over the past two decades international policing missions have received a lot of scholarly attention. Police reform and international policing assistance have increasingly been perceived as crucial elements of peacebuilding operations. Indeed, the relationship between the creation of professional police forces and the development of Western civil democracies did not go unnoticed. The Weberian notion of the state's monopoly over the legitimate use of coercive force, has therefore increasingly put the spotlight on the police in transitional societies.

This study examines the conventional wisdom of international policing which seeks to strengthen the state police in transitional societies and builds on a growing body of literature on the pluralization of policing in Western democracies and transitional states which contends that the state police is merely one security provider in a complex network of other security providers. Through a case study in Kosovo, this study explores possible forms of plural policing and the relationship between peace-builders and non-state policing agents such as private security companies, gangs and Kanun-based policing systems. Based on field research and 103 interviews the international intervention in Kosovo and elements of pluralization are examined.

The study provides deeper insights in the field of (plural) policing in transitional societies and overall policing strategies used by the international community in peacebuilding operations. It concludes that a state-centred focus on policing in peacebuilding operations might have negative consequences on the establishment of the rule of law in transitional societies.

# DEVELOPMENTS AND PROBLEMS IN QUANTITATIVE CRIMINOLOGICAL RESEARCH AND METHODS I.

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## DEVELOPMENTS AND PROBLEMS IN QUANTITATIVE CRIMINOLOGICAL RESEARCH AND METHODS I

Heinz Leitgöb[1], Daniel Seddig[2]
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[2]*University of Zurich, Institute of Sociology, Zurich, Switzerland*

In order to continue the tradition of offering a panel session on quantitative methods started last year in Bilbao we are assembling contributions concerned with methodological developments and problems in empirical criminology. This includes presentations on statistical modeling (e.g. non-linear, multilevel, structural equation, and panel data modeling), innovative research designs (e.g. strategies for estimating unbiased treatment effects in case-control studies with non-random assignment to treatment and control groups, factorial designs, vignette studies), issues on data collection (e.g. unit nonresponse, mode effects, strategies for collecting and storing official crime data), measurement and scaling.

Thus far, the following presentations are planned:

Maike Meyer and Jost Reinecke: Stage-sequential Growth Mixture Modeling with Criminological Panel Data.

Daniel Seddig: Parallel Process Latent Growth Curve Modeling with Criminological Panel Data.

Sunčica Vujić, Jaques Commandeur, and Siem Jan Koopman: Structural Intervention Time Series Analysis of Crime Rates: The Impact of Sentence Reform in Virginia

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# STAGE-SEQUENTIAL GROWTH MIXTURE MODELING WITH CRIMINOLOGICAL PANEL DATA

Jost Reinecke, <u>Maike Meyer</u>
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The modeling of delinquent trajectories is of great importance in criminological research. Progresses in methodology and statistics provide the opportunity to examine those trajectories. As regards, longitudinal data analysis in the structural equation modeling framework have gained relevance. With latent growth curve models (LGM) (Meredith & Tisak 1990) the structural equation methodology offers a strategy to examine intra- and interindividual developmental processes of delinquent behavior. The consideration of covariates which are explaining parts of the variances of the intercept and slope make it also possible to deal with observed heterogeneity in the growth models. It can, however, not be assumed that there is always a single population underlying the growth curves. Many methodological and statistical extensions, thus, consider unobserved heterogeneity in empirical data. As regards, Muthén and Shedden (1999) introduced growth mixture modeling. Growth mixture models (GMM) differ between continuous variables which represent the growth model and categorical variables which refer to subgroups that have a common development in the growth process. The models, therefore, allow to determine if subgroups exist within a population. These longitudinal data analysis are usually based on singlephase data which associate any event with a specific period. Panel data, however, often contain several relevant phases. In this context, stage-sequential growth mixture models with multiphase longitudinal data become increasingly important. These models allow a better understanding of unobserved heterogeneity and growth within the study population over several phases. Kim and Kim (2012) investigated and explicated three distinctive types of stage-sequential growth mixture models: traditional piecewise GMM, discontinuous piecewise GMM and sequential process GMM. These three models will be applied here to examine different stages of delinquent trajectories within the time range of adolescence and young adulthood using data from the German panel study Crime in the modern City (CrimoC). The models try also to extend previous analysis of growth mixture models based on the same study (Reinecke & Mariotti 2009; Reinecke & Seddig 2011).

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# PARALLEL PROCESS LATENT GROWTH CURVE MODELING WITH CRIMINOLOGICAL PANEL DATA

Daniel Seddig
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Developmental criminological research relies on repeated measurements of the same constructs over time. Quantitative methodology offers a range of techniques to analyse such longitudinal or panel data. While simple panel regression (markov) models can be extended to path or structural equation models to analyse stability and cross-lagged effects, changes in means over time (e.g. delinquency trajectories) can be considered with latent growth curve models. From a criminological life-course perspective trajectories of delinquent behaviours and explanatory dimensions cannot be thought of as independent. To analyse the co-developmental patterns of (latent) explanatory and behavioural dimensions the simple latent growth curve model can be extended to consider multiple trajectories simultaneously and to estimate covariance parameters between the compontens of the respective growth curves. Further, observed heterogeneity in the growth components can be considered by specifying effects of exogeneous covariates. A formal specification and application of a higher order parallel process latent growth model will be presented with data from the German panel study Crime in the modern City (CrimoC).

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**STRUCTURAL INTERVENTION TIME SERIES ANALYSIS OF CRIME RATES: THE IMPACT OF SENTENCE REFORM IN VIRGINIA**

Suncica Vujic
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We adopt a structural time series analysis to investigate the impact of parole abolition and sentence reform in Virginia on reported crime rates. Virginia abolished parole and reformed sentencing for all felony offences committed on or after the 1$^{st}$ of January 1995. To examine the impact of Virginia's change in legislation on reported crime rates, we perform an intervention time series analysis based on both univariate and multivariate *structural time series models*. Structural time series models are formulated in terms of components of interest, for example, trend, seasonal, and irregular components, which can have a direct interpretation. Other time-varying components and effects can be included in the model, including regression and intervention effects. The components are formulated as stochastic dynamic processes. The estimation of parameters and regression coefficients are carried out by the state space methods based on the Kalman filter. The examined monthly crime rate series are burglary, larceny, motor vehicle theft, robbery, aggravated assault, murder, and rape in the period from 1984 to 2010. We find that the change in legislation has significantly reduced the burglary rates and to a lesser extent the murder rates. For other violent crimes such as rape and aggravated assault the evidence of a significant reduction in crime rates is less evident or is not found. This empirical study for Virginia provides an illustration of how an effective intervention time series analysis can be carried out in crime studies, with the application of the structural time series models.

# MANAGING URBAN SECURITY IN EUROPE: ADMINISTRATIVE, POLITICAL AND SCIENTIFIC VOCATIONS

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**MANAGING URBAN SECURITY IN EUROPE: ADMINISTRATIVE, POLITICAL AND SCIENTIFIC VOCATIONS**

Sirpa Virta
*University of Tampere, Tampere, Finland*

The panel arises out of work undertaken for project URBIS which questions the possibilities for 'urban security management' given the increasing freedom of movement of people, goods and services across national borders, an increasingly austere economic climate and consequent pressures on governing capacity in European cities. The distinctiveness of the current situation is captured in the idea of 'acting locally while thinking globally' about threats to the freedom and security of European citizens. In particular, the project explores which public authorities are empowered and legally obliged to manage urban security, what skills and competencies they have to undertake this responsibility and what educational and training provision currently exists in support of their work. This panel concentrates on interim findings about the tensions between administrative, political and scientific pressures on governing arrangements for urban security and their implications for the managerial role.
Chair: Sirpa Virta, University of Tampere
Paper 1. 'Administration, Politics and Science in Urban Security: findings from project Urbis' by Adam Edwards, Gordon Hughes and Nick Lord (Cardiff University, UK)
Paper 2, 'Managing Urban Security in the Balkans', Bernarda Tominic, Gorazd Mesko and Andrej Sotlar (University of Maribor, Slovenia)
Paper 3: 'Managing Urban Security in Southern Europe', Josefina Castro, Carla Cordosa, Amadeau Racasens I Brunet (University of Porto, Portugal) and Gian Guido Nobili (University of Modena, Italy)
Paper 4: 'Managing Urban Security in Scandinavia', Sirpa Virta (University of Tampere, Finland)
Paper 5: 'Managing Urban Security in Belgium and the Netherlands', Elke Devroe (University of Leiden, The Netherlands)

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**ADMINISTRATION, POLITICS AND SCIENCE IN URBAN SECURITY: FINDINGS FROM PROJECT URBIS**

Adam Edwards, Gordon Hughes, Nicholas Lord
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The paper discusses findings from project URBIS (See, http://www.urbisproject.eu/index.php/en/) which questions the possibilities for 'urban security management' given the increasing freedom of movement of people, goods and services across national borders, an increasingly austere economic climate and consequent pressures on governing capacity in European cities. The distinctiveness of the current situation is captured in the idea of 'acting locally while thinking globally' about threats to the freedom and security of European citizens. In particular, the project explores which public authorities are empowered and legally obliged to manage urban security, what skills and competencies they have to undertake this responsibility and what educational and training provision currently exists in support of their work. This paper concentrates on findings about the tensions between administrative, political and scientific pressures on governing arrangements for urban security and their implications for the managerial role. It also makes a methodological contribution to comparative criminology by employing the deliberative method of the 'policy Delphi' to seek respondent and construct validation of common referents and practices in 'urban security' across the different cultural contexts of control in Europe.

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# URBAN SECURITY MANAGEMENT IN THE CAPITALS OF THE FORMER YUGOSLAV REPUBLICS

Gorazd Meško, Andrej Sotlar, Bernarda Tominc
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This article presents a study on urban security management in the capitals of the former Yugoslav republics Ljubljana (Slovenia), Zagreb (Croatia), Sarajevo (Bosnia and Herzegovina), Belgrade (Serbia) and Skopje (FYR Macedonia). The article presents crime, natural disasters and other security threats in the region using semi-structured interviews with municipal security experts and officials as well as university researchers who deal with or manage security issues in the respected cities. The main findings show that collaboration of various state and local organizations is necessary for the provision of safety and security in urban settings. Competencies, knowledge, skills and integrity are required for urban security managers, and all partners in safety and security provision practice.

Crime prevention in these countries is usually tasks and responsibility of the state police. Other organisations are more of the restorative nature in the cases of social crisis or environmental disasters. Despite the fast development of the studied societies and their capitals the profile of urban security manager as an evolving professional profile is quite challenging project. According to the opinion of practitioners and academic researchers that took part in interviews, urban security manager should be competent not only in crime prevention but also in safety/security management, in legal matters, and principles of state and local government, as well as in development of security policies, in communication with various institutions, groups of people and individuals. Today these functions are spread among different positions (and professions) but contemporary security environment requires a professional in the community who can meet all these challenges. It is important that profession of urban manager is well accepted by the local and state authorities that provide financial and logistic support, by other local security/safety actors, and even more importantly by the citizens. To be able to achieve such an ambitious goal, a specialised national or international university programme dedicated to urban security manager is a necessity.

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**URBAN SECURITY IN SOUTHERN EUROPE**

Amadeu Recasens[1], Carla Cardoso[1], Josefina Castro[1], Gian Guido Nobili[2]
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[2] *University of Modena and Reggio Emilia* Faculty of Law, Bologna, Italy

Starting from the idea of "acting locally while thinking globally", this presentation aims to discuss the developments in the policies and practices in public safety and crime prevention across Italy, Portugal and Spain in a comparative perspective.

We begin by plotting the recent history of the local security management in our three countries, highlighting the existing differences and similarities. It is argued that systematic thinking and coordinated policy and practice regarding crime prevention and public safety remain limited and fragile, with notable exceptions in some cities (such as Barcelona) and regions (such as Emilia-Romagna) across the three countries. Overall, the progress of local safety and security programs in southern Europe is uneven and fragmented when compared with much of northern Europe.

Although similarities in terms of policies and practices, we observe relevant differences concerning the management of urban security, namely the political and structural relationship between the central, local and regional governance and the interplay between repressive and preventive approaches.

The current pressures on these countries' governmental capacities and resources, in the light of the profound economic crisis they are undergoing are discussed and their implications for urban security management.

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# MANAGING URBAN SECURITY IN SCANDINAVIA

Sirpa Virta
*University of Tampere, School of Management, Tampere, Finland*

This paper discusses the shift from the so called "Scandiavian model" (consensual, social democratic and welfare oriented, non-punitive) towards a transnational "European model" of internal security in the Nordic countries, especially in Finland. It is argued that European Union membership and EU strategies are now such important drivers of development that Finland is moving from the Scandinavian model towards the European model of security governance. The EU security and policing programmes have brought internal security, national security, threat analysis, resilience, immigration and social exclusion into the agendas and practices of urban security governance. New security professions and professionals have emerged in cities; the trend is towards regional safety and security management; crime prevention has been replaced by a broader concept of the co-production of security; contingency planning, civil protection and preparedness have been reconciled with local safety planning processes. In addition, the military is looking for a new role in society.

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## 'MANAGING URBAN SECURITY IN BELGIUM AND THE NETHERLANDS'

Elke Devroe
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The paper discusses tensions between administrative, political and scientific pressures on governing arrangements for urban security in Belgium and the Netherlands. This is a particularly significant comparison given the contrast between the leadership of 'integrated security strategies' by elected mayors in Belgian municipalities and the leadership of appointed civil servants in Dutch municipalities. As such, the comparison provides an important insight into the impact which these different kinds of leaders have on policy agendas for urban security, in particular their openness to the influence of evidence-based drivers for policy as contrasted with more normative, party political and ideological drivers of policy. The leadership of the Mayor is particulary important as he/she is the director of the integral security policy in each municipality. In turn, this contrast is used to reflect on the political, administrative and scientific vocations informing the management of security in European cities and whether or not these can be reconciled in building a consensus for policy change and learning.

# POLICE AND CRIME: PUBLIC VIEWS, PUBLIC CONFIDENCE AND THE POLICE

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## CHALLENGING THE "CRISIS OF CONFIDENCE" THESIS: DESCRIBING TRENDS IN PUBLIC CONFIDENCE IN THE POLICE ACROSS EUROPE FROM 1981 UNTIL 2010

Dorian Schaap
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It is often implicitly or explicitly assumed that public trust and confidence in the police have steadily decreased across Europe over the past decades. Evidence for this "crisis of confidence" thesis appears to be drawn from British and to a lesser extent Dutch research. However, police forces and policy makers across Europe tend to extrapolate these findings to their own national contexts without empirical support for the matter. This study addresses the question what the developments in public confidence in the police actually have been across Europe over the past few decades. Data from the European Values Study including 28 countries and ranging from 1981 to 2008 are analysed. The study finds that there is no evidence for a uniform, omnipresent collapse of public confidence in the police across Europe. Although it appears to be correct that public confidence has declined on the British Isles, it has increased substantially across most of former communist Eastern Europe and the Mediterranean, while continental Western Europe and Scandinavia show mixed developments. The majority of the countries included have seen a rise rather than a fall in public confidence as measured by the EVS. More recent data from the European Social Survey (2002-2010) generally support these results. These findings cast serious doubt on the assumption that the police are trusted ever less. Police scientists and policy makers across Europe are therefore advised to rely on empirical evidence from their own countries rather than on the currently dominant political and scientific discourse that stresses a decline in citizens' confidence in the police.

**194**
**THE ROLE OF POLICE VISIBILITY IN PUBLIC PERCEPTIONS OF CRIME, SOCIAL COHESION AND THE POLICE**

Katy Sindall
*University of Southampton, Department of Sociology, Social Policy and Criminology, Southampton, United Kingdom*

Visible police patrols have formed a central role in policing strategy, particularly with the centrality of foot patrols to community policing strategies across the world over the last few decades. Police patrols are a firm favourite of the public and a resource that government (in the UK at least) are demanding must be retained, despite large cutbacks in public sector funding. Cross-sectional analyses and many evaluations of policing trials that have introduced or increased police foot patrols have shown that police visibility works to increase confidence in policing. This paper uses survey data collected by the Metropolitan Police in London and structural equation modelling to empirically test the underlying mechanisms that might aid in explaining the relationship between police visibility and public confidence in policing. In keeping with previous research, perceptions of police visibility were found to be positively associated with confidence in the police. This relationship can be explained, at least in part, by the feelings of safety and social cohesion that patrolling officers bring. The results also showed that perceptions of visible foot patrols were a stronger predictor of confidence than visible vehicle patrols.

**Keywords:** *confidence police visibility*

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# VIEWS ON THE FUNCTIONING OF THE POLICE IN EUROPE AND IN HUNGARY

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The main goal of our study is to present findings on attitudes regarding the functioning of the police in Europe and in Hungary. The empirical basis of our analyses is the fifth wave of the *European Social Survey* (ESS), conducted in 2010-2011. The ESS is a large scale, cross-national longitudinal survey initiated by the European Science Foundation in order to study changing social attitudes and values in Europe. In the present study we will focus on the level of general satisfaction expressed by European and Hungarian respondents regarding how the police works in their country as well as perceptions regarding the treatment of crime victims by the police, the success level of crime prevention, the citizens' duty to support the police, any political pressure the police might face, and the frequency of the police taking bribes. In our explanatory models we will apply regression analyses, and examine not only the effects of basic demographic features (such as the respondents' gender, age, highest level of education, settlement type) but also those of the satisfaction with democracy and the level of trust in the police as a social institution.

**Keywords:** *European Social Survey, police, attitudes, regression*

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# ALL COPS ARE BASTARDS – ATTITUDES AND OPINIONS OF YOUNG PEOPLE TOWARDS THE POLICE

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In recent years violence against police officers became an important matter in mass media, political and scholarly debates. Based on this discussion our study on "violence against police officers" was not aiming at the analysis of the quantity or quality of actual violent attacks, but at investigating causes, manifestations and consequences of this phenomenon of violence.

Our central assumption was that problematic attitudes and opinions towards the police form a mental framework which promotes acts of violence in conflict-prone encounters with the police. In order to examine the factors and interrelationships in more detail, we used a multi-method research approach that included questionnaires and interviews with adolescents from different socio-economic strata on the one hand, and experts from the police on the other hand.

The results suggest that the core constituting elements of adolescents´ attitudes towards the police and violence proneness depend on both, personal experiences and comparable experiences of other people from their close social environment. In addition, the communication pattern between young people and police officers is of major importance. The type of interaction co-determines whether or not a situation escalates: If police officers do initially behave in a way the adolescents perceive as "respectful", a peaceful outcome of the encounter could be expected even in objectively critical encounters. In the opposite: If the verbal and bodily language messages of police officers are "seen" as "disrespectful", violent acts by adolescents will most probably occur, in that they consider them as a means to obtain respectively regain "respect" and "acceptance".

Based on the expert interviews, we will analyze the police assessment of the violence phenomenon, and discuss the opportunities for improvement, especially in relation to the area of the prevention of violent incidents.

# DOMESTIC VIOLENCE: PARTNER VIOLENCE

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## WOMEN AS VICTIMS OF INTIMATE PARTNER VIOLENCE: FIRST FINDINGS OF FOLLOW-UP RESEARCH TO IVAWS 2003

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In January 2003 the Czech Republic participated in the **International Violence Against Women Survey (IVAWS)** which was a collaborative project of UNICRI, HEUNI and Statistics Canada. The main objective of the project was to assess the level of victimisation of women in a number of countries worldwide, on a repeatable basis, and to provide novel inputs for the development of specific criminal justice approaches

After a 10 years' period, a need of a consequential research, comparative to IVAWS 2003, appears to be necessary to tackle main trends in the field of study. The project **"Intimate Partner Violence: Follow-up Research to IVAWS 2003"represents a continuing of the main themes of the IVAWS 2003.** Concurrently, some new phenomena, especially violence against men and stalking victimization, have emerged in intimate partner violence related debate. Important legislative measures concerning domestic violence were adopted in this period that also initiated a need to intercept all of these trends in an up-date sociological survey. The aim of the project is, however, not only a simple replication of the IVAWS 2003 study. It strives to research the phenomenon of the violence in intimate partnership in its complexity, diversity and dynamics. Furthermore, it focuses also on some new issues which have not been yet adequately analyzed in the Czech Republic, i.e. female – to - male intimate partner violence and the phenomenon of stalking victimization.

The research "Intimate Partner Violence: Follow-up Research to IVAWS 2003" started in 2012 and got funding from Czech Grant Agency.

What is the incidence of different forms of female intimate victimization in 2013 compared to 2003? How perception of violent behavior between intimate partners has changed – if changed – inthe Czech society? These are some of many questions we are looking reply via our research. The paper introduces first findings from the survey sector dealing with **male–to–female violence** that will be carried out in the Czech Republic in **June 2013.**

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# DOMESTIC VIOLENCE IN GENEVA (SWITZERLAND): DIFFERENCES BETWEEN ACTS COMMITTED BY CURRENT VS. PREVIOUS PARTNERS

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In the first months of 2013 a survey was conducted about the experience of domestic violence in the population of the French-speaking canton of Geneva in Switzerland. A total of 1381 persons was interviewed of which 916 (66%) were females and 465 (34%) were males. The sample was drawn based on the registered population in the canton aged 18 years and older. Interviews were conducted online and by telephone. The survey focused on three groups of offenders, i.e. three different settings of domestic violence: (1) violence sustained from members of the family (relatives), (2) violence sustained from current partners and (3) violence sustained from previous partners. Four types of violence were investigated: Physical violence, psychological violence, sexual violence and economic violence. The presentation will focus on differences between circumstances of violent acts committed by the current vs. a previous partner. Circumstances include information about weapon or substance use of the offender as well as information about the relationship between offender and victim.

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**DOMESTIC VIOLENCE IN THE CANTON OF GENEVA (SWITZERLAND): DIFFERENCES BETWEEN FOUR TYPES OF VIOLENCE**

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In 2013 a survey was conducted about the experience of domestic violence in the population of the canton of Geneva in Switzerland. A total of 1381 persons was interviewed, of which 1/3 were males, 2/3 females. The sample was drawn based on the registered population in the canton aged 18 years and older; interviews were conducted online and by telephone. The survey focused on three groups of offenders, i.e. three different settings of domestic violence: 1) Violence sustained from members of the family (relatives), 2) Violence sustained from current partners, 3) Violence sustained from previous partners. Four types of violence were investigated: Physical violence, psychological violence, sexual violence and economic violence. This presentation will focus on similarities and differences in the circumstances of the offences between these four types of violence. A special focus will be on influence of gender: Even though only 1/3 of the sample consists of males, we hope to find significant differences between circumstances, depending on the gender of both victim and offender.

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# THE ASSOCIATION OF DIFFERENT TYPES OF VICTIMISATION – A SURVEY-BASED STUDY ON THE GENERALISATION VERSUS SPECIALISATION IN VIOLENT VICTIMISATION

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One of the recurring themes in criminological research concerns whether offenders specialise in a particular kind of criminal behaviour or whether they engage in various forms of offending. While many studies find consistent evidence of general offending behaviour, others argue that specialisation occurs in certain specific kinds of offending. This question is particularly debated in the research on intimate partner violence (IPV), where it has been argued that IPV is a distinct form of violence where the offenders tend to exhibit violent tendencies mainly within the domestic sphere. The generalist assumption, on the contrary, predicts that the same persons have an elevated risk to engage in various forms of violent behaviour, including IPV.

In this paper we explore the question of generalisation versus specialisation from the point of victimisation. The data for the study is based on the 2012 Finnish Crime Victim Survey (N=7746), a nationally representative victim survey which incorporated a dedicated IPV module in addition to the standard modules. In the study, we address the generalisation hypothesis by examining whether the victims of violence are victimised in various settings and by various offenders, as opposed to being victimised by a specific kind of violence. In addition, we compare the characteristics of victimisation by IPV and street violence. Secondly, we examine whether IPV offenders tend to exhibit violent or threatening behaviour in domestic as well other settings, as reported by the victim of IPV.

We conclude that victimisation in domestic settings is associated with victimisation in other places and by different offenders. In addition, we show that IPV offenders exhibit general violent tendencies outside private sphere, lending support to the generalisation hypothesis. The findings implicate that IPV is not an isolated phenomenon, but related to violent victimisation as well as aggressive behaviour in other spheres of life.

# CRIMINAL JUSTICE AND HUMAN RIGHTS II.

**202**
## ADVERSARIAL SYSTEMA IN MEXICO AND LATIN AMERICA

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Over the last 100 years, the penal judicial system in Latin America has undergone an almost complete transformation in all areas including the discovery process and in litigation at the trial level. Such reform has almost complete, with some exceptions like the Uruguay, among others, which have accelerated the process.

There has been significant steps through Latin America to reformat to the criminal process throughout Latin America. Many countries have implemented this criminal process of separation of state and due process and have already commented and have inserted in their criminal proceedings different procedural stages. The change is from inquisitorial or mixed process to adversarial. For example, in Latin America, the first phase of reforms (1st. Generation) was the Code of Cordoba Argentina in 1970. Another major chages were the following: Costa Rica in 1973 which came into force in 1975, known as First Generation Code which adopted the oral proceedings as a part of their procedure. The second phase is termed as Second Generation Code which are the most current codes in Latin America. These were influenced by the project that generated the Iberoamerican Institute of Procedural Law, the Criminal Procedure Code model for Latin America, in the nineties.

Currently in 2013, five years after the reform, only a third of the country has made this great reform their local criminal procedure, about 13 states. This is troubling to reason that only three years left and not all states have enough time to do so, however the real problem lies in the type of political organization of Federalism in Mexico is that every state penal system is generating diverse but matching parts, different in general, which will cause a country with 33 types of adversarial criminal proceedings, at 32 local types and a federal system that has not yet been reformed.

This process of change has been challenging for Latin America but it is taking on the challenge and giving the task importance it deserves. Although we are not experts in the field of creating a perfect procedure, Mexico is trying to create a unique criminal system and is learning from other Latin American countries, Europe and common law countries.

The most recent generation of change in their codes have been the governments of Chile, Colombia and Mexico. In particular, those published in Chihuahua and Oaxaca, Mexico in 2005, howeverare no being widely discussed and it now appears that Mexico is generating new approaches that will be paradigm in system design for Latin America.

Finally, I believe that this movement to unify the criminal process in Latin America, will serve among other things interest the United States of America to create spaces with sufficient legal backing to generate safe investments in Latin American countries. Whether this change will be good or bad at this point for Latin America is not easy to determine; time will tell all.

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**WITNESS PROTECTION AND RIGHT TO A FAIR TRIAL**

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The role of witnesses in criminal procedure is very important, often crucial to achieving successful prosecutions and conviction of criminal offenders. But sometimes witnesses may be reluctant to give information and evidence because of the risk of intimidation or threats against themselves or people close to them. All criminal justice systems have a duty to develop measures for the protection of witnesses which ensure that they may testify freely without any direct or indirect threat. There are several international instruments which provide different solutions for member states. On the other hand provisions of human rights conventions, recommendations of international organizations and constitutions of states recognise the rights of the defence to examine witnesses of the prosecution and to challenge his or her testimony. Procedural rules should ensure the necessary balance between the needs of the witnesses and guarantees of the fair trial. Anonymity which is the most problematic type of witness protection measures will be in the focus of this presentation. Judgments of the European Court of Human Rights and provisions of Hungarian Code on Criminal Procedure concerning especially protected witness will be examined first of all.

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**EU POLICE AND JUSTICE COOPERATION – A THREAT TO FAIR TRIAL RIGHTS?**

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It has frequently been claimed that the internationalisation of policing brings with it increased problems for human rights protection. A prominent issue discussed in the academic literature is the sharing of information and intelligence between police forces through, for example, liaison officers or agencies, such as Interpol or Europol. Problems have also been defined in the areas of joint investigations and extradition of suspects and prisoners. To protect suspects, in particular with regard to fair trial rights, the European Union (EU) has put safeguards in place and moved towards the formalisation of police and justice cooperation through EU legislation. Examples include the 2000 Convention on Mutual Assistance in Criminal Matters and the European Arrest Warrant. Unlike the EU, other regions of the world and international cooperation operate predominantly on a case-by-case basis. Their lack of coherent human rights standards makes the development of binding legal frameworks in the area of police and justice cooperation a complex - and often impossible - endeavour. This presentation addresses the possible infringements of fair trial rights through international, transnational and regional police and justice cooperation in comparative perspective. A particular focus is on the existing EU legislation in the field and its potential to prevent such breaches.

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**QUESTION OF POSITIVE CONFLICT OF JURISDICTION IN THE EUROPEAN UNION**
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The main issue of the presentation to underline the question of positive conflict of jurisdiction in case of criminal matters in the European Union. Regarding cross-border crimes in the Union the first serious problem that authorities have to face with, is to decide whether they have jurisdiction. This may be especially interesting, if more than one Member State determines that it has right to start proceedings. How should we decide in this question? The ne bis in idem principle that restricts the possibility for double prosecution and which is declared in many international law documents for the protection of human rights, has to be considered as an obstacle to start criminal proceedings. In the Convention Implementing the Schengen Agreement declared ne bis in idemprinciple does not provide specific guidance for the matter when more than one procedure is ongoing about one crime against one defendant. In case of ongoing procedures it does not settle the question. My aim is to present the current legal documents on EU level, which purpose to determine for the authorities of the Member States how they should decide who has the jurisdiction in a case.

**206**
## THE RISK OF THE CYBERWORLD AMONG YOUNGSTERS: CYBERBULLYING AND CYBERVICTIMISATION

Anna Costanza Baldry
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Bullying has always been considered a school-based problem (Craig & Pepler, 2008), but electronic communication tools have extended bullying into the realm of the cyber world.

Cyberbullying is defined as an aggressive, intentional act repeated over time against a victim, conducted by an individual or a group of individuals using various forms of electronic contact (Farrington, 2003; Smith et al., 2008).

Cyberbullying is an "emerging public health problem" (Carchman, 2009) and  cyberbullying victims lack a specific legal remedy in many States.

The issue of criminalisation of cyberviolence and the role that schools play to face and contrast
 the phenomenon are part of vivid debates and discussions (Blaya ,2013).

Despite the growing diffusion of this phenomenon among teenagers, relatively little is known about the "nature" of cyberbullying, and in particular in terms of risk factors and of effective intervention.

Tabby in Internet and Tabby Trip in EU are DAPHNE project developed as compositive programs designed to increase youngsters' understanding of the potentially negative impacts of new technologies and to educate them on risks and solutions with the aim to ensure their wellbeing and safety. This is done also via an online self-assessment of risk tool and via videos, booklet for teacher, and with a so called 'serious' educational videogames aiming at increasing awareness and eventually, hopefully change any risky behaviour.

The purpose of this proposed symposium is to discuss about the risk associated with cyberbullying and bullying and future crimes. Several speakers will present their owns research findings as well as that disseminate the results of the project and to present the program of the project research activities in the next two years.

We will present examine the prevalence of cyber bullying among youth in different EU countries, underlining the risk factors for cyberbullying and cybervictimization.

Over 2000 middle and high school students were surveyed; results are discussed in terms of risk prevention and of policy implication for teachers and professionals. Other research will look at the association between juvenile delinquency and cyberworld.

**207**
# A CROSS-NATIONAL PROFILE OF BULLYING AND VICTIMIZATION AMONG ADOLESCENTS IN 5 COUNTRIES

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Cyber bullying is a phenomenon that children and adolescents seem to be increasingly using to harm others (National Children's Home, 2002). Same recent studies (Patchin, & Hinduja, 2006; Wolak, Mitchell, & Finkelhor, 2007) estimates over the 30-40% of students experienced cyberbullying, and reports show the prevalence increase yearly (Dilmac, 2009).

Cyberbullying is defined as an aggressive, intentional act repeated over time against a victim, conducted by an individual or a group of individuals using various forms of electronic contact (Smith et al., 2008). Cyberbullying is an "emerging public health problem" (Carchman, 2009) and cyberbullying victims lack a specific legal remedy in many States.

The issue of the criminalization of cyberviolence and the role that schools are to play in terms of repression of the phenomenon are part of vivid debates and discussions (Blaya, 2013).

Tabby in Internet and Tabby Trip in EU are DAPHNE project developed as compositive programs designed to increase youngsters' understanding of the potentially negative impacts of new technologies and to educate them on risks and solutions with the aim to ensure their wellbeing and safety. In the present study we will compare the prevalence of cyber bullying among youth in 5 countries (Italy, Greece, Cyprus, Hungary and Bulgaria), underlining the risk factors for cyberbullying and cybervictimization.

Over 2000 middle and high school students were surveyed; results are discussed in terms of risk prevention and of policy implication for teachers and professionals.

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# PREVENTION AGAINST CYBERBULLYING: RESULTS FROM A SCHOOL BASED INTERVENTION IN GREECE

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The presentation discusses the results of the implementation of a school based intervention against cyberbullying in Greece, which was part of the European Community-funded (Daphne) "Tabby in Internet" Project. Theoretically, the intervention followed the basic principles of successful preventive programs, such as the development of a proactive policy and learning practices in schools, as well as the focus on early adolescence, on interactive aspects of internet use, on video presentations and on conversations with students (Agatston et al., 2012. Dowell et al., 2009. Ttofi & Farrington, 2011. Pearce et al., 2012). Specifically, it was based on training teachers to educate students in schools by providing age-appropriate guidelines, an interactive self-assessment tool of risky internet behaviour (the TABBY checklist) and videos with relative themes of cyber-victimization. Three-hundred and fourteen (314) secondary-school students, between 13 and 14 years of age, participated in the study. Students were divided in two groups: the experimental and the control group. The TABBY self assessment checklist on cyberbullying and victimization was administered to both groups in April 2012 (pre-test). Following the completion of the intervention only to the experimental group, both group of students filled in the TABBY checklist for a second time in October 2012 (post-test). Results indicated that although there was some slight improvement in the experimental group's behaviour toward safer internet choices, there is room for improvement. Overall, through the implementation of the "TABBY in Internet" Project, we achieved to (a) raise awareness and sensitize a significant part of the Greek public about the rapidly growing phenomenon of cyberbullying, especially among adolescents, and (b) provide the school community with a comprehensive toolkit (TABBY in Internet), which can assist schools in their battle against cyber-violence.

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# CYBERBULLYING: SHIFTING BOUNDARIES IN SCENES AND ROLES OF OFFENDING AND VICTIMIZATION

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Researches show that there is a strong link between school and online bullying, hence offline incidents often migrate into online scenes (Raskauskas & Stoltz, 2007; Patchin & Hinduja, 2006) Our experience has justified an additional characteristic of bullying: whereas the roles of bully and victim are less permeable at school, the borderline between the two types of behavior is not so strict in the online scene. Victims of school bullying usually stay victims at school, however they tend to become offenders and take revenge online. (Patchin & Hinduja, 2006, 2009; Menesini & Nocentini, 2009) TABBY in Internet (JLS/2009-2010/DAP/AG) is a complex action research managed through the years 2011 and 2012, with the participation of 5 European countries. The presentation aims to describe the structure and the most important results of the research, as well as its options of utilization.We studied the prevalence and patterns of different types of bullying, its gender distribution, and the environmental and personal factors conjugating in the role of an offender, a victim or a bystander. We managed to separate groups with different level of involvement into offline and online bullying by level of vulnerability and socio-demographic features. The study identified the factors that form the 3 types of role. Students with different roles apply different coping mechanisms, so that they require different approaches from the school staff. We can conclude that the trainings were effective, as the experimental group showed less risk level compared to the pre-test and the control group's results. The program has positive outcome, however there are weaknesses as well. Important lessons learned that have to be incorporated in the follow up of the program.

**Keywords:** *school bullying, victimization, vulnerability, socio-demographic features*

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# DIGITAL PRACTICES AND CYBERVICTIMISATION IN FRANCE

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This study explored the digital practices and cyberviolence among teenagers in France. We surveyed the nature and extent of cyberviolence, cyberbullying and cyber aggression among secondary school children aged 11-22 years of age, in particular whether there specific digital practices related to cyberviolence and aggression online. The study also examined if there were gender trends in involvement.

The participants were recruited from 17 lower secondary schools and 5 upper secondary schools in France (*N*=3900) and were asked to complete a modified version of Smith et al. (2008) bullying and cyberbullying questionnaire. Questionnaires were completed online and included questions on cyberviolence and cyberbullying involvement as well as on the young people's activities online over undergoing academic year.

The findings indicate that in France, children are involved in cyberviolence (40% as victims, 38% as perpetrators) and cyberbullying (6% as victims and 5% as perpetrators) and that there is a significant association between the involvement in cyberbullying, age, gender and online activities. For instance, girls are significantly more victims and the fact to access the Internet from a mobile phone too.The findings are discussed in relation to research and the implications for intervention/prevention work with secondary-school aged students.

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## CYBERSTALKING AMONG ADOLESCENTS: WHAT IS THE PORTUGUESE REALITY?

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Stalking is a prevalent and serious issue that affects millions of people in the world. With the rapid expansion of communications technologies (ICTs), there are others behaviours and strategies of harassment and persecution more innovative, that may complement the strategies of intrusion perpetrated in the real world. Despite the growing body of research on stalking, cyberstalking has yet to be sufficiently examined. This study intends to map the phenomenon of cyberstalking among Portuguese adolescents. It also aims to contribute to the (re) cognition of (cyber)stalking as a phenomenon that requires a Portuguese legal framing. A representative sample from the North of Portugal and from the Portuguese archipelago of the Azores was selected. An online survey was disseminated in 20 private and public secondary schools. Results reveal that cyberstalking on Portuguese adolescence is a reality, with several students assuming that they have been a victim of cyberstalking behaviours at some point in their lifetime. These findings demonstrate that research must examine these new modalities of stalking in order to understand this phenomenon and seek ways to prevent it and to reduce the harm to its victims.

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# COPING STRATEGIES OF CYBER-VICTIMS

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The study of coping strategies in bullying has been extensively investigated. But, so far, the investigation of these strategies has not been a relevant topic in cyberbullying. The aim of this paper is describe what do the student when they are victims of cyberbullying. Sample was composed by 163 victims of cyberbullying (96 victims of cyberbullying through internet; 47 victims of cyberbullying through mobile phone and 20 victims of the two kinds of cyberbullying). 35.6% of the sample was boys and 64.4% are girls. Students were between 12 and 17 years old (mean age = 14.73; s. d. 1.587). DAPHNE questionnaire (Genta*et al.*, 2012) was used in the data collection. Participants were volunteers and were guaranteed confidentiality of their data and their anonymity. Results show that "ignored what was happening, hoping it would stop" was the coping strategy more used by victims. Block the way of aggressions was one of the more often coping used in cyberbullying via Internet, but was one of the less often in cyberbullying via mobile phone. Students rarely told his teachers what happened or reported the incident to the phone or internet company. Age and grade of the victims don't demonstrate a strong influence in coping strategies used. In conclusion we could highlight the importance of the coping strategies to stop cyberbullying quickly before it become in a big problem. A very small percentage of victims told teacher what happened. This is a fact to be taken into account in the design of the intervention programs.

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# CYBERBULLYING AMONG YOUNGSTERS, THE ITALIAN EXPERIENCE OF TABBY

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The aim of the present study is to disseminate the scientific results of the TABBY project in Italy in terms of prevalence of Cyberbullying and traditional bullying among the middle and high schools students.

**Sample and Method** The sample consists of 905 students, balanced by gender (50.2% male) and age ($M$=15 y, sd 2,20).Data were collected in 3 Italian cities (Milan, Naples and Caserta), participants filled in an anonymous online survey, available on the www.tabby.eu website. Data were collected at baseline and after 6 months follow up.

**Prevalence of Traditional Bullying** We proceeded to a comparison between the different types of traditional bullying, (verbal, relational and physical) and gender. We highlighted significant differences related to gender and bullying perpretation behavior; boys seem significantly more involved in the perpetration of all forms of traditional bullying than girls.

**Prevalence of Cyberbullying** We proceeded to a comparison between the different types of Cyberbullying: Flaming, Denigration, Impersonation, Outing and Exclusion (as proposed by Willard, 2005) and gender.

We underlined a substantial continuity regarding gender involvement between Traditional Bullying and Cyberbullying, with boys significantly more involved in all forms of bullying behaviors. All our results seem to be consistent with the studies of Li (2006); Aricak (2009) and Dehue (2008) data show a clear predominance of males involved in cyberbullying perpretation behaviors.

In conclusion are briefly examined the correlation between gender, age, cyberbullying and school bullying measures, results are discussed in the light of the role inversion/role overlap theory.

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**ESC WORKING GROUP IMPRISONMENT: PRISON LIFE AND ADJUSTMENT TO PRISON LIFE**

**VIOLENCE IN YOUTH CORRECTIONAL FACILITIES – A LONGITUDINAL VIEW**
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From crossectional analysis we know, that most prisoners experience violence during their incarceration, both as victims and as perpetrators. What we don´t know is if there are changes over time regarding inmate violence. Do prisoners show different trajectories? Are these trajectories influenced by e.g. the prison subculture, victimisation during childhood or victimisation during incarceration? The main issue of this paper is to have a closer look on trajectories of inmate violence. This study is based on the longitudinal research project "Violence and Suicide in Juvenile Correctional Facilities" in which 100 male inmates (aged 16 to 24) of three German juvenile correctional facilities were questioned four times during their imprisonment.

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**FEMALE PAINS OF IMPRISONMENT: THE ON-GOING HARM TO MOTHERS**

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This paper explores how Sykes' (1958) five pains of imprisonment; deprivation of liberty, of good and services, of heterosexual relationships, of autonomy and of security, affect mothers serving short terms of imprisonment. While it is accepted that all prisoners experience these pains to varying degrees, there are suggestions that female prisoners may suffer them differently or more intensely than their male counterparts. Although women do experience all of these pains, for many mothers the deprivation of liberty will be the greatest difficulty as for most their incarceration involves the separation from their children, affecting their identity.

Through the experiences of mothers interviewed post custody the longevity of the pains will be explored, it will be shown that these pains remain real, they are on-going. As such many of these pains have consequences for the post release experiences of these women and their children, however these are often ignored or deemed as unavoidable harms. Sykes (2007:64} argues that 'we must explore the way in which the deprivations and frustrations pose profound threats to the inmates' personality or sense of personal worth.' Only when we do this can we begin to analyse the true cost of imprisoning mothers for short terms, and go any way to considering whether the sentences are justified, or whether alternative sentences would be more appropriate or beneficial to both the women, their children and society.

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# "HE JUST THOUGHT HE COULD PISS ME OFF" - YOUNG PRISONERS' CAREERS OF VIOLENCE BEFORE AND DURING IMPRISONMENT

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In this presentation, the development paths of youth violence of 32 young prisoners are reconstructed. Relying on recognition-theory it will be investigated how pre-prison experiences of victimization and perpetration are related to violence within the prison system. The main focus of the analysis lies on the reconstruction of the similarities and differences in the motives of interpersonal violence in such disparate contexts of action. How are violence and its underlying motives constituted against the background of domestic victimization and under conditions of structurally diminished autonomy? The presentation is based on a qualitative interview study from the research project "Violence and Suicide within Youth Correctional Facilities".

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# PROCEDURAL JUSTICE AND PRISONERS' MENTAL HEALTH PROBLEMS: A LONGITUDINAL STUDY

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Given the high prevalence of mental health problems among prisoners, knowledge on its determinants is important. Prior cross-sectional studies suggest that a procedurally-just treatment in prison is a significant predictor; however, longitudinal research is lacking. The purpose of this study was to examine (a) the longitudinal relationship between inmates' perceptions of procedural justice and their mental health problems, and (b) the moderating role of coping style. Data were obtained from the Prison Project, a longitudinal study among male inmates in all Dutch correctional facilities. They were surveyed 3 weeks and 3 months after their arrival in remand custody (N=824). A cross-lagged structural equation model was employed to investigate associations. Inmates who experienced a higher level of procedural justice after 3 weeks reported fewer mental health problems after 3 months. No evidence was found for a moderating role of coping style. These findings suggest a causal relationship between procedural justice and psychological well-being.

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# WHAT MATTERS MOST? EXPERIENCES OF BELGIAN PRISONERS IN A DUTCH PRISON

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Today, about 650 Belgian prisoners are detained under Belgian prison legislation and Belgian regime in a hired prison on Dutch territory, the Penitentiary Institution of Tilburg. This prison is run by Dutch staff under a shared Belgian and Dutch governance. A mixed team of Dutch and Belgian researchers studied how this particular detention situation is experienced by all parties involved and how these experiences can be explained. Interviews were conducted, using an interview guide, which was based on Liebling's (2004) instrument measuring the dimensions of prison life.

This paper focuses on the prisoners' experiences. On the one hand our research shows that the Dutch material prison conditions are much better than what prisoners are used to in the Belgian prisons. The prisoners also highly value the way they are treated by the Dutch prison officers. On the other hand they are far away from their beloved ones and family visits are impeded. The preparation of early release is much more difficult to realize being detained in a foreign country.

This paper will discuss how prisoners weigh the different dimensions of prison life and how their experiences and evaluations are affected by different circumstances and earlier detention experiences. We will conclude with a reflection on how to study and evaluate prison experiences.

# PRISON LIFE AND IMPRISONMENT III.

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## ASSOCIATION BETWEEN WING CHARACTERISTICS, AGGREGATE INMATE CHARACTERISTICS AND VIOLENCE

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The literature on population density and violence in prison details two distinct models to explain the relationship between these variables. While the Social Density model links the number of inmates per unit with the tendency for violence, the Spatial Density model suggests that the physical space allowed for each inmate is related to violence, rather than the size of the social environment. The current study tests how well these models can explain prison violence in Israeli criminal prisons. Spatial density is typically measured as cell area per inmate. Most of the inmates in Israel are allowed to leave their cells for most of the day, and use the wing public areas (corridor, yard, etc.). Hence, we propose a novel measure of spatial density that includes the wing's public area weighted for the time allowed out of the cell. This study followed every violent event that occurred in 70 criminal wings in the years 2009 - 2010, and recorded the social and spatial density during that period. Several characteristics of the wings and their inhabitants - wing operation policy (open vs. closed wings), the mean percentage of violent offenders, mean age, and mean number of previous incarcerations – were introduced as control variables. Our data support the Spatial Density model, but not the Social Density model. We also found the novel measure of spatial density is better for predicting violent events than the classical measure.

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**GOVERNING THE GOVERNORS: A PAPER ABOUT BELGIAN PRISON GOVERNORS AND MANAGERIALISM**

Philippe Kennes
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Notwithstanding the considerable academic interest in prisons, little is known about the people who govern these institutions. This is remarkable, as prison governors are seen as key actors who have a considerable impact on prison life (Liebling & Crewe, 2013; Liebling, Price & Shefer, 2011). Also in Belgium this topic remains largely unexplored (De Coninck & Lemire, 2011; Snacken, 2002). Belgian prison governors used to have a considerable amount of discretionary power to shape prison life (Maes, 2009; Christiaensen, 2004), resulting in a large variety of local policies and prison cultures. However, the more recent emphasis on managerialism (Bas & Van De Voorde, 2011) entails according to some critics the risk of confining "professionals to narrow sets of formal tasks" and preventing them "from gaining full comprehension of the overall strategy and the ultimate goals of the organization" (Cheliotis, 2006: 318-319). Drawing from observations of work practices of prison governors in a Belgian prison, we will discuss the position of prison governors today between discretionary decision-making and the limitations imposed by managerialism.

**221**
# PRISON ARCHITECTURE, DESIGN AND TECHNOLOGY: A COMPARATIVE APPROACH

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Against a backdrop of numerous crises facing penal systems in the developed world (including overcrowding, violence, mental and physical illness, drug use, high levels of suicide, self-harm etc.), many of which have been linked to the architecture, design and technology of prison buildings, a few new penal experiments in parts of northern and western Europe might be welcomed as humane alternatives to the traditional architecture of incarceration. Equipped with state-of-the-art lighting imitating natural daylight, extensive use of glass, no bars on windows, different colour palettes creating varied atmospheres in each 'zone', displays of artwork, curved lines, rounded walls and uneven horizons, the design features being incorporated into some new prisons might be assumed to mitigate against the harms caused by imprisonment. But can aesthetic considerations make a difference to behaviour? If, as 19th century prison commissioners and designers believed, architecture can be used as a means of inflicting punishment, is it equally true that architecture can deliver rehabilitation? Should the briefs issued to those who design and plan new prisons include a requirement to build into their construction features that normalize carceral space and have potential to ease the offender's reintegration back into society? Or is it simply that 'a prison is a prison', regardless of the enlightened humanism that may underpin its design? Could it even be that these prisons have unintended outcomes and perverse consequences, or represent an extension of power and control orientated towards docile compliance and bring their own distinctive pains of imprisonment?

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# IMPRISONMENT AND CIVILITY: DEVELOPING DEMOCRATIC CHARACTER IN INDIVIDUALS AND INSTITUTIONS

Bethany E. Schmidt
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Scholars have argued that imprisonment can often act as a de-civilizing process to prisoners, whereby agential capacities are limited, impeded, or damaged. Drawing from the literature and my own research, this presentation will provide some evidence and analysis of a prison-based practice that may assist in developing civil dispositions through democratic engagement. The data suggest that fostering democratic principles in the prison setting has the potential to 'civilize' individuals and institutions, and more closely align them with democratic virtues that foster community, trust, procedural justice, and collaborative work towards collectivist objectives. It is my aim to present an example of how the de-civilizing process of incarceration can, in some ways, be diminished or mitigated, through the establishment of a normative pattern of civic reciprocity through responsibility and inclusion.I will expand on ideas of character development as a necessary means in which to grow and sustain individual agency within the prison environment, and extend the discussion to consider the development of *democratic* character, both individually and institutionally.

Jacobs (2013: 2) argues:

> If there is a large population of persons alienated from the liberal-democratic rule of law, or regard it as illegitimate, hostile, or simply of no practical concern to them, that can seriously weaken the civic culture necessary for that form of rule of law.

It is my contention that re-enfranchising prisoners through forms of participatory governance and agential engagement could lessen this and in turn, possibly strengthen civic culture and democratic character via a ground-up, procedurally-just process of engagement.

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## ARE ILLEGAL MARKETS SUPPLY- OR DEMAND-DRIVEN? TWO CASE STUDIES

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[2]*Rutgers University, School of Criminal Justice, Newark, United States*

A key question in the study of illegal markets is whether they are primarily supply or demand driven. While most attention has been paid to illegal drugs, this paper examines illegal cigarettes and uses the market share of popular brands on the black market as an indicator of the relative importance of demand and supply. The underlying assumption is that the more the black market reflects brand preferences in the legal cigarette market, the stronger the influence of demand over supply.

Data were obtained from two separate studies of local cigarette black markets, one in Berlin, Germany, and one in the South Bronx, United States. The study of the Berlin cigarette black market allows comparison of brands in the legal and illegal market over a period of nine years, from 1991 until 1999, drawing on industry and law enforcement data. The study of the cigarette black market in the South Bronx, drawing on three litter pack surveys conducted in 2011, 2012 and 2013, presents a quasi-experiment. It allows examination of how a black market responds to the removal of its main source of supply, in this case brought about by a change in law. The findings from both studies suggest that illegal markets can be supply- or demand-driven depending on the circumstances.

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# EUROPEAN ORGANIZED CRIME IN TRANSITION: EXPLORING CONTRIBUTING FACTORS

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European organized crime is in a state of transition due to changing geo-political and economic conditions. Accordingly, European Union (EU) officials are modifying threat assessments and crime control strategies because of operational variations amongst domestic and transnational organized crime groups conducting illegal activities within the Schengen zone. A number of factors have contributed to the transformation of criminal enterprises, which have led *inter alia* to a diversification in criminal markets, territorial operations, partnerships, and financial strategies for illicit proceeds. This paper examines the transitional etiology as well as conditions influencing functional adaptations in organized crime in the EU. It investigates the relationships between nefarious actors in the region and internationally while analyzing the manifestation of these effects in terms of scope, operation, and territoriality. The findings suggest that organized crime enterprises, operating in European Union states, have adapted and diversified criminal activities (e.g., Campana, 2011) attributable, in part, to conducive political and economic conditions, nascent market opportunities, and shifting crime control policies.

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**WHICH ORGANIZED CRIME ACTIVITIES ARE MOST HARMFUL AND DESERVE PRIORITIZATION?**

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In recent years, the attention of the policy community has come to rest on the harms of criminal activities—be they "organized" or otherwise—as a basis for prioritizing and targeting resources for crime control. More fundamentally, in criminal law theory the harm "caused" by a criminal activity is consider crucial to justify the very criminalization of such activity, the penalties assigned to it by law-makers, and the penalties imposed on single offenders by judges.

In this presentation, we use a newly-developed framework (Greenfield and Paoli, 2013) to assess and, to the extent possible, compare the harms of two activities considered typical of organized crime in Belgium—cocaine and human trafficking. Although unable to develop a singular estimate of harm for each activity, we can compare the severity and incidence of different types of harms to particular classes of bearers, be they individuals, private-sector entities, public-sector entities, or the environment. We base the analysis on an extensive primary data collection, including an analysis of 69 criminal proceedings, all data files recorded for the two activities in the organized crime database of Belgian Federal Police for the period 2006-2008, and organized crime reports and statistics. We also rely on information culled from interviews with 34 law enforcement and other experts and with 12 offenders.

The comparative exercise indicates the value of the framework as an evidence-based, systematic tool for focusing policy-making attention and national resources on actual instead of perceived or press-worthy harms. The harm framework is not intended, though, to provide policymakers with a recipe for optimal resource allocations. Policymakers must weigh at least some of the findings of the harm assessment for themselves, on behalf of their constituents. Ultimately, given the incommensurability of harms across different classes of bearers, no purely scientific procedure can establish, for example, whether the corruption of government employees produces harms of greater priority than violence against individuals.Nevertheless, we regard it as a further merit of the framework that it clarifies which elements of prioritization can be carried out on the basis of scientific rules and methods and which cannot.

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**IMPLEMENTING PEACEMAKING CIRCLES IN A EUROPEAN CONTEXT**
Ivo Aertsen
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This panel will discuss the findings from research and practice of peacemaking circles implemented in three European countries (Belgium, Germany and Hungary) through an EU funded action-research project. The general aim of the project was to develop a model of peacemaking circles suitable for an European legal and cultural context. In each country, peacemaking circles were conducted based on a cooperation between practitioners and research institutes. Case process evaluation resulted in guidelines for the further implementation and facilitation of this particular restorative justice model. Findings will be presented for each country, including the discussion of case studies. Special attention will be paid to the role of the community and the relationship of circles with the judicial system and the way they interact. Presenters and titles of their presentations are:
·      Davy Dhondt, Ivo Aertsen and Stephan Parmentier (University of Leuven): Peacemaking circles in Belgium and the role of the community;
·      Beate Ehret, Elmar Weitekamp and Hans-Juergen Kerner (University of Tuebingen): Peacemaking circles in Germany and their relation to victim-offender mediation;
·      Dora Szego and Borbala Fellegi (Foresee Research Group, Budapest): Peacemaking circles in Hungary and the role of the judiciary.

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# PEACEMAKING CIRCLES IN BELGIUM AND THE ROLE OF THE COMMUNITY

Davy Dhondt, Ivo Aertsen, Stephan Parmentier
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This paper will discuss the findings from research and practice of peacemaking circles implemented in Belgium through an EU funded action-research project. The general aim of the project was to develop a model of peacemaking circles suitable for an European legal and cultural context. In each country, peacemaking circles were conducted based on a cooperation between practitioners (for Belgium, this was the NGO Suggnomè) and research institutes (for Belgium, the Leuven Institute of Criminology, KU Leuven). Case process evaluation resulted in guidelines for the further implementation and facilitation of this particular restorative justice model. Special attention will be paid to the role of the community in the circle meetings and how they can be reached to include them in the peacemaking circle. We will do so based on the data collected in this research, which consisted out of participant observation in conducted circles as well as questionnaires and interviews taken from circle participants.

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# PEACEMAKING CIRCLES IN GERMANY, THEIR RELATION TO VICTIM-OFFENDER MEDIATION AND INTERACTIONS WITH THE JUDICIAL SYSTEM.

Beate Ehret, Hans-Juergen Kerner, Elmar Weitekamp
*University of Tübingen, Criminology, Tübingen, Germany*

This paper will discuss the findings from research and practice of peacemaking circles implemented in three European countries (Belgium, Germany and Hungary) through an EU funded action-research project. The general aim of the project was to develop a model of peacemaking circles suitable for a European legal and cultural context. In each country, peacemaking circles were conducted based on a cooperation between practitioners and research institutes. Case process evaluation resulted in guidelines for the further implementation and facilitation of this particular restorative justice model. Findings will be presented for each country, including the discussion of case studies. Special attention will be paid to the relationship of circles with victim-offender mediation and the judicial system as well as interactions between these models of restorative justice and the traditional justice system. Peacemaking circles are an extension of traditional victim-offender mediation by including additional support persons as well as community representatives. It is this extension that provides interesting new insights as well as it raises new issues related to the right for privacy of conflict parties on the one hand and the benefits of widening the circle to include community members and other supporters into the mediation dialogue on the other. Furthermore, new criteria for case selection may become relevant when deciding for or against peacemaking circles.

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**PEACEMAKING CIRCLES IN HUNGARY AND THE ROLE OF THE JUDICIARY**

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Our presentation will discuss the findings from research and practice of peacemaking circles implemented in Hungary within the framework of an EU funded action-research project. The general aim of the project was to develop a model of peacemaking circles suitable for a European legal and cultural context. Together with Germany and Belgium, in each country peacemaking circles were conducted based on a cooperation between practitioners and research institutes. Case process evaluation resulted in guidelines for the further implementation and facilitation of this particular restorative justice model. Within the action research in Hungary fifteen peacemaking circles were conducted in different types of criminal cases. Cases were conducted by the co-facilitation of the local mediation service's mediator and a civil facilitator, appointed by Foresee Research Group, both adequately trained in peacemaking circles. Findings of the research, including the discussion of case studies will be presented with special attention to the ways in which judges, prosecutors, police and probation officers could be involved into the process of the circles.

# CONTEMPORARY FORMS OF MODERN SLAVERY AND IDENTIFICATION OF VICTIMS

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## NEW ELEMENTS OF PHENOMENOLOGY OF FORCED LABOUR IN POLAND – RECENT CASES

Lukasz Wieczorek
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Forced labour court cases in Poland show that this social phenomenon is changing permanently. Recently, victims of labour exploitation come not only from neighbourcountries but also from Asia. Also the ways how they arrive is different that few years ago. Now the victims are crossing the border legally, with visa, work permit and work contract. Exploitation process starts when they start to work, especially when their status is changing, i.e. when the visa expires.

These cases also suggests that almost all economics sectors in Poland can be affected by forced labour. The labour exploitation occurs in agriculture, construction, clothing industry, heavy industry, domestic service. People are also forced to commit petty crimes (e.g. shoplifting, swindle).

Studies confirm increasing numbers of forced labour cases in Poland while official data suggest that it is still rare in Poland. It suggest that Polish law enforcement and labour inspection are not effective in identification the labour exploitation victims. One of the reasons of this situation could be lack of penalization of forced labour in Polish penal code.

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## LABOUR TRAFFICKING, EXPLOITATION AND THE PROBLEM OF DISCLOSURE

Anniina Jokinen
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Victims of trafficking for forced labour and labour exploitation rarely disclose their experiences to authorities. This is however often understandable as it is not in the best interest of the exploited migrant workers to report any of the problems they have with their employer because they would risk their job, livelihood and even residence permit. Often times migrant workers do not even know their rights and what they are entitled to in the first place.

My paper discusses the issue of disclosing experiences of labour exploitation based on expert and migrant worker interviews conducted in Finland. Many of the exploitative practices and cases remain uncovered because migrants rarely trust the authorities with their experiences unless they are ready to quit the job altogether. Instead disclosing their experiences to authorities, many migrant workers facing exploitation seem to be willing to suffer the poor working conditions and terms of employment in the hope of securing a better future for themselves. Encouraging migrant workers to report their experiences and offering them targeted services must be taken into consideration when planning efforts to prevent labour trafficking and exploitation of migrant workers.

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# RELATIONAL ASPECTS OF HUMAN TRAFFICKING FOR SEXUAL EXPLOITATION. DOMESTIC VIOLENCE MECHANISMS IN TRAFFICKING CASES IN THE NETHERLANDS

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This study revolves around the hypothesis that human trafficking for sexual exploitation is not a typical organized crime activity, but rather a crime of relational nature. Therefore this study explores the kinds of relationships that exist between perpetrators and victims of human trafficking and it explores to what extent the nature of human trafficking is similar to that of domestic violence. The study is based upon an extensive analysis of twelve police investigations into human trafficking related to window prostitution in the Amsterdam Red Light District in the period 2006-2010. The findings suggest that intimate relationships containing several characteristics of domestic violence exist between traffickers and victims. Alongside intimidation, control and violence; affection and attachment contribute to the persistency of these relationships. This empirical study shows the theoretical and practical importance of focusing on the relational aspects of human trafficking, in which women become involved in complex relationships.

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## TRAFFICKED WOMEN IN PRISON: ARE VICTIMS OF TRAFFICKING PROPERLY IDENTIFIED?

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The international policy that is currently adopted to combat the growing phenomenon of trafficking in human beings is victim-centred. The policy intends to fully address this phenomenon, focusing on its prevention and the protection of victims, as well as their prior identification, in addition to criminalizing such conduct. In Spain, there have recently been efforts to achieve the internationally established standards. However, the research presented here shows how much work remains to be done in applying these standards. The qualitative study we have developed was conducted with a sample of 45 migrant women in two Catalan prisons, Ponent and Brians Prisons, respectively situated in Lleida and Barcelona. The research shows that there are women victimised in the highest degree, not only because they have not been identified as victims of trafficking, but also because they have been convicted by Spanish courts and consequently imprisoned for the commission of an offense during the exploitation period of the trafficking process. In fact, ten of the 45 the respondents were identified as victims of trafficking by the researchers, although they were serving a sentence for a crime that their traffickers forced them to commit, mostly consisting in offences relating to drug trafficking or the protection of property. We have used a qualitative methodology to better understand the trafficking process of the women interviewed and to know the victimization effects on victims. When victims are not properly identified by the system, these effects come from two sides: on the one hand from the crime suffered itself and on the other from the institutional mistreatment.

# EDLC SESSION II: SANCTIONING AND DELINQUENT DEVELOPMENT

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## THE CONTRIBUTION OF CO-OCCURRING INTERNALIZING AND EXTERNALIZING DISORDER TO YOUNG ADULT CRIME

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We investigated the influence of adolescent mental health disorder on young adult recidivism. Logistic regression analysis examined subsequent young adulthood recidivism by psychiatric disorder profile, adjusting for prior offense severity and background variables, in 340 juveniles referred to juvenile justice agencies in the USA. Youths with co-occurring internalizing and externalizing disorder had a sixfold increased risk for young adult recidivism compared with non-disordered counterparts, while recidivism risk of those with either internalizing or externalizing disorder was nonsignficant. In order to find explanations for the link between this comorbid disorder profile and recidivism, we further examined characteristics of 8,431 juvenile justice youths. Those with internalizing and externalizing disorder were more likely to report clinical characteristics, including traumatic exposure and suicide attempt, than those with either internalizing or externalizing disorder. Adjusting for demographic and clinical characteristics, differences in offending characteristics such as age at first arrest, repeat offender and interpersonal offense were nonsignificant. Implications for theory, policy and practice will be discussed.

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**VIOLENCE AS A SANCTIONING ACTION**
Lena Verneuer
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In the context of this talk it is argued that the quality and the situational character of violent behavior should be embedded in the theoretical and empirical analysis of youth violence. Violent behavior is not just an act, but also an outcome – it is the central object, surrounded by different circumstances.

With the help of Allan V. Horwitz' theoretical conception in *The Logic of Social Control* (1990) not only a heuristic context is provided, but also a specific theoretical view is possible: Violence can be seen as one form of a wider range of social control efforts, e.g. direct reactions to experienced deviant behavior. Depending on hierarchical, relational and individual conditions in correspondence to different types of sanctioning intentions, the informal as well as the formal application of social control can be located.

With this theoretical funding and the data of the German Research Project 'Crime in the Modern City' (CriMoC), the reactions to experienced deviant behavior of adolescents will be analysed. This presentation will pay special attention to the measurement of hypothetical reactions in a conflictual situation by a vignette and the statistical analyses concerning the assumed character of violent (re)actions among adolescents.
**Literature:**
Horwitz, Allan V. (1990): The Logic of Social Control. New York/ London:  Plenum Press.

# SANCTIONING AND JUVENILE DELINQUENCY – AMPLIFYING OR DETERRING?

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Based on the Labeling Perspective the relationship between formal social control and juvenile delinquency will be analysed and structural equational models will be presented. The concepts of secondary deviance and structural labeling suggest that formal sanctions cause (secondary) deviant behavior. Hence, formal social control may play an important role in stabilising or even generating pathways into persistent delinquency.

The delinquent peer group is seen as one of the most important learning environments for juveniles. Therefore Lemert, Becker as well as Paternoster & Iovanni described the relationship to friends as a central mediating factor of an amplifying process: Bonds to conformity may be lost after a criminal conviction and new delinquent bonds may be established or strengthened that have an amplifying effect on the development of personal deviant normconcepts.

The empirical analysis of self-reported delinquency and formal juvenile justice-system decisions is based on the CRIMOC panelstudy started in Duisburg in 2002 at age 13.

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# WORK IN PROGRESS: EFFECTS OF SANCTIONING ON JUVENILE DELINQUENCY IN ENGLAND AND GERMANY

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The German and the English juvenile justice system differ remarkably both in their aims as well as in the applied sanctions. Therefore the comparison of the effects of sanctions in both systems can be used to seek an answer to the question of „what works best?". Using the data of two panel-studies from Germany (*Crime in the modern City*, Universities of Muenster and Bielefeld) and England (*Peterborough Adolescent and Young Adult Development Study*, University of Cambridge) the effects of official sanctioning on the delinquency of juveniles and young adults, both self-reported and registered, will be analyzed in this cross-national study.

First results of the preliminary steps of the comparison will be presented. Additionally, the benefits and challenges of a comparative criminological study using existing data of two large panel-studies which were not originally planned to be compared will be discussed as well as possible methods to analyze the development of self-reported and official delinquency simultaneously (e.g. parellel process modelling).

# MEETING OF NATIONAL SOCIETIES OF CRIMINOLOGY

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## MEETING OF NATIONAL SOCIETIES OF CRIMINOLOGY

Éva Inzelt
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Hundreds of scholars, academics and practitioners are yearly participating to this major scientific event during which European and colleagues from all around the world discuss and exchange on criminological issues. Even if national and international topics and research fields are well analyzed and commented, there is less space and room for mere country-based studies focusing exclusively on their criminal policies as an ethnocentric subject. We know little about what characterized national-centered penal ideologies and values.

The intention to organize such a meeting is to look beyond national and comparative studies since we consider that there is an epistemological lack in research that would enable cultural confrontations. The objectives of this meeting are diverse and complementary. Inspired by anthropological and ethnological studies, and apart from political studies, we are convinced that criminology can also contribute to a broader knowledge on what are the respective socio-cultural motivation and attitudes towards crime, punishment and prevention.

Our aim is absolutely not to nationalize and divide research theory and methods, but rather to understand and assess cultural backgrounds that influence local studies and to explore new ways of reflecting on national penal phenomena.

Organized by:
Éva Inzelt Secretary of the Hungarian Society of Criminology; Assistant professor at Eötvös Loránd University (Budapest, Hungary) & Pascal Décarpes Deputy General Secretary of the French Society of Criminology; Research associate at the University of Greifswald (Germany); Expert EC DG JLS

**Keywords:** *National Societies of Criminology, meeting, networking*

# DRUGS AND YOUNG PEOPLE – DRUGS AND PRISON INMATES

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## ALCOHOL, ENERGY DRINK AND TOBACCO IN THE YOUNG PEOPLE BETWEEN 13 AND 16 YEARS OLD: PRELIMINARY RESULTS OF THE PROJECT "TOXI-CAP".

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The project "Toxi-cap" isaimed to individualizethe age of onsetof alcohol, nicotine and caffeine use, substances which, although not considered to be ofequalgravityto drugs, can stillcause serious damage tohealth, particularly in young people.
Excessivealcoholconsumption patterns(eg.binge drinking), the return to cigarette smokingat an early ageandthe excessive useof energy drinks, are a powerful sourceof concern andthe knowledge of thisphenomenonthroughscientific observationsis the only basisfor the developmentof the correctprevention strategies.
The study isaimed at astudent population(≥ 500) between 13and 16 years old(eighth grade andninth grade), attendinginstitutionsof the city ofFlorenceand its province.To themis takena smalllock of hair anda questionnairefor the collectionof information regardingthe consumptionof alcohol,drinks containing caffeineandcigarettes.
Thetoxicological analysisofhair, carried out by the Structureof ToxicologyDepartmentbyvalidated andreliableanalytical methods, is performedon theproximal portion (3-4) of the sameto quantify thepresence of the substancescovered by theresearch. The data obtainedwill be comparedwith the statementsin the questionnaire. Sampling of the hairand the administration of the questionnaire it happens in anonymous form, with the consent of the interested subjects, of their parents and of the Scholastic Institutes.
We introduce the preliminary results of the 267 samples collected, divided in separate groups according to the age (13-14 and 15 -16) and to the sex of the donor.

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# PRISONERS' SUBSTANCE DEPENDENCE PROBLEMS: ARE THEY NOTICED IN PRISON?

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Most rehabilitative strategies in prisons today focus on measuring and responding to criminogenic needs. This way of thinking relies highly on thoughts from the Risk-Need-Responsivity- model developed by Andrews & Bonta (2010; 1990). The central aim is to focus on measures that according to research have an impact on recidivism. Reducing substance abuse is seen as an important way to reduce the risk for reoffending. This is thought to be particularly true in Finland where substance dependence and especially alcoholism among prisoners has been estimated to an internationally high level. Criminogenic needs should ideally be assessed with the help of structured instruments, risk and needs assessments. These commonly amount up to an intervention instrument such as a sentence plan that direct the interventions during imprisonment such as rehabilitation. Researchers have recently become increasingly interested in how accurately prisoners' problems are recorded in prisons' assessments of risk and needs. Research has found that practitioners in many areas seldom operate risk assessment tools in pure form. We present findings from a study comparing a comprehensive clinical medical study of prisoner health, to prison assessments of risk connected to substance abuse, among 510 Finnish prisoners. The central objects of analyses are prison risk and needs assessments that are made for a part of the prisoners, and intervention instruments, the sentence plans, that are made more frequently. The material is analysed with focus on what factor pose obstacles for being assessed with substance abuse needs. It is possible that not all substance dependence, and particularly some (latent) alcoholism diagnoses, should be considered criminogenic factors. However, if some group of prisoners are systematically not assessed as thoroughly as others; this puts prisoners in unequal positions, since all interventions in prison, such as rehabilitative measures, are based on the assessments.

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# DO WE HAVE ADEQUATE TREATMENT FOR DRUG-ADDICTED PRISON INMATES?

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Does treatment offered to drug-addicted inmates in Austrian prisons meet their needs?

The percentage of drug-addiction is a lot higher with prison inmates than within the community. Nowadays, it is widely acknowledged that people using drugs are ill and in need of treatment. This naturally also accounts for prison inmates.

For them, the Austrian Prison Act is applicable. It also contains a provision on medical treatment. The law, however, is very general and leaves a wide margin of discretion for decisions on treatment and medication. Therefore, the practical implementation of the legal provisions, the situation and the possibilities have to be examined in order to get a clear picture of the praxis concerning the treatment of drug addicted prison inmates and potential problems. In this context, opioid substitution therapy is of special interest, due to its importance as well as the different medication available and differing approaches towards it.

Upon release, it is the quality of transition management which is crucial for the further development of the former inmates and a decisive factor for the risk of recidivism.

Most problems arising in the context of drug-addiction and imprisonment could be prevented by adherence to the principle "therapy instead of imprisonment": Austrian law also allows for various possibilities for drug-addicted offenders to exit criminal proceedings at any stage via way of treatment. In this context the provisions on health-related measures, i.e. treatment of drug-users and especially opioid substitution therapy, are central. Here it is the judges and expert opinions which have the most influence on the practical implementation of the at least intentionally drug-user oriented legal provisions. The question arises if the respective legal provisions are always adhered to in the best interest of the drug-addicted and to what extent such adherence could prevent imprisonment in the first place.

The question has to be posed whether international and EU law and recommendations could offer proposals for improvements and problem solutions.

# PLENARY SESSION III.

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**TRUST, LEGITIMACY AND COMPLIANCE: A EUROPEAN TEST OF PROCEDURAL JUSTICE THEORY**
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How best to get people to comply with regulations is a specific example of the broader human question about ways of achieving cooperation. Procedural justice theory offers some useful insights into how the institutions of justice can secure public compliance and cooperation. This lecture will contextualize procedural justice theory within a range of theories about compliance and cooperation, and will summarize findings from the fifth (2010) European Social Survey on trust in justice. This included a module on this topic, designed by colleagues and myself working on an EU project, Euro-Justis. The findings provide good support for the basic procedural justice thesis that fair and respectful treatment of the public by justice officials builds trust in the police and the courts, fosters institutional legitimacy and thus secures public cooperation and compliance with the law.

I shall argue that the results provide a reliable foundation for policing and penal policies that attend more closely to public perceptions of legitimacy. But I also propose to review the methodological limitations of this work, the political risks associated with such policies, and the practical problems in securing buy-in to these policies by those such as front-line police officers who are required to put them into effect.

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**RESEARCH ON TRUST IN THE CRIMINAL JUSTICE SYSTEM**

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The majority of research in criminology on trust in the criminal justice system is primarily based on surveys. Almost all governments in democratic nations regularly measure levels of trust in the government and in the criminal justice system. These surveys describe the attitudes of the residents about the police, sentencing practices, or kind of punishments. They also explore variations in attitudes between various groups in society, structured by e.g., gender, age, ethnicity or social class. Although the findings are mostly interpreted assuming that more trust leads to more legitimacy and compliance and a more effective criminal justice system, there is little criminological research that has rigorously tested this assumption. In addition, the surveys have to contend with methodological problems (high non-response, biased samples, unknown and changing yardsticks), some of which have become more serious over the last decades.

In this lecture I will argue in support of other kinds of research to test specific propositions or to gain in-depth insight into the underlying mechanisms that cause trust. Specifically, the focus of research should be more on the behavior of citizens instead of the opinion of the people. For that reason other research designs such as field or natural experiments are needed. NSCR has carried out a number of quasi-experimental studies showing for instance that situational characteristics play an important role in supporting vigilantism, that attitudes towards the system are not always correlated with the actual behavior of people towards the system, and that level and type of information given to citizens about the justice system have substantial effects, sometimes even closing a trust gap. These studies demonstrate that criminology can benefit from the use of non-survey designs to study trust in the criminal justice system.

Finally, I will suggest a future research agenda to facilitate empirical testing of theories on trust in the criminal justice system by studying the effects of new technologies on the behavior of citizens. In criminal law and criminology, technological devices and developments are often perceived as a threat to the freedom of individuals, especially in countries where human rights are not guaranteed by a democratic system. This might indeed be a danger for many because the routine application of these technologies by the police or intelligence enables citizens to be followed, traced, filmed and bugged wherever they go, and their computers and tablets to be copied without their consent or even their knowledge. Now more than ever in history, government has the power to check and supervise their own residents or visitors.

The other side of the coin however is that criminologists can use these technologies as data sources in order to study the confidence and trust in the criminal justice system. The use of these devices by people can be measured as actual behavior that is pro or cons the system. Face book, Twitter, texting and mobile telephone can be explored as sources of information to study the actual support for or criticism of the criminal justice system. Furthermore, criminologists can study better than ever if, and how citizens actually help the police to solve crimes (as in the case of the Boston bombers). I will discuss opportunities and pitfalls, as well as pros and cons of such a use of modern technology for research purposes.

# HOMICIDE IN EUROPE II.

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## FEMICIDE IN ITALY-AN ANALYSIS OF NATIONAL DATA WITH CROSS-NATIONAL COMPARISONS

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While in countries like the United States scientific research on femicide (i.e., intentional homicide of a girl or woman) is well developed, in Italy it is still in its early stages. The presentation discusses the data on femicide in Italy in the years 2000-2005, regarding 1,080 victims and 954 perpetrators, and compares them with the most significant findings in the USA in the same research topic. The Italian data confirm the hypothesis present in many international studies, namely that women are almost always killed by men, very often men with whom they have a family or intimate relationship. To sum up, the Italian data that confirm USA findings are: strong femicide predictors at individual level, intra-ethnic lethal violence, a connection between intimate partner violence and femicide, endemic conflict in the couple, a high risk for women during estrangement or divorce, a high number of unemployed perpetrators with no previous criminal record, and social settings of low, as well as rising gender equality. The Italian data that do not confirm findings in the USA are: older age for victims and perpetrators, prevalence of Italian-born victims, presence of couples in long-term relationships, perpetrators with mental health issues. Femicide is a wide-spread phenomenon. The data show that it has characteristics that are constant across different countries, but it also features elements that are specific to national contexts.

# THE PSYCHOSOCIAL CHARACTERISTICS OF THE PERPETRATORS OF INTIMATE PARTNER FEMICIDES

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When we examine intimate partner femicides, which represent one of the leading cause of violent death for women, some inevitable questions arise: »Who are these murderers?« and »What are their personal characteristics?«. International studies suggest that there are some risk factors for intimate partner femicides which are related to the individual characteristics of perpetrators, e.g. unemployment or social deprivation, youth victimization because of domestic violence, alcohol and drug abuse, mental and personality disorders (Cambpell et al., 2003; Cambpell et al., 2007; Aldridge and Browne, 2003). All these risk factors or perpetrators' characteristics are undoubtedly important and have to be considered when we analyse the perpetrators and intimate partner femicides. However, the paper demonstrates that the individual characteristics of perpetrators should not be understood as the main reason for intimate partner femicides. The principal cause of men's (lethal) violence against female partners should be understood in the context of social and cultural patterns, which form the basis for a man's violent behaviour in an intimate partner relationship. Intimate partner violence provides the main risk factor for intimate partner femicides (Cambpell et al., 2007).

We have tested the above-mentioned hypothesis with the analysis of the characteristics of 24 male perpetrators, convicted of murder or attempted murder of former or current intimate partner in Slovenia between 1999 and 2009. The paper indicates that, basically, these men share some common characteristics concerning the traditional evaluation of man-woman relationship, social values and violence itself. They are in general not self-confident men, who use the most extreme form of violence when they feel they are loosing power and control in a relationship.

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# KILLED VERSUS ABUSED WOMAN: SAME PAST AS A RISK OF SAME DESTINY? AN EMPIRICAL COMPARISON OF RISK FACTORS AMONG WOMEN OF INTIMATE PARTNER VIOLENCE AND OF FEMICIDE IN ITALY

Anna Costanza Baldry, <u>Cesare Porcaro</u>
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In Italy, every 96 hours, one woman is killed by her partner or former partner (Baldry, 2006) and each year, more than 100 women victims of Intimate Partner Violence are murdered (Eures 2002; Eures 2003; Eures-Ansa, 2005; Eures-Ansa 2006).

Femicide are often proceded by IPV (Campbell et al. 2001, Baldry & Ferraro, 2008). However the relation between IPV and femicide is stil not clear.

In the present study we compare a sample of women killed by their partners (n=44 data collected by archival research in criminal courts) with a sample of women victims of severe domestic violence (n=51 data collected in antiviolence centres and shelters). SARA (Kropp, Hart, Webster & Eaves, 1994) risk factors are used as comparison categories.

We test the hypothesis that cases of initmate murder could be characterised by some specific risk factors which are not present in non murder cases.

Results have shown that the most frequent and different risk factors in the femicide sample is the presence of severe physical violence and threats and escalation of violence. Results are discussed in view of preventive measure and action that also the police should face to deal with these cases.

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# INSTITUTIONAL CORRELATES OF INTIMATE PARTNER HOMICIDES INVOLVING GUNS IN RURAL AND URBAN COMMUNITIES

Sheryl Van Horne
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While the number and rate of homicides involving a firearm have declined since 1993, the rate of guns involved in the homicides of female intimate partners has increased. Female intimate partners are more likely to be victims of intimate partner violence in general, and homicides more specifically. This research examines intimate partner homicides using Supplementary Homicide Report data from 2000 to 2010, incorporating Census data from 2000 and 2010, Association of Religion Data Archives (ARDA) data from 2000 and voter participation data for the 2000 Presidential election. After describing the frequency and rates of homicides involving guns, breaking them down by victim-offender relationship, structural correlates of intimate partner homicides involving guns are examined using negative binomial regression on homicide counts. Separate analyses are run on data from rural communities and from urban communities, highlighting the differential impact of institutions for each type of county, the implications for policy makers, and future directions for research. Rural crime in general warrants greater attention.

# GENDER VIOLENCE: INTIMATE PARTNER VIOLENCE III.

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**WHY VIOLENCE AGAINST WOMEN IS SUCH POLITICALLY CONTROVERSIAL ISSUE? THE POLISH STRUGGLE TO RATIFY THE ISTANBUL CONVENTION.**

Magdalena Grzyb
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Gender-based violence against women is widely recognized violation of human rights, condemned in number of international documents and acknowledged by scholars all over the world. It could seem that nowadays due to the growing body of UN works, case law of international courts of human rights, advocacy of human rights organisations, and finally significant scholarship and criminological findings, no one cannot deny the problem. Yet it occurs.

In May 2012 the Polish Prime Minister declared that in a few weeks time Poland would sign the Council of Europe Convention on Preventing and Combatting Violence Against Women and Domestic Violence (Istanbul Convention). However it did happen in December 2012 after 6-month hot public debate. Adhering to Convention became a highly political issue. The main opponent of Polish adherence and the spokesman of all political forces opposing to Istanbul Convention became Minister of Justice Jarosław Gowin. His main point was that the Convention included the notion of gender and the provision obligating parties to eradicate prejudices, customs, traditions and all other practices based on stereotyped roles of women and men. And that would allow legalising homosexual marriages and destroy our national and cultural identity. What is worth noting in the entire discussion the core problem- Violence Against Women was overlooked and downplayed, like VAW wouldn't be a specific problem and, furthermore, the Convention wouldn't in fact concern VAW, but threaten essential basics of our existence and worldview.

In my short presentation I would like to describe briefly the Polish debate around the Istanbul Convention and try to analyse such serious reluctance to ratification on the part of some politicians and media to the Convention. The debate that actually did not finish with signing the Convention but is still on-going. It was interesting to observe what arguments had been raised, what rationales laid behind, how the issue of Violence Against Women had been instrumentalised and downplayed, why some politicians were so averse to acknowledge the problem, and finally why the gender concept was so demonized and considered to be threatening to some.

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# INTIMATE PARTNER VIOLENCE: ADDRESSING THE DYSFUNCTIONS OF THE SPANISH CRIMINAL POLICY STRATEGIES

Enara Garro Carrera
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In the past decades, the perception of intimate partner violence has experienced an almost complete turnaround in Spain: from being an invisible phenomenon (a private problem which a "selfless woman" should tolerate), violence against women has turned into a public issue since it started taking up an outstanding position in the media about 20 years ago. After a while, this sudden visibility gradually brought a mentality change in the public opinion, which in turn set the issue in the agenda of the political parties and governments. From that point the zero tolerance motto has prevailed and in the last years the number of offences connected with intimate partner violence has grown steadily, just like the severity of the foreseen sanctions.

Even if prevention of violence against women involves necessarily more than educational strategies and targeting cultural practices or social structures that support or consolidate this violence, deterrence through holding violent *doers* accountable in the criminal justice system isn't a panacea. The lack of consistent guiding principles in the elaboration of the criminal strategy of violence against women and the introduction of diverse legislative amendments on the spur of the moment has resulted in an amount of inefficient provisions in the Spanish legislation.

The aim of my oral presentation is to describe how this "punitive turn" hasn't been effective at all. Not only has using high repression levels through inflexible and very intrusive penalties not solved the problem, but it has also created new dysfunctions. Some of them (like the non drop policies, protecting women against their own will and condemning them for instigating their partners to breach a protection order) require a further analysis and should be taken into account when rethinking the Criminal Policy strategies to prevent violence against women.

# USING CIVIL ORDERS TO TACKLE DOMESTIC VIOLENCE IN THE UK: THE EXPERIENCE OF PILOTING DOMESTIC VIOLENCE PROTECTION ORDERS

Joseph Hillier
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While eviction / occupation orders to tackle domestic violence (i.e. removing perpetrators from the household shared with the victim) have been available in the UK since the 1970s, these required victims to apply to a court – leading to delays in removing perpetrators and placing pressure on victims. This paper reports details of a pilot implementation of a new civil eviction / occupation order that police could apply for immediately following an incident of suspected domestic violence, without requiring the victim's consent: Domestic Violence Protection Orders (DVPOs). DVPOs can restrict perpetrators from returning to a victim's address for up to 28 days, and provide access for victims to support services to help them consider their longer term options. While new to the UK, similar orders have been used across Europe, following initial experience in Austria in the 1990s (see Dearing & Haller, 2000; Haller, 2002; Haller et al., 2002; Logar, 2005; Romkens & Sosa, 2011). This paper will outline differences in the approach followed in the UK, explore the implications of these differences for practice, and discuss issues encountered in evaluating this kind of intervention.

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# EXPLORING THE SPATIAL EPIDEMIOLOGY OF INTIMATE PARTNER VIOLENCE AGAINST WOMEN: A GEOSTATISTICAL ANALYSIS OF PROTECTION ORDERS

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Is intimate partner violence against women (IPAW) randomly distributed across urban areas, or, as in other crimes, intimate partner violence against women has also a spatial dimension? Are spatial patterns of IPVAW explained by structural characteristics of neighborhoods, as social disorganization theories suggests? In this paper, we aim to answer these questions by exploring, first, whether incidents of IPVAW follow a significant pattern of spatial variation which allows to identify high risk areas, and second, whether potential high risk areas are associated to a number of neighborhood characteristics: socioeconomic conditions, immigration rates, and social and physical disorder. Data were drawn from protection orders for cases of IPVW, in a police district of the city of Valencia (Spain) with high incidence of IPVAW (protection orders are dictated by a court of law, and enforced by the police, and they aim to impose physical distance between the aggressor and the victim as immediate protection from further violence). For geocoding IPVAW data the geographic coordinates of the street address were the incident motivating the protection order happened were obtained. Spatial units for the analyses were the 68 census tracks within this police district. For geostatistical analyses a General Lineal Model was built with R software. Results illustrate the importance of a spatial and contextual approach to understanding IPVAW. Implications for the prevention of IPVAW are discussed

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# THE FIDUCIA PROJECT

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## THE FIDUCIA PROJECT

Zsolt Boda
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This panel presents the key research findings and activities of the FIDUCIA (Full title: New European Crimes and Trust-Based Policy) project, funded by the FP7 programme of the European Commission

FIDUCIA is meant to shed light on a number of distinctively "new European" criminal behaviours that have emerged in the last decade as a consequence of technology developments and the increased mobility of populations across Europe. These are: human trafficking, trafficking of goods, crime of migrants, and cybercrimes. To put it more simply, its aim is to see whether new ways can be found of regulating the sorts of crime that are becoming more common as we move towards a more integrated Europe, with improved communication and large movements of citizens and non-citizens between member states.

This panel is designed to present the central idea behind the FIDUCIA project: public trust in justice is important for social regulation and a "trust-based" policy model should be employed in relation to emerging forms of criminality, as opposed to a "deterrence-based" policy model.

Presenters in the panel: Stefano Maffei, Mike Hough, Jon Jackson, Elena Vaccari, Demelsa Benito Sánchez, Susanna Knickmeier, Zsolt Boda, Paolo Campana

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# PROCEDURAL FAIRNESS AND TRUST IN THE POLICE – A HUNGARIAN CASE

Zsolt Boda, Gergő Medve-Bálint
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According to the researches of Tom R. Tyler, trust in a given institution, like the police, is primarily shaped by the public perceptions of fairness of procedures used by the institution. In our study we wanted to test this thesis in a Hungarian context. The primary goal of the analysis has been to identify whether the perception of procedural fairness or the perception of efficiency or both of them determine the individuals' level of trust placed in the police. In order to study this, we analysed the results of a representative survey made in Hungary in 2011. The survey attempted to measure the respondents' interpersonal and institutional trust and their views and attitudes towards political, social and economic issues. The questionnaire put particular emphasis on the different aspects of trust placed in the police and courts. We also analysed longitudinal data on trust in the police, as well as the public agenda and identified those events which may have contributed to significant drops in terms of trust in the police. Our results suggest that first, Hungarian people also seem to be sensitive to procedural fairness issues, although their sensitivity is selective. Second, it seems that scandals concerning the police which imply violation of basic ethical norms have indeed a significant negative effect on confidence towards the police. That is, procedural fairness indeed seems to be a crucial factor in shaping trusting attitudes of the public.

# ROUNDTABLE ON "HUMAN RIGHTS, CRIMINAL JUSTICE AND CRIMINOLOGY"

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## ROUNDTABLE ON 'HUMAN RIGHTS, CRIMINAL JUSTICE AND CRIMINOLOGY'

Stephan Parmentier
*University of Leuven, Institute of Criminology, Leuven, Belgium*

The relationship between crime and human rights can be sketched from two main angles and can therefore be argued to constitute a 'double bind'. First of all, criminal justice systems around the world have been deeply influenced by the rapid rise of human rights over the past half century. This is evidenced by all efforts to uphold the rules of due process for suspects and offenders in the main phases of the criminal justice system, and in the last twenty years also for victims of crime.Secondly, the impact of human rightshas gradually extended to the conceptualization of crime and delinquency itself, by addinga human rights component to existing criminal behavioursuch as human trafficking, and thus to open the existing human rights mechanisms to the victims of such crimes.How can criminology provide an added value to the field of human rights and human rights violations? Three ways will be discussed at this roundtable: (1) by conceptualizing and describing criminal behaviour and violations of human rights in further detail; (2) by explaining crimes and human rights violations and their consequences for individuals, groups and society as a whole; and (3) by designing and studying criminal policies to prevent and to repress crimes and human rights violations, as well as to rehabilitate the victims and offenders involved.

Topics and participants to this roundtable discussion will include:
* Policing for human rights
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# POLICING FOR HUMAN RIGHTS

Jack Greene
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Police policies and decisions affect human rights on many levels. What police officers choose to do or not do can either protect the human and civil rights of individuals, or negate them (Greene, 2007). This is because the choices that police officers make in the exercise of their legal duties affirms the rights of individuals in need of police assistance, invokes legal processes that take custody of individuals or property, protects victims or redresses individual or community insecurities about crime and the social order, thereby reestablishing some social and community predictability. In any of these circumstances the actions of the police largely influence the level of civil and human rights accorded people.

"This presentation considers police calls for service as a means for better understanding how the police support and uphold human rights. Analysis of 300,000 calls for service in the city of Boston Massachusetts USA is the basis for this analysis into the human rights activities of a major city Police Department."

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# ORGANISED CRIME AND HUMAN RIGHTS

Wim Huisman
*VU University Amsterdam, Criminology and Criminal Justice, Amsterdam, The Netherlands*

In 2000 the Dutch auhorities lifted the ban on brothels in the Netherlands. The essence of this regularization approach was that voluntary prostitution by prostitutes of legal age is no longer prohibited and that brothels are legal if they comply with certain licensing conditions. At the same time, policy makers intended to crack down forcefully on unacceptable forms of prostitution, such as involuntary prostituion and prostitution by minors. Evaluating the regulation of prostitution and the fight against sex trafficking, this paper will discuss how a human rights discourse has influenced Dutch policies against organised crime. The policy on prostitution in any country depends on the underlying ideology about the moral (un)acceptability of paid sex, and is usually seen as fallen into one of four categories. In the *prohibitionist* view, prostitution is both immoral and criminal, and all concerned – prostitutes, procurers, and clients – are punishable by law. *Abolitionists* rather perceive prostitutes as victims of criminal exploitation than as criminals. However, the aim is still to eradicate prostitution because it is morally reprehensible. In the *regulationist* perspective, prostitution is accepted as a social fact and strictly regulated, primarily for the sake of protection of the public. And finally there is the *legalizationist* perspective, whereby prostitution is seen as regular labour, governed by market forces. In the Dutch policy in dealing with 'vices' a paradigm shift can be observed from a pragmatic, rational approach towards moralization. The paper will argue that a shift from a legalizationist perspective to an abolutionist perspective can be observed, which is justified by focussing on the human rights of victims of sex trafficking.

# HUMAN RIGHTS VIOLATIONS AND INTERNATIONAL CRIMES: A DOUBLE BIND

Stephan Parmentier
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The impact of human rights over the last twenty years has gradually extended to the conceptualization of crime and delinquency itself, and specific human rights violations have been redefined in terms of criminal behaviour, both in domestic legal systems and in the international criminal justice. This is the case of serious violations of human rights law and humanitarian law, such as genocide, crimes against humanity and war crimes, which have been re-conceptualized as international crimes in international treaties as well as the domestic laws of many states. This tendency has started with the establishment of the two ad hoc international tribunals for the former Yugoslavia and Rwanda in the 1990, and in the proliferation of national laws based on the universal jurisdiction principle. Its culmination point is the Rome Statute of 1998, which has established the International Criminal Court to deal with international crimes and also invites states parties to implement the international legislation in their domestic legal systems and give effect to them under the principle of complementarity. This development not only constitutes a theoretical discussion, but in turn also has many legal implications in practice, such as entailing the responsibility of individuals and it possibly leading to criminal prosecutions and convictions, both at the national and the international level.

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## "MOBILE BANDITISM, HUMAN TRAFFICKING, EXPLOITATION OR LEGAL EXCLUSION? MYTHS AND FACTS ON RECENT ROMA MIGRATION AND THEIR EXPERIENCES IN THE WESTERN WORLD" ROUNDTABLE, CHAIRED AND ORGANISED BY VERONIKA NAGY

Dina Siegel[1], Stijn Cousaert[2], Andrew Ryder[3], László Fosztó[4]
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After the regime change in post-communist Europe, transnational Roma mobility has become a significant challenge for several western governments. As full EU-citizens, or as refugees, large Roma populations now enjoy freedom of movement in Europe, or try to find a better life oversees. The long standing prejudiced perception of Roma as profiteers involved in illegal activities and unwilling to integrate has become a basis for western concerns about a „threatening flood" of Roma coming westward. This leads to selective migration approaches and restrictive measures in several western states. As a result, receiving countries have introduced different control strategies allegedly to ensure security, legitimating excessive policing and criminalising Roma groups in order to isolate them from national consensus. The „mechanisms" applied for sorting and excluding unwanted Roma communities are grounded in a set of punitive rules enacted through national and local legislation with the purpose of expulsion.
While the developments in policymaking as a response to westward mobility in western countries have been extensively discussed, empirical studies on the effects of these measures and on how the targeted groups either comply or circumnavigate these regulations are scarce. This round table discussion aims to reflect on the empirical experiences of Roma migrants in different receiving countries, in order to highlight the dynamics of Roma migration and the control policies targeting them.
In a form of a critical roundtable discussion five speakers from five different countries will introduce their experiences with Roma migrants and share their ideas onthe risks and side-effects of control and surveillance practices.
The meeting will facilitate interaction, and the exchange of ideas and opinions on local aspects of current Roma mobility issues targeted by policing in receiving countries. The agenda is structured to encourage dialogue in an informal setting. The main speakers are requested to introduce their local experiences with Roma migrants, in particularthrough sub-themes from the country's perspective they selected.The theme "Roma mobility" will be approached from a practitioners as well as an academic angle. Under the guidance of the Chair the discussion will contain a mixture of short presentations and interactive sessions. The aim is to involve all attendees in the debate and to alternate the roles of speaker, listener and debater.

# FACTORS RELATED TO CHANGES IN CRIME RATE

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## ON THE RELATIONSHIP BETWEEN PRISON POPULATION RATES AND CRIME RATES IN WESTERN EUROPE

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This presentation examines trends in prison population rates in Western Europe from 1982 to 2010. The analysis takes into account trends in the stock and flow of detainees as well as in the distribution of the prison population according to the type of offence for which persons are deprived of freedom. These trends are then compared to those shown by police and conviction statistics. The results allow establishing (a) the general evolution of imprisonment in Western Europe (b) the trends in imprisonment rates by type of offence (c) the relationship between imprisonment rates and crime trends. These results are explained through the prism of the evolution of punitivity in industrialized societies. They are also discussed in the light of the approaches that state that imprisonment rates are unrelated to the evolution of crime and are driven by criminal policies only. Finally, they are also placed in the context of the current debate on the evolution of crime at the international level. Data for the analyses are taken from the *Council of Europe Annual Penal Statistics* and the *European Sourcebook of Crime and Criminal Justice Statistics*.

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**MAKING SENSE OF SENSELESS CRIME: DECIPHERING ASSAULT IN THE CRIME DROP**

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This paper presents initial findings from doctoral research focusing on the decline in physical assault since the mid-1990s. It hinges on two remarkable phenomena: firstly the dramatic and international decline of crime dubbed 'the crime drop', and secondly the pervasion of this decline throughout the current recession.

Data from the Crime Survey in England and Wales is used to isolate and map the trajectory of physical asault (segregated from its sexually and financially motivated counterparts) between 1981 and 2012. When dissected along its broadest dimensions: assault severity, victim-offender relationship, and environmental characteristics - the areas of greatest decline are identified and offer insight into possible causation.

Building on research by Farrell, Tseloni, Mailley, and Tilley (2011), the present research tests the security hypothesis which proposes that an increase in both the quantity and quality of security measures is the driving force behind the drop. The underlying framework is a situational understanding of crime; heralding crime as 'opportunity' and crime *rates* a product of the stock of such opportunities. Whilst the security hypothesis and situational prevention have been successfully attributed to falls in acquisitive crime, my research explores their merit in explaining the decline of a solely violent crime.

Using logisitc regression modelling, and with an initial focus on physical assault in the night-time economy, significant fluctuations and changes in trajectory will be attributed to retrospective governement strategies, alcohol-control policies, pub and bar design movements, security implementation and other evidence of situational prevention absorption.

This presentation focuses on the trends and patterns identified, and will invite discussion over possible causal relationships.

**Keywords:** *Assault, Crime Drop, Security, Situational*

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# CRIME, GAMBLING, AND CRIMINAL JUSTICE POLICY IN MACAO

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As a Special Administrative Region (SAR) of China with arguably the world's largest gambling operation and the highest population density, Macao has a surprisingly low crime rate. Considerable debates have taken place with regard to the reliability of the crime statistics and the reasons for the seemingly low crime rate in Macao. This study is an attempt to address these two issues. First, it compares crime measures in Macao with those of other countries and territories to assess the level of crime in the SAR. Second, it examines the key social, economic, and cultural factors that might have played a role in keeping the crime rate low. A special focus of the research is the criminal law and criminal justice policy that were developed in the last several centuries through the integration of the Portuguese and Chinese legal traditions and systems of social control. By critically assessing crime data and information drawn from government and nongovernmental sources, the article provides an explanatory analysis of the effectiveness of the criminal justice system in Macao.

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# THE CONTAGIOUS NATURE OF PRODUCT TAMPERING

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Product tampering crimes involve a variety of motives, and these crimes are not restricted to one geographic location, culture or economic structure. When cases of product tampering occur they are often given a great deal of publicity within the popular media due to the sensational nature of these crimes. As such, there has been widespread speculation that this publicity provides inspiration for other criminals, and thus increases the spread of product tampering and other similar offences, such as poisoning and food terrorism. However, to date no research has been conducted on 'copycat' product tampering, and at the present time its existence is based on anecdotal evidence alone. The current study uses empirical data from the past 40 years in order to determine if product tampering is in fact a contagious crime, and whether its prevalence is affected by external factors such as legal interventions. The results show some evidence for contagion over time, primarily within nations, and that the incidence of tampering is indeed also affected by other variables. The implications for policy and research are discussed.

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# JUVENILE COURTS

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## GENDERED PRACTICES IN THE BELGIAN JUVENILE COURT? AN ANALYSIS OF THE COURT RECORDS.

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From a legal perspective, the Juvenile Court cannot make a tangible difference between girls and boys. Though, within the practice of the Juvenile Court different attitudes and perceptions seem to exist regarding these girls and boys. On the one hand, international and national research has indicated a persistence of controlling the sexual behaviour of girls, concerns that hardly exist towards boys. On the other hand, significant differences are found between girls and boys in the reporting documents of the court records. Although these findings suggest an alleged gendered orientation of the Juvenile Justice System, the presence of gendered practices in the Belgian Juvenile Court remains a relatively unexplored field.

Within our on-going research project, we analysed 80 closed Juvenile Court records, consisting of 40 records on girls and 40 records on boys, equally divided in criminal and status offenses. We investigated the role of gender in the reporting documents. In this paper, we first discuss the methodological and practical issues we encountered during the research period and secondly reflect on the first results of the document analysis. Our analysis indicates the existence of different trajectories and reveals an important influence of the intervention ground. Furthermore, it unveils a rather limited impact of gendered elements, a remarkable finding that requires further investigation.

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**JUVENILE JUDGES' DECISION MAKING CONCERNING MINORS WITH MENTAL DISORDERS: COMPARING URBAN AND RURAL MOTIVATIONS OF JUDGMENTS.**

Leen Cappon
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**Purpose**: The existing decision-making research has highlighted the importance of the context in which the decision is made. This context refers to the geographic location and to the country in which the juvenile court is located. Additionally, despite high prevalence rates of mental disorders in minors at the juvenile court, decision-making research has rarely focused on this subgroup of the entire juvenile court population. Therefore, this presentation aims to gain insight into the differences in the decision-making processes of juvenile judges working at an urban and rural juvenile court in Belgium. This presentation focuses on the judgments in the juvenile court records of minors with mental disorders.

**Method**: The judgments of 60 urban and 44 rural juvenile court records of minors with mental disorders were studied (n=792). More specifically, the written motivations of these judgments were analyzed with Nvivo 9.

**Results**: The analysis showed that the rural juvenile court more frequently used standard wording. Secondly, the decision factors differed in frequency and interpretation between the urban and rural juvenile court. For example, mental health factors were more frequently but still limitedly mentioned in the motivations at the urban juvenile court than at the rural juvenile court.

**Conclusions**: These results indicate a difference in motivation culture between both juvenile courts. The limited reference to mental health factors in the judgments also warrants further research. Methodologically, the study shows the surplus value of analyzing motivations of judgments in decision-making research.

# DEVELOPMENTS IN YOUTH PENALTIES IN THE NETHERLANDS

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The Dutch youth penalties date back to 1905 when the 'Children Acts' were introduced in the Netherlands. There was a Children Act on child protection, a Children Act on juvenile institutions and a Children Act on criminal law. New was that specific youth penalties were introduced with the aim to (re-)educate juvenile offenders. Since then there were two main law reforms. In 1965 the tendency was to consider youth justice as a form of child protection, in 1995 the tendency was to emphasize the legal subjectivity of juveniles and to treat them more like adults. As a result youth penalties got more adult names (juvenile detention instead of reformatory), were lengthened and it became easier to impose adult penalties to juveniles of 16 and 17 years old.

For the typical juvenile crimes with a low impact (vandalism, shoplifting) the Dutch juvenile justice system has a long history of diversion. In these cases the public prosecutor gives the police the discretion to dismiss a case under certain conditions. It is explicitly meant to protect the juvenile against the stigma of court procedure and punishment. This form of diversion developed a context in which community sanctions could develop.

Because juvenile delinquency became a major governmental concern, a radical reform of the youth penalties is going on right now. While the climate is still repressive, the main policy-goal is to increase the effectiveness of the youth penalties. Research showed that this aim is not reached by repression, but by (re-)education of the juvenile offender, the original goal of 1905. In this approach influencing the behaviour and offering a clear structure are central elements.

New is the consultation between the prosecution service, the police and the Child Protection Board about the best way to react, immediately after the first police contact. In 2008 a new youth penalty was introduced, the 'measure influencing the behaviour', named as GBM. Next to that the judge can impose behavioural conditions in the stage of pre-trial detention as well as in the stage of the conviction while all behavioural interventions must be renowned as effective. New is also the obligatory aftercare after the detention and the application of a uniform instrument of future risk-assessment.

In this presentation the researcher, who as part-time judge has experience in imposing youth penalties, will discuss the described developments in a confrontation between the legal principles and the practical needs of the juvenile offender.

**Keywords:** *youth penalties, the Netherlands, conditional sanctions, pre-trial detention, diversion*

# THE NEW CHANGES ON JUVENILE SENTENCING IN IRAN'S NEW PENAL CODE 2013

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The basis of Iranian criminal justice system was changed after the 1978 Revolution and with the Islamization of laws as a step towards Islamizing society, the juvenile delinquency Act (1959) was abolished. It is notable that no especial laws and regulations have been replaced for juveniles till now. However, according to the new Penal Code which entered into force in May 2013, two different models for determining the age of criminal responsibility on the one hand and sentencing system on the other hand, have been introduced by the legislature.These models have been described based on the categories of punishments in Islamic law: one concerns the age of criminal responsibility in the discretionary punishments (Tazir) as a specific rule, and other relates to the age in the section of defences to criminal responsibility for the fixed punishments (Hadd, Qisas and Diyeh) as a general rule .In the discretionary punishments, the minimum age of criminal responsibility has been considered 9 years and the maximum 18 years, without any discrimination between girls and boys and with consideration of gradual transition from irresponsibility to full criminal libility.It should be noted that submission to the parents with promise of correction, referring the child to a social worker or psychologist, banning children from visiting specific persons or placesare the most important criminal sanctions in this category. However, in the fixed punishments, the new Penal Code has stipulated the age of maturity: 9 years for girls and 15 years for boys which is very different from the model in the discretionary punishments. In this section; due to the obstacles in Shari'a; there is discrimination between girls and boys and the gradual transition to full criminal responsibility and differential sentencing system have not been accepted as well. To solve the current problem in the fixed punishments and for the first time, the Iranian legislature has introduced the notions of "intellectual development" and "ability to reason" regarding the sentencing of offenders who are under 18. Therefore, in the Hadd and Qisas crimes which are punishable by death or harsh physical punishment, this code gives judges the discretion to decide whether a child has understood the nature of the crime, by asking for the opinion of forensic medicine or employ other means which it deems appropriate. Therefore, the new Penal Code is an improvement over the previous penal code in this respect; however, there are many conflicts in the content of some articles concerning juvenile delinquents because the new Penal Code has been influenced by Shari'a on the one hand, and international obligations on the other.

# COMMUNITY SANCTIONS AND MEASURES WORKING GROUP: PRACTICES IN OFFENDER SUPERVISION

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## SOCIAL WORK SKILLS IN PROBATION PRACTICE: THE JS3 STUDY
Peter Raynor
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In Britain probation work was traditionally seen as a branch of social work. Since the early 1990s politicians in England and Wales (not Scotland) have made a determined and largely successful effort to separate the professional culture and training of probation officers from those of social workers. Evidence of the success of this strategy is provided, for example, by the almost complete disappearance of articles on crime-related practice from the leading British social work journal. A recent study of offender supervision skills in practice (the Jersey Supervision Skills Study, JS3) has identified the skills used by a group of probation staff through analysis of videorecorded interviews, and has also shown better outcomes (including significantly lower reconviction rates) for people supervised by more skilled staff. This paper explores the skills used, how far they might be seen as general social work skills or specific offender management skills, and which skills are associated with positive change. It is suggested that the use of engagement skills and relationship skills, which are traditionally emphasized in social work training, does not appear to be associated with much change in attitude or behaviour unless it is combined with structuring skills and with the use of methods specifically designed to help offenders to change. On the other hand, it appears likely that successful engagement is a necessary precondition for the use of more change-promoting skills. What can this teach us about the relationship between generic social work and probation?

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**"I NEEDED HELP, I DON'T THINK I NEEDED PUNISHING": EXPERIENCING SUPERVISION IN A WOMEN'S COMMUNITY CENTRE**

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Dr Sam King (Leicester University) and Dr Sarah Pemberton (Birmingham City University)
Criminal justice in the UK is currently undergoing significant change under the Conservative led Coalition Government. A key dimension of this is the transformation of rehabilitative services in the community. Although not yet fully realised, this entails the outsourcing of key services traditionally provided by the statutory sector to the voluntary, charity and for-profit sectors, including the proposed introduction of a payment-by-results model. Women's community centres have gained prominence in the UK in recent years as it has been suggested that they are better equipped to address the needs of female offenders. However, relatively little research has been conducted which examines how women experience supervision in a women's community centre.
We aim to contribute to this small body of literature by presenting findings from a small-scale qualitative study which examines the experiences of a group of women who have been referred to a women's community centre by the Criminal Justice System. In-depth interviews are utilised to explore how these women experience supervision within the community, and how this contributes to their attempts to move away from crime.

# COME AND KNOCK ON MY DOOR: CALIFORNIA'S AB 109 AND SHERIFF'S OFFICE OFFENDER HOME VISITS

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On April 5, 2011, California Governor Jerry Brown signed into law Assembly Bill 109 (AB 109), which shifted the responsibility of convicted criminals held in state prison to the county level. These convicted prisoners came from three categories: non-violent, non-sexual, or non-serious offenders (commonly referred to as the "three-nons"). The legislation's genesis arose from a threefold set of problems: California's financial budget, California's prison spending, and the high recidivism rate in the state.

Unlike most every other county in California, Butte County, a small rural county in Northern California, did not use its AB 109 funds to build additional jail cells to house its three-non offenders. Instead, the Butte County Sheriff's Office (BCSO) created a groundbreaking, home confinement system for its three-non offenders, coupled with mandatory cognitive therapy and home visits from sheriff's deputies. While home confinement has been used in the United States for the past few decades by probation departments, the novel approach of a sheriff's office leading a post-conviction confinement system with home visits, together with required cognitive therapy, is brand new.

Using a grounded theory approach, this research utilized semi-structured interviews in attempts to ascertain the thoughts and feelings of 30, randomly selected, three-non offenders that were sentenced to home confinement with the BCSO. The data suggests some expected and unexpected findings: one, offenders prefer home confinement compared to jail incarceration; two, positive affirmations from the BCSO deputies created the strongest incentives for offenders to succeed; three, bonds were created with the BCSO deputies after several respectful home visits, and; four, despite the cognitive therapy training, offenders were nervous about future recidivism once their sentences expired.

This research has implications for the BCSO, but also for the 57 other counties in California that are struggling to house their three-non offenders. On a broader level, this research has potential repercussions to other areas of the United States as they consider implementing an AB 109-type prison realignment of their offenders. Instead of simply incarcerating these offenders, this research may uncover alternatives to the traditional punishment approach in the United States.

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# WHO WORKS IN PROBATION SERVICE ROMANIA?

Ioan Durnescu
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This presentation will describe the findings of the research run in Romania on probation staff skills and characteristics. In the first part, the paper will describe the main staff skills and characteristics used by probation counselors in the evaluation stage of supervision. Looking at the scores, it can be concluded that probation counselors have a relatively high level of professionalism. The mean score for use of skills is around 3.5 out of 5, which means a 'a good use of skills and characteristics throughout the session'. It seems that probation staff have pretty good organizational skills (e.g. organizing the space for the interview, keeping a good distance to the subjects, having an open and relaxed posture etc.) and very good relationship skills (such as showing respect, showing understanding, honesty, having a positive attitude, good sense of humor etc.). In the same time, probation staff seems to display poor skills in relation to motivational interviewing, expressing empathy, involving the offender in the assessment process and so on.

The second part of the paper will focus on a more analytic presentation highlighting the associations between different staff variables (ex. educational background) and different staff skills and characteristics.

When analyzing the mean scores of probation counselors with different educational background it is striking to notice that they are close to each other. It seems that despite the major differences in training, probation staff tend to develop a kind of institutional behavior that becomes norm for all personnel. From the interviews done with the probation staff, results that within the organization there is a series of informal learning processes that lead to this reality: imitation, 'kitchen talk', joint induction training, probation staff rotation etc.

The concept of habitus will be introduced to explain the institutional behavior that emerges from the interaction between staff members and between staff and offenders (Bourdieu). The conclusions are based on 40 video recorded sessions coming from 20 probation officers and 18 interviews with probation staff. The research was kindly supported by CNCSIS through contract no. 29/02.08.2010.

# COMPLIANCE DURING PROBATION SUPERVISION?

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Little is known about the role of probationers' attitudes towards compliance in relation to probation supervision failure. However, probation supervision effectiveness and compliance are, in the field of community penalties, topics that are inextricably linked. The current study examined probation supervision failure in a sample of 13,091 discharged adult probationers in the Netherlands. In this paper, we examine how compliance with probation regulations affects supervision failure. Firstly, we examine the possible definitions and dimensions of compliance with probation supervision and the existing work on explanations of compliance with probation. Secondly, we research a dynamic model of compliance, based on the integration of two related analyses. We analyze the attitudes of probationers about compliance on the one hand, and on the other hand, the actual compliance of the probationers to the supervision regulations. Our findings advance current knowledge on factors associated with probation supervision failure and may have important implications for research and probation practice.

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# ENHANCING THE QUALITY OF OFFENDER SUPERVISION: WHAT WORKS?

Pamela Ugwudike
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More than a decade after the effective practice model of offender supervision emerged in England and Wales, the precise process through which frontline practitioners implement the model during supervision has received limited empirical attention. This creates a gap in knowledge and poses several implications. With limited empirical insights, it is difficult to establish whether practitioners interpret the model effectively and whether they employ relevant evidence-based skills when they implement the model. Studies now reveal that inadequate implementation of the model can undermine the quality and outcomes of supervision. This paper seeks to contribute to the emerging international research evidence on effective strategies for enhancing the quality of offender supervision. To this end, the paper will draw on a study which explored how probation managers and frontline probation practitioners interpret and apply the effective practice model. The study identified several obstacles to effective implementation. These obstacles include: a degree of misinterpretation; situational factors that emerge during supervision and wider organisational factors. This paper will address the implications of the study's findings for supervision policy and practice. It will also describe innovative empirical developments that can help bridge the gap between the evidence-base and frontline practice. The innovative developments provide detailed guidelines on how to implement the effective practice model using strategies that enhance the quality and outcomes of supervision.

# EUROC 3: CORRUPTION

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**POLICE AND CITIZEN PERCEPTIONS OF CORRUPTION: AN EMPIRICAL ANALYSIS OF SURVEY DATA FROM THE BELGIAN REGION FLANDERS**

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Perception of corruption is a complex phenomenon and citizens are divided in their judgment of corrupt behaviour. We made use of a scenario-based questionnaire in view of explaining these inter-personal differences in the perception of corruption. 15 meaningful scenarios were selected on the basis of a qualitative in-depth study within the Flemish Digital Press Database (Mediargus) using different search terms such as 'corruption', 'bribery', 'fiddling', 'bribe' and 'slush money'.

The questionnaire was distributed to a random sample of 2.256 Flemish citizens, the Central Office for the Fight against Corruption (n = 34), 14 Flemish Departments of the Federal Judicial Police (n = 190) and 38 local police forces in Flanders (n = 120).

We build upon Sutherland's theory of differential association to understand the empirical revealed inter-personal variations in the perception of corruption. This differential association theory consist of three interrelated concepts: normative conflict, differential association and differential organisation. Hitherto we analysed inter-personal variations in the perception of corruption in relation to the concept of the 'differential association process'. According to Sutherland individuals learn within inmate groups skills and definitions in favour of deviance. The results of the population survey show that citizens their perceptions of corruption are significantly influenced by characteristics of the job status. High status groups are significant more tolerant of so-called grand corruption. Members of low status groups are then again more lenient towards petty corruption.

Sutherland's concept of 'differential social organisation' will be discussed within this presentation in relation to varying perceptions of corruption. This concept refers to the extent to which a group is organised in favour of crime– or is organised to suppress criminal behaviour. This process of 'differential social organisation' is interrelated to the learning of skills and definitions: members of a group organised in favour of corruption will be exposed to various competing definitions of corruption. As a consequence thereof we expect that police officers are less tolerant compared to others groups.

Our principal findings on the comparison between citizens and police officers perceptions of corruption are presented.

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**STUDY ON CORRUPTION IN HUNGARY BASED ON THE COURT CASES IN 2010**

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The expression of corruption has been widely used in scientific works, in public debate, in public policy and also in public media. Corruption is defined in many ways. The most commonly used definition of corruption is "abuse of entrusted power for private gain" (Transparency International). It is important to point out, however, it depends on the generally accepted functional, moral and legal norms of a society what kind of actions are considered as corrupt ones and those initiate any reaction from the part of the society or not.

It is well-known that the latency of corruption is very high. Because of that fact most of the researches are dealing with the hidden part of corruption. What can we see if we examine the Criminal Statistics' Data of reported corruption cases?

In this research we have studied the 2010's legally binding court files of bribery and trading in influence. According to the statistics in 2010 219 persons were convicted of bribery and 38 persons were convicted of trading in influence in Hungary. Totally 257 courts files have studied during this project which is supported by the Hungarian Scientific Research Fund (OTKA K106011.2012.)

The study is focus on the one hand the offenders' basic parameters (e.g. gender, age, marital status, educational level, place of residence, criminal record) on the other hand – with more emphasis – the creation of the criminal act, the place where the crime was committed, the bribers' occupations (police officer, tax inspector, civil servant, etc.), the relationship between the active and the passive briber, the motives of the perpetrators, the form and the extent of the favor and who reported the incident to the police.

During the examination of the offender's basic parameters it is essential to analyze the perpetrators social and personal circumstances. Were the registered and/or convicted corruption cases that the legislator has intended to punish?

In my presentation I will analyze the research's preliminary results.


**Keywords:** *corruption, criminal justice system, empirical study, Hungary*

# CORRUPTION AND BRIBERY IN THE EYES OF PUBLIC OPINION

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Paper reflect the development of perception of corruption during the last several years in the Czech Republic. Within this period corruption became a very frequent term, not only as a subject of conversations of citizens. It has become the focus of the media attention and it has even become one of the important words of the vocabulary of politicians.

The overview of knowledge on corruptive behaviour in the Czech Republic is presented. The public tends to understand the term of corruption rather intuitively. But regardless of the question of the definition the Czech general public has been quite skeptical in terms of the state of the corruption in the Czech society and believes that the incidence of corruption is significant. Speaking of bribery it is of course necessary to try to differentiate the feelings and fears of public from the limited factual knowledge on its phenomenon itself. Should we only make judgments by the number of accused offenders, we would have to say that the extent of corruption is almost negligible.

Paper takes into account the hard data on corruption but because of lack of them it stems also from the secondary analysis of findings from surveys on public opinion carried out in the Czech Republic and from the analysis of Czech governmental strategic documents concerning this phenomenon.

Paper focus mostly on the views on corruption in public sector. It tries to answer the question whether the situation can be characterised as „common" corruptive behaviour on the everyday level, as "corruptive climate" or even as systemic corruption steering for the so-called „state capture". It tries also to formulate the main differences in the extent and character of corruption under socialist period and at present.

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**THE REPORTED CORRUPTION IN SWEDEN - STRUCTURE AND RISK FACTORS**

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In 2003 The National Anti-Corruption Prosecutor's Unit was formed to handle all corruption reported cases in Sweden. This paper is based on a study of 684 cases, which include 1 248 persons. Even if corruption - as a consequence of several 'scandals' has been an important issue - the number of reports and tip-offs have no increased. One explanation could be that local municipalities, state agencies and private businesses have developed guidelines and educational programs, improved internal control system and in many other ways underline the importance of a proper conduct.

At least the detected and reported corruption is quite often 'down to earth', including cash, technical gadgets, dinners, conferences and bath room renovations. Typically the value is often a couple of hundreds of euros. The 'big money' has to do with real estate, legacy and invoices with kickbacks. Cases with tens of thousands euro are on that 'high' level, and even cases with hundreds of thousands. The typical risk scenario involves a private business owner bribing local officials. The bribes purpose is to influence decision making, for example contracts (public procurement) and different kinds of licenses. The officials are middle age men with a position to make decisions or have an influence on decisions. This paper further describes the structure of the 'visible' corruption and discuss what type of corruption is hiding behind the dark figures.

**Keywords:** *corruption - Sweden - dark figures - structure - risk factors*

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# THE UNIVERSAL MEASURE OF CORRUPTION WITH PARTICULAR REFERENCE TO THE CORRUPTION PERCEPTION INDEX OF SELECTED COUNTRIES

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Defining the word corruption is not an easy undertaking because corruption is an elusive concept. There is no single, comprehensive, universally accepted definition because various attempts to develop one invariably encounter legal, criminological and in many countries, political problems. Corruption being a complex multi-faceted phenomenon, is as such a subject which invites varying mixtures of theory and empiricism, micro and macro analysis, explanation and prescription, as well as case studies and comparative analysis.

In this paper by statistically analysing CPI's of selected countries surveyed by Transparency International (TI) over the period of years 1999 to 2012 simple linear regressions were performed on various groups of countries according to the number of years during which a minimum of three surveys were conducted by the said organisation. The Corruption Perceptions Index (CPI) is based on many different polls conducted by several independent organisations. These polls employ various methods and different sets of questionnaires which investigate the business environment and corruption. The CPI ranks countries in terms of the degree to which corruption is perceived to exist among public officials and politicians.

On the one end of the spectrum the results of simple linear regressions based on the Transparency International's findings revealed highly statistically significant regressions with a positive slope, i.e. pointing to a more transparent trend, in the following countries: Uruguay, South Korea, Latvia, Turkey, Tanzania, Ghana, Indonesia, Albania, Estonia, India, Nigeria, Cameroon, Romania, Azerbaijan, Romania and Japan.

On the other end highly significant regressions spanning the same period of time showing a negative slope toward a more corrupt trend were revealed in the following countries: Finland, Peru, Israel, Zimbabwe, Venezuela, Denmark, the UK, Greece, Italy, Tunisia, Spain, the USA and Luxenburg.

Finally several recommendations are also made on how to combat corruption in terms of the "United Nations Convention against Corruption" and the "African Union Convention on Preventing and Combating Corruption".

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# SENTENCING AND PENAL DECISION-MAKING I. - PUNITIVITY

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**A PUNITIVE TURN? THE FUTURE OF THE PENAL SYSTEM IN MODERN CYPRUS.**

Katerina Spyrou
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The incarceration rate in the Republic of Cyprus has more than tripled in the last decade, yet remains an under-researched phenomenon. The number of inmates in the Central Jail of Nicosia, which is the only correctional institution in the Republic of Cyprus, had reached a record high of 900 prisoners by May 2013; three times more than the usable operational capacity of the prison estate. This paper examines why and to what extent the erstwhile 'tolerant' Cypriot Criminal Justice System has shifted toward increased punitiviness over the last decade, transitioning from a low - imprisonment society to a punitive nation. The paper draws on my PhD research, which consisted of 33 in depth semi-structured interviews with a range of participants who have influential associations with the Cypriot Criminal Justice System, including politicians, judges, policy makers, presecutors, prison staff, criminal justice practitioners, prison commissioners and prison governors. By exploring current penal policies and practices of the Cypriot Criminal Justice System, I will argue that punitivity is the outcome of a wide range of political, economic and cultural factors, ranging from social indicators, trust in political institutions, variations in political structure and the form of democracy.

# REGULATION OF INCIVILITIES: COURTS AS POTENTIAL SAFEGUARDS AGAINST LEGISLATIVE VAGUENESS AND EXCESSIVE USE OF PENALISING POWERS

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As a response to increasing societal feelings of insecurity and fear of crime, governments throughout the EU have progressively empowered local authorities to adopt a number of sweeping measures to counter visible public nuisances seen as causing public unease and annoyance. As argued by Burney (2005) however, the mantra of safety has become the cover for a surprising number of controlling and excluding laws and practices aimed at stigmatized groups or marginalized individuals, thereby resulting in intrusive and punitive constrains on people's liberties and autonomy.

The trend towards the expansion of local regulation and penalisation of nuisances can be witnessed in several European countries. In England and Wales, magistrates' and county courts have been delegated the power to issue civil injunctions (Anti-social Behaviour Orders or ASBOs), whose breach renders the offence criminal and may result in up to 5 years of imprisonment. The regulation of incivilities in Belgium has greatly expanded after the introduction of administrative sanctions (GAS) for various types of uncivil behavior in 1999. In Italy, mayors have been given the power to issue administrative orders whose violation is considered a contravention (criminal offence lato sensu) and leads to a criminal proceeding, eventually resulting in the imposition of criminal sanctions. However, after numerous rulings of Italian administrative courts annulling or preventively suspending administrative orders issued, the Constitutional and Supreme Courts have been tasked with the assessment of the compatibility of these orders with the fundamental principles of the criminal justice system and delivered some interesting liberty-safeguarding decisions. Some similar judicial actions can be recently found in the UK.

The paper shall firstly analyse some of the problems connected with the regulation of nuisances in the abovementioned European countries against the backdrop of the recent trends of expanded social control. Secondly, it shall look more closely at the judgments of the Italian and English courts as providing possible judicial safeguards constraining excessive powers of local authorities to penalise behaviour deemed anti-social or uncivil.

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# IS THIS THE END OF PUNITIVE JUSTICE IN THE US? HOW NEW SPECIALTY COURTS FIGHT PRISON OVERCROWDING

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With a 700 percent rate of growth since the 1970s, Texas currently has the fourth highest incarceration rate in the United States and the most prisoners of any state. With approximately 154,000 prison inmates (more than half of whom are non-violent offenders), Texas' non-violent prison population alone exceeds the prison population of the United Kingdom. This trend has come at great cost to taxpayers. Prisons consume 88 percent of Texas' soaring $6 billion corrections spending, a budget item that has nearly quadrupled over the past two decades. It is also the fourth largest state expenditure in Texas and the fastest-growing budget item. Recognizing the unsustainability of these current social and fiscal capital expense trends in Texan penology, some Texas counties are beginning to move away from strict and harsh sentencing policies. Most notably, Tarrant County, one of the largest counties in the state, is implementing a range of new specialty court programs designed to keep a variety of non-violent offenders out of the prison system. These include the Felony Alcohol Intervention Program, the Mental Health Diversion Court, and the Veterans' Court. Although these courts vary in their target populations and resources, the same basic model is utilized. In each a multidisciplinary team (generally comprised of judges, prosecutors, defense attorneys, community corrections officers/case managers, and treatment service providers) is utilized to assess and implement an alternative correctional regime to keep the offender out of the prison system. These specialty courts are also designed to reduce recidivism through collaboration, risk and needs assessment, judicial interaction, monitoring and supervision, graduated sanctions and incentives, and various rehabilitation programs providing individualized treatment and services. The presented study constitutes the first comprehensive evaluation of the successfulness of these newly-designed specialty courts and diversion programs. The results corroborate anecdotal findings that these programs are effective tools to keep convicts out of prison. They further suggest that the Tarrant County model can serve as a blueprint for other U.S. counties to follow. Details of the study and implications of its findings will be discussed.

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## PUBLIC ATTITUDES TOWARDS PUNISHMENT: DOES GENDER OR NATIONALITY OF OFFENDERS HAVE AN IMPACT?

Helgi Gunnlaugsson
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Citizen attitudes toward the courts and the criminal justice system are vital to modern democratic nations. Many scholars believe it to be important that court sentencing decisions adequately reflects the public´s sense of justice. Court decisions, in stark contrast to the public´s general sense of justice and morality, can easily undermine the legitimacy of the whole court system. Therefore, it is important to study the public view as closely as possible. The majority of Icelanders has repeatedly shown in public attitude surveys that they believe punishment too lenient and calls for tougher criminal policies are often justified by citing this public stand.

A Nordic study sponsored by the *Scandinavian Research Council for Criminology* has however shown that it is far from being certain that the public necessarily is more punitive than the criminal courts. When public attitudes toward crime and punishment were examined and compared to local judge panel decisions on the same case the public tended to underestimate the actual level of punishment and chose punishment types which in many cases were more lenient than the judge decision.

Moreover, court decisions are typically supposed to be based on crime severity and prior convictions of offenders – gender and nationalicity should not affect court sentencing. In the Nordic project on public attitudes toward punishment different characteristics of offenders were randomly distributed to the sample with the offender either being a female or a male; a foreign born immigrant or a native born citizen.

The question to be addressed in this presentation concerns whether gender or ethnicity of offenders have an impact on public attitudes toward punishment – based on data from the mail survey of the Nordic study on public attitudes toward punishment conducted in Iceland.

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**CATASTROPHES, TRANSITIONS AND THE LAW: LIFE AFTER JUSTICE**

Susanne Karstedt
*University of Leeds, Criminal Justice, Leeds, United Kingdom*

The past decades norms entrepreneurs have spread the mantra that 'justice should be done' after large scale atrocities have taken place. It has increasingly become an accepted principle that this means that individual perpetrators are held criminally accountable, although it is accepted that other modes of transitional justice should also take place. In this session we will explore the effects of these different modes of doing justice.

The first presenter will provide an account of what has happened to the convicts of the first international criminal court; the Nuremberg Tribunal. This will be followed by a presentation on the enforcement of sentences of convicts by more recent international criminal courts, including the Rwanda and (former) Yugoslavia Tribunals. The final session will explored how instruments of transitional justice (criminal law, international criminal law, punishment, and truth commissions, naming and shaming) affect not only the perpetrators, but also the wider debate in society about the crimes committed. Cases to be discussed include Chile and the Netherlands after WWII.

Panelists:
- Susanne Karstedt (Chair)
  - Leeds University
- Joris van Wijk
  - VU University Amsterdam
- Christje Brants & Katrien Klep
  - Utrecht University

The names of the presentations will be provided by the panelists themselves

# RENEGOTIATING GUILT AND INNOCENCE: SENTENCED NAZI WAR CRIMINALS IN POST-NUREMBERG GERMANY 1950 - 1975

Susanne Karstedt
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This paper aims at exploring the links between collective perceptions of post-war international and national criminal justice procedures against German perpetrators of war crimes and crimes against humanity, and the individual experience of those who re-entered post-war German society after having been sentenced for these crimes and having served their sentences between 1950 and 1975. The ways in which guilt and responsibility were seen by the public are intricately linked to how the perpetrators were received back into society, and mirror perceptions of the collective moral climate by the perpetrators. Networks played a decisive role in this process, as did political parties and the Churches. Collectively and individually, Germans embarked on a difficult and long journey towards acknowledgement of guilt and responsibility. These processes are explored for different groups of sentenced war criminals: The Nazi elite, who were tried in the Nuremberg trials, the military and bureaucratic leadership who had orchestrated the genocide of the European Jews, and were tried in the follow-up trials in Nurembrg, and those who were directly involved in the mass killings. In conclusion, lessons to be learned from the German experience for international criminal justice will be explored.

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# WHEN JUSTICE IS DONE; THE ENFORCEMENT OF SENTENCES IN INTERNATIONAL CRIMINAL JUSTICE

Joris Van Wijk
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How to reintegrate someone convicted of slashing the bellies of pregnant women and cutting their breasts? To what extent does it differ from the rehabilitation process of someone convicted for sitting behind his ministerial desk and ordering the killing of thousands of civilians?

Although a variety of actors voice that 'justice should be done' when international crimes are committed, few actually display an interest in what happens to the individuals who are sentenced. As is the case in domestic jurisdictions, one of the goals of sentencing by means of international criminal law is to rehabilitate the perpetrator. Based on an extensive database I will show where and how convicts of the international criminal tribunals of Rwanda and the former Yugoslavia eventually serve(d) their sentences. I will identify and discuss a number dilemma's related to question how the international community expects perpetrators of war crimes, crimes against humanity or genocide to rehabilitate while imprisoned. What strategies are deployed, and how to evaluate their success?

# JUSTICE AFTER WORLD WAR 2 IN THE NETHERLANDS

Chrisje Brants
*Willem Pompe Institute, Criminal Law and Criminology, Utrecht, The Netherlands*

Measures under instruments of transitional justice (criminal law, international criminal law – punishment and, in the case of truth commissions, naming and shaming) affect not only the perpetrator but also the wider debate in society about the crime (and therefore for example also the status of the victims).This contribution deals with how political and war crimes committed during the occupation of the Netherlands between 1940 and 1945 were dealt with by special Dutch courts under laws specifically enacted for that purpose by the government in exile. The wider question at issue is the social construction of what constituted such crimes and the social and political factors at work here, and the effect this had on who was prosecuted, who was regarded as a victim, the sentences that were handed down and how society viewed those convicted. It will be seen that, as the process of special justice progressed in years immediately after the war and the Netherlands started to rebuild itself, these things changed. This in itself effected the justice that was meted out. It also had a profound effect on the construction of (the memories of) the crimes, the perpetrators, and the victims.

# THEORETICAL AND PRACTICAL ISSUES IN THE PREDICTION AND PREVENTION OF REOFFENDING

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## EVALUATING A MIXED-MODEL FOR RECIDIVISM RISK-ASSESSMENT
Pauline Volet, Marcelo Aebi
*University of Lausanne, Institute of Criminology and Criminal Law, Lausanne, Switzerland*

Since 2003, the evaluation unit of a Swiss cantonal correctional service has introduced a procedure to conduct a criminological analysis of the detainees held in their prisons. Being aware of the unending debate between actuarial and clinical approaches to risk prediction, the criminologists that compose this unit chose a mixed approach, which has been constantly updated over time. The evaluation combines a clinical evaluation of the detainee which is then validated through semi-clinical instruments such as the HCR-20 and the SRV-20. In 2007, a revision of the Swiss criminal code introduced a mandatory evaluation of the detainees held in the prisons of the country under the form of a plan for the execution of the sanctions and measures imposed. Since then, the evaluation unit under study is complementing the legal criteria with their criminological analysis. The Institute of Criminology and Criminal Law of the University of Lausanne has received from the Swiss Ministry of Justice the mandate of evaluating this criminological analysis in order to establish its reliability and validity. The research conducted by the Institute combines quantitative and qualitative methods. The criminological analysis performed since 2007 have been coded and studied, and interviews and focus groups have been conducted with the criminologist of the research unit as well as with the users of their analysis. This presentation shows the main results of the first phase of the study conducted by the Institute, which tries to establish the strengths and weaknesses of the approach followed by the research unit of the correctional services. The goal of the study is to formalize the procedure followed to establish the criminological analysis in order to improve their quality, assure the equality of treatment of the detainees, and find an appropriate balance between subjective and so-called objectives approaches to recidivism risk-assessment.

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**CONTEXTUALISING INSTITUTIONALISED PREVENTION OF RECIDIVISM AMONG MALAYSIAN PETTY CRIMINALS**

Mat Saat Geshina Ayu, Idrus Zaihairul, Nor Hamid Nor Hafizah
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Currently, Malaysian crime recidivism efforts are largely prison initiated. The practice is to incarcerate petty criminals for a stipulated time and enforcing offenders to undergo an institutionalised character strengthening programme covering religious or moral education and vocational training. Evidence suggests that such efforts do not reduce recidivism and may equip petty criminals with knowledge and skills to better carry out crimes. A review of current institutionalised programmes indicate that underlying psychological factors that may lead to recidivism are not addressed. This cross-sectional study compared a group of 137 incarcerated male prisoners and 386 male members of the public using a test battery representing nine psychological scales: aggression, self-discipline, morality, excitement-seeking, anxiety, internal motivation, cautioness, intellect and empathy. The findings indicate differences between normal and prison populations, implying that contextualising institutionalised recidivism programmes according to underlying psychological profiles are important in order to reduce recidivism rates. The findings are discussed in relation to the psychological profiles of petty criminals.

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**PREDICTORS OF OFFENDER PROGRAM NON-COMPLETION IN DUTCH PROBATION**

Tamar Fischer[1], Miriam Captein[1], Barbara Zwirs[2]
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Several studies identified factors contributing to offender program non-completion, however, they mostly concern Anglo-saxon countries. Due to international differences in the allocation processes for treatment programs and diverging welfare systems, non-completion predictors may differ between countries. This study examined program non-completion in the Netherlands, a country with an extended welfare system and stringent allocation process to correctional programs. Participants included 369 clients under supervision participating in a cognitive behavioral group training offered by one of the Dutch probation services. Results show that intellectual disabilities, an increasing seriousness of offenses, and problematic thinking patterns are important in predicting program attrition. Both a lack of skills and motivation for work are associated with program attrition but do not contribute independently to the explanation of program non-completion once controlled for intellect and problematic thinking. Substance abuse and the actual status of being employed appeared not to be associated to program non-completion.

# POLICING WORKING GROUP: INTERNATIONAL ASSISTANCE FOR POLICE REFORM

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## INTERNATIONAL ASSISTANCE FOR POLICE REFORM?

Jarrett Blaustein
*Aberystwyth University, Department of Law and Criminology, Aberystwyth, United Kingdom*

This panel explores the prospect of reforming the police in developing and transitional societies in the context of externally driven neo-liberal globalisation, liberal statebuilding, and democratisation processes. Recent critiques of international policing assistance programmes and their impact on domestic policing institutions in recipient societies have generated concerns about the ineffective and non-democratic character of these interventions. Select panellists will draw from case studies of international policing reform programmes in the Western Balkans and other developing and transitional countries to theorise different macro-structural factors that influence police development assistance paradigms, analyse the prospects for pursuing police reforms through statebuilding and capacity development processes in a 'failed' state, and reflect upon the troubled history of police reforms in one former Yugoslav republic in order to articulate a new conceptual framework for potentially supporting 'democratically responsive policing' outcomes.

<u>Abstract Titles</u>

**Rights-Based Police Reform, Elite Interests and Local Ownership**
Nathan W. Pino, Texas State University, Department of Sociology, San Marcos, USA
Graham Ellison, Queens University Belfast, School of Law, Belfast, UK
**Towards an Understanding of International Policing Interventions in the Balkans**
Jonathan Kearney, Queens University Belfast, School of Law, Belfast, UK
**Somalia Works: Police Development as State-Building**
Alice Hills, Durham University, School of Government & International Affairs, Durham, UK
**Policing for Democracy or Democratically Responsive Policing? Examining the Limits of Externally Driven Police Reform**
Andy Aitchison, University of Edinburgh, School of Law, Edinburgh, UK
Jarrett Blaustein, Aberystwyth University, Department of Law and Criminology, Aberystwyth, UK

# RIGHTS-BASED POLICE REFORM, ELITE INTERESTS AND LOCAL OWNERSHIP

Nathan Pino[1], Graham Ellison[2]
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Based on the research literature and case studies of seven countries we seek to elucidate the conditions under which successful police and security sector reforms might take place. We contend that attempts at "democratic police reform" are likely to fail in part because it is apparent from our research that the interests of donors - and often recipient governments - run counter to the security and quality of life needs of citizens in recipient countries. It may be more realistic to conceptualize a "rights based" police reform model, negotiated by donor and recipient stake-holders as equal partners, which ensures that citizens will not be tortured, executed, and denied other basic rights by state and non-state forces. Reform ought to be seen as a long-term effort that requires genuine local ownership and the full inclusion of women and other minority groups; the placing of process over outcome; mutual capacity building based upon already existing local strengths; and equal emphases on security and human rights from the beginning of the process. Local ownership and the involvement of civil society groups can help prevent from being implemented the interests of donors and local elites that run counter to effective, rights based policing. In contexts where state capacity is almost non-existent or where the state is not the primary provider of security and other services, a hybrid governance model that would include non-state actors in reform efforts, including customary, informal, and community based security actors is preferred over state-centric approaches.

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# TOWARDS AN UNDERSTANDING OF INTERNATIONAL POLICING INTERVENTIONS IN THE BALKANS

Jonathan Kearney
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The breakup of the former Yugoslavia heralded a watershed in the response of the international community in the arena of public policing. Bosnia and Herzegovina, Kosovo and Macedonia each experienced particular dynamics in terms of internal conflict and each also experienced a specific solution in terms of international policing input. By treating the three Balkan theatres as case studies, and having engaged with a range of respondents with experience in the field, I examine the delivery and impact of the international policing effort and argue that the Balkan experience reflects a continuum of police activity. Whilst the continuum is a surface manifestation of activity, underneath there exists a series of structural, organisational and practical challenges. These challenges derive from the wider considerations of a globalizing world, where actors seek to manage risk and strategic self-interest in an atmosphere that reflects a diverse policing mix and a contested operational theatre. The result is a challenging stage on which the actors seek to achieve a delicate balance between the legacies of the past, the desired outcomes of the present and the likely influences of the future.

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**WHAT IS POLICENESS? THE EVIDENCE FROM SOMALIA**
Alice Hills
*Durham University, School of Government & International Affairs, Durham, United Kingdom*

Abstract: The meaning of policeness has received less attention than it deserves. Most research assumes that it relates to a police's appearance or organisation, but this assumption reflects Anglo-American research and experience. In contrast, recent fieldwork in Somalia suggests that policeness has more to do with legacy issues, international influences, and local norms and practices, with officers believing that investigative skills characterise their role. The most significant divergence between Somali understanding and international approaches arising from Somali officers operating in a rule-based society characterized by the legal pluralism of formal, customary and Shari'a law; Somali officers need to be flexible and pragmatic in their approach whereas international-style policeness requires a disciplined and hierarchical organisation. Consequently, Somali policeness is, like Somali social structures, better understood as a project reflecting changing social and political processes within unequal fields of power, with the emphasis on interpretation and accommodation.
At first glance, many Somali policemen appear lacking in 'policeness'. Westerners entering the central police station in Hargeisa, capital of the north-west's self-proclaimed independent country of Somaliland, often find it difficult

# POLICING FOR DEMOCRACY OR DEMOCRATICALLY RESPONSIVE POLICING? EXAMINING THE LIMITS OF EXTERNALLY DRIVEN POLICE REFORM

Andy Aitchison[1], Jarrett Blaustein[2]
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[2]*Aberystwyth University, Department of Law and Criminology, Aberystwyth, United Kingdom*

This paper engages with literatures on democratic policing in established and emerging democracies and argues for disaggregating democratic policing into two more precise terms: policing for democracy and democratically responsive policing. The first term captures the contribution of the police to securing and maintaining wider democratic forms of government, while the second draws on political theory to emphasise arrangements for governing police actors based on responsiveness. Applying two distinct terms helps to highlight limitations to external police assistance. These terms are applied in an exploratory case study of fifteen years of police reform in Bosnia and Herzegovina (BiH). The paper highlights early work securing the necessary conditions for political democracy in BiH but argues that subsequent EU-dominated interventions undermine responsiveness. A recent UNDP project suggests that external actors can succeed in supporting democratically responsive policing where they do not have immediate security interests at stake.

**Keywords:** *Police reform, democratic policing, Bosnia and Herzegovina*

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**POLICING IDENTITY CRIMES: REASSURANCE OR REAL POLICING**

David S Wall
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Identity related crimes pose a significant problem to the economies of all countries and their citizens. Not only do identity crimes cause considerable public concern, but they also create challenges for policing them. Not least, because policing responses, in the broader regulatory sense, are – for a range of reasons - often over–reactive or take the form of dramatic public relation (PR) gestures rather than coherent policing policy. Yet, the realities of modern identity related crimes are quite different from the ways that they are perceived and even more important is that fact that this difference presents many challenges for those whose job it is to 'police' them. Drawing upon recent research, this paper will look at what technology facilitated identity crimes are and at the very real problems they pose for policing in the UK, not least because they are non-routine policing activities. The paper will, firstly, map out identity crimes and outline the behaviours that we understand as identity crimes and their core characteristics. It will then consider how the characteristics map onto traditional police practice and discuss some of the ways that the challenges have been addressed.

# POLICING, GUN-CRIME AND THE POLITICS OF AFFECT

James Sheptycki
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Drawing on previously published work and reflecting on on-going research, the paper considers the practice of public criminology as it relates to the public understanding of policing and gun-crime. At issue are the tensions between rational social science and the politics of affect in public discourses concerning guns, crime and social order. The politics of affect looks to non-rational and often unconscious thought processes as the driver of political movements and the makers of political choices. When it comes to the politics surrounding guns, crime and social order, although social scientific criminologists interested to pursue public criminology on the basis of rational science and reasoned thinking might wish it otherwise, the politics of affect are very evident. This talk will look at the global politics of guns, crime and social order in terms developed within the sociology of emotions and the burgeoning field of affect studies to address the relation of both conscious and unconscious processes ongoing with public discussion and debate. Issues of interest are the affective logic of threat, fear, retribution, and feelings of safety. These emotional issues will be considered alongside a sense of the public reverberations to moralistic rhetoric surrounding gun-crime and the visceral responses of different social groups to moments that bring the triptych of guns, crime and social order to the front page. Affects are, according to Spinoza, difficult to grasp, especially in the context of public politics, because affect is a 'passion of the mind' and represent a 'confused idea'. Those who advocate for a 'public criminology' seem to largely base their position on Popperian notions about 'piecemeal social engineering' based on rational science. By focusing on one issue area in global criminology - that of guns, crime and social order - the paper aims to show how public criminology needs to investigate and understand the important role of affect and emotion generally influences every area of public engagement for the criminologist.

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# GUN CRIMES AND POLICE: PROCESS AND ISSUES IN DEVELOPING A LOCAL GUN-CASE DATABASE

Allan Jiao
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To maintain public safety and improve system response, a strong need exists for understanding the characteristics of individuals involved in gun crimes, related police activities, and situational/contextual variables surrounding gun incidents. A serious knowledge gap exists, however, in understanding weapon-related offenses at the city level and in how to develop a local gun-case database. This paper, which is based on research experiences at an urban police department in the U.S., describes and analyzes the process and related issues in developing such a database.The study was focused on exploring the socio-economic background of individuals involved, routine police responses to gun crimes, and the immediate physical environment of gun-related incidents. This was achieved primarily through creating and analyzing a gun-case database. About 300 gun cases were provided by the police and 220 of them were entered into the database. The study shed some interesting light on the practical process and related issues for developing a local gun-case database and uncovered certain critical lessons in working with the police in this process.

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**POLICING AS ENVIRONMENTAL "HAZARD": THE EFFECTS OF AGGRESSIVE DRUG ENFORCEMENT ON MATERNAL-INFANT HEALTH IN STRUCTURALLY DISADVANTAGED COMMUNITIES**

Robert Kane
*Drexel University, Program in Criminal Justice, Philadelphia, United States*

The present study examined the effects of "aggressive" police drug arrests on prenatal care usage and low birthweight deliveries among pregnant mothers residing in structurally disadvantaged communities of the District of Columbia. Drawing on urban sociological/ecological perspectives such as Social Disorganization, Code of the Street, and Institutional Anomie -- and framing police drug enforcement largely as an environmental "hazard" in certain communities -- the study hypothesized that aggressive discretionary law enforcement (in the form of drug arrests) in communities characterized by concentrated economic resource deprivation would be associated with the unintended consequences of making worse some of the very conditions policing might hope to improve: community safety, health promotion, and maternal health outcomes. Using 2-level Mixed-Model analyses in combination with Geographically Weighted Regression, the study showed that aggregate aggressive arrest practices produced differential outcomes in terms of prenatal care usage and low birthweight across the 488 block-groups of DC, based largely on levels of structural disadvantage. Findings add to the growing literature that supports incorporating policing and crime into models of geographic health and justice, as well as to the application of environmental hazards frameworks to police practices in economically deprived communities.

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**POLICING ADOLESCENT TO PARENT VIOLENCE**

Caroline Miles
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Adolescent to parent violence is a form of family violence that is currently unrecognised in official discourse and statistics in the UK, despite increasing evidence from national and international research that it is a significant problem. This paper presents findings from the first large-scale study in the UK specifically exploring adolescent to parent violence, which collates data from police statistics; police case files; and interviews with police, youth offending team case workers, expert practitioners, parents and adolescents. The paper specifically focuses upon the policing of adolescent to parent violence, drawing from analysis of 100 police case files and interviews with twenty police officers. The paper examines how reported incidents of violent assaults and criminal damage from adolescents towards their parents are responded to by the police; police perceptions of the adolescent to parent violence and the families who report it; challenges encountered by police in responding to this complex form of family violence; and the tension between prosecuting adolescents who are violent towards their parents, meeting the needs and wishes of parents, and satisfying diversion policies. The paper highlights the importance of officially recognising adolescent to parent violence in order that it may be counted and so that appropriate responses to the issue at policing level can be developed.

# DEVELOPMENTS AND PROBLEMS IN QUANTITATIVE CRIMINOLOGICAL RESEARCH AND METHODS II.

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**DEVELOPMENTS AND PROBLEMS IN QUANTITATIVE CRIMINOLOGICAL RESEARCH AND METHODS II**

Daniel Seddig[1], Heinz Leitgöb[2]
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[2]*Johannes Kepler University Linz, Department of Empirical Social Research, Linz, Austria*

In order to continue the tradition of offering a panel session on quantitative methods started last year in Bilbao we are assembling contributions concerned with methodological developments and problems in empirical criminology. This includes presentations on statistical modeling (e.g. non-linear, multilevel, structural equation, and panel data modeling), innovative research designs (e.g. strategies for estimating unbiased treatment effects in case-control studies with non-random assignment to treatment and control groups, factorial designs, vignette studies), issues on data collection (e.g. unit nonresponse, mode effects, strategies for collecting and storing official crime data), measurement and scaling.

The following presentations are planned: Alex Sutherland, Philippe Sulger, Manuel Eisner, and Ian White: The Treatment Effect of School Ecxlusion. Heinz Leitgöb: Handling Rare Events in Logit Models – An Application to Sexual Victimization Data. Synøve N. Andersen and Torbjørn Skardhamar: Pick a Number: Mapping Out Recidivism Measures and Its Consequences.

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# THE TREATMENT EFFECT OF SCHOOL EXCLUSION

Alex Sutherland[1], Philippe Sulger[1], Manuel Eisner[1], Ian White[2]
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Fixed-term school exclusions are disciplinary sanctions on pupils in response to serious aggressive or disruptive behaviour in schools. It is controversial whether these sanctions have a deterrent effect or whether they aggravate future problems. We interpret school exclusions as interventions and examine whether they have an effect on a measure of social exclusion at age 18/19 using a propensity score matching approach. We find a consistent difference between excluded/non-excluded children in their likelihood of being unemployed at aged 18/19. This effect ranges between 5-16 percentage points between the two groups depending on the methodological approach taken. Our results suggest an independent effect of school exclusion on the probability of being unemployed a few years later, over and above numerous baseline individual/family characteristics. Whether this is due to unmeasured differences or is actually a function of the act of exclusion is unclear. We discuss the problem of drawing inferences about causal effects from observational data and advocate for the policy of school exclusion to be subject to a randomised control trial to reliably assess its impact on individual children and their peers.

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# HANDLING RARE EVENTS IN LOGIT MODELS – AN APPLICATION TO SEXUAL VICTIMIZATION DATA

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Applying standard maximum likelihood-based (ML) logistic regression to model "rare events" (e.g. sexual victimization, recidivism of sexual offenders) might result in serious underestimation of the predicted probabilities and biased standard errors of logit coefficients (King & Zeng, 2001). The phenomenon is likely to occur, if the proportion of 1's (indicating events in the binary dependent variable) is smaller than five percent. To date, two potential remedies are known for this particular problem: (i) a correction procedure proposed by King and Zeng (2001) and (ii) the application of "exact logistic regression". However, these approaches are not free from limitations. While the former is not applicable to rare events in small samples, the latter is—despite the development of more efficient estimation algorithms—still computationally intensive.

To explore the potential of these two alternatives as well as investigate to what extent the estimates of the ordinary ML-based logistic regression model are affected by "rare events bias", Monte Carlo simulations will be conducted. Three parameters will be subject to variation: (i) the proportion of 1's (event rareness), (ii) sample size, and (iii) the number of events per independent variable. Further, the proposed procedures are applied to data on sexual victimization in order to assess their performance on empirical data.

Literature:

King, G. & Zeng, L. (2001): Logistic Regression in Rare Events Data. http://gking.harvard.edu/files/0s_0.pdf (Download: 12/01/2013).

**305**
# PICK A NUMBER: MAPPING OUT RECIDIVISM MEASURES AND ITS CONSEQUENCES

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It is widely acknowledged that recidivism studies vary considerably on a range of measurements and sample criteria, and that this entails challenges when results are compared across studies. However, there are few systematic studies of how different practices and research designs affect recidivism figures, and whether some types of studies are more compatible than others. We systematically document how deliberate changes in the sample definition, the measure of recidivism, and duration of follow up affect the reported recidivism levels among serious offenders in Norway. The samples are defined as 1) everyone considered a prime suspect after a police investigation completed in 2005 (a strict measure of arrest), 2) everyone convicted in court during 2005, and 3) everyone released from a prison sentence during 2005. Recidivism is explored by three different measures in each sample; as the date of *committing* an offense which eventually leads to 1) a new status as a prime suspect, 2) a new conviction in court, or 3) a new prison sentence. The follow-up is set to a maximum of four years, and we explore the effects of variations in length of follow-up. We use administrative records from various parts of the criminal justice system, which is linked through the unique personal identification number. This allows for an accurate timing of reoffending, and the use of a total population sample of recorded offenders. We compare discrete time regression models to handle deaths and emigration when estimating the number of months until recidivism occurs. Our results show that the proportion of re-offenders varies between 9 and 53 percent, and that how the figures vary systematically depend on how, on whom and for how long recidivism is measured.

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**PANEL: CRIME AND THE CITY: EXPERIENCING PUBLIC SPACE**

Jenneke Christiaens
*Vrije Universiteit Brussel, Department of Criminology, Brussels, Belgium*

This panel is about exepriencing public space as an important dimension of the issue of crime and the city.

Mattias de Backer (VUB) and Lucas Melgaço (VUB): "Public space and the other: tactics of appropriation and strategies of surveillance."

Els Enhus (VUB) The role of the discourses on space in the motivations and recidivism of crime. The case of Belgian armed robbers.

Nicolas Bautés (University of Caen (France): Seen from the favela! Crossed surveillance and intimidation between young police officers and "meninos"

Jenneke Christiaens (Vrije Universiteit Brussel): "Start behaving!": growing up, offending and the importance of public space.

Traditionally, urban youth is seen as a (the) problematic group in public space. Based on qualitative research into the phenomenon of youth offending we will analyse the importance of public space in everyday life of urban youth. Understanding the appropriation and use(s) of public space gives insight into the experience of growing up and offending. We will discuss in this paper how these insights challenge today's local urban policies that focus heavily on controlling youngsters in public spaces. These policies are illustrative for a very dominant discourse, criminalising young people's "public" behaviour by way of rationalising public space.

# PUBLIC SPACE AND THE OTHER: TACTICS OF APPROPRIATION AND STRATEGIES OF SURVEILLANCE

Mattias De Backer, Lucas Melgaço
*Vrije Universiteit Brussel, Criminology, Brussels, Belgium*

De Certeau's distinction of 'strategies' and 'tactics' is valuable to understand certain phenomena in public spaces, particularly the tensions between strategies of surveillance and tactics of appropriation. On the one hand there is a top-down process of rationalization of public spaces through surveillance practices, as in the use of surveillance technologies like CCTV cameras. On the other hand there is the rise of numerous practices of counter-rationalization marked by the everyday appropriation of and assembly in public space. However, both are an encroachment on the 'publicness' of public space. Both are also reliant on a conception and perception of 'the other'. Such a dialectic process reinforces processes of segregation and creation of edges, tensions and conflicts in the public space. Through fieldwork conducted in Brussels, observation in public space has shown to be a valid methodological approach to highlight the complexity of these phenomena. This article presents an exposé of conceptual and methodological nature, in order to help understand transgressive behaviour in public space.

**308**
**THE ROLE OF THE DISCOURSES ON SPACE IN THE MOTIVATIONS AND RECIDIVISM OF CRIME. THE CASE OF BELGIAN ARMED ROBBERS.**

Els Enhus
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In the dominant approaches of crime, the city and the neighborhood are studied as a context with structural characteristics producing differential power positions. These positions are seen as the basis for the development of identity like 'working class', 'woman', 'ethnic group', etc.. Moving away from thinking identity as static, essential categories favored research on the experiences and relationships with the city and neighborhoods of different groups. It showed that urban spaces are attributed different meanings, at different times and are linked with the then used identity. Using a cultural urban studies perspective the relationship between spaces and identity lead to different interpretations. Results of a qualitative Belgian research on the motivations of offenders of armed robberies to engage and relapse in this type of crime, pointed at the importance of their discourses on spaces. The meaning given to the neighborhood, the set of spaces where they interacted, played as children, where they went out, etc., are seen as part of their intimate and personal space.  They ascribe cultural and symbolic attributes to their environment whilst their spatial practices are simultaneously enabled or restricted by the very quality of this spatiality. Their material practices and symbolic meanings gave form to ideas on 'belonging', 'identity' but also 'personal power' which in turn played an important role in the networks used to plan, work out and execute the armed robbery.

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**SEEN FROM THE FAVELA! CROSSED SURVEILLANCE AND INTIMIDATION BETWEEN YOUNG POLICE OFFICERS AND "MENINOS"" IN RIO DE JANEIRO**

Nicolas Bautes
*University of Caen Basse Normandie, Geography Department, Caen, France*

On the 3rd of March 2013 the first scenes of "*Fantástico*", a television show produced by the Brazilian channel *Globo*, brought the story about an operation led by the Civil Police of Rio de Janeiro. Such operation resulted in the arrest at the *favela Morro da Providência* and its surrounding of 73 persons, within which there was 21 agents of the Military Police and 28 civilians, including 3 underage individuals, all of them suspects of being involved in drug dealing activities at Rio de Janeiro's port zone. Called Fortaleza Operation, such outstanding initiative was a result of several months of investigations. Strategically positioned at the hilltop adjacent to the hill where *Providência* is located, designed police officers spent many hours wire-tapping phone calls and monitoring and recording actions, flux and interactions of the inhabitants and visitors of that slum. This allowed the police to observe new practices put in place by the drug trafficking in a context marked by the permanent presence of the so-called Pacifying Police Units (UPP). Occupying houses of disadvantaged families in order to guarantee their security and that of the drug trafficking, drug dealers were also themselves engaged in surveillance activities, by monitoring theses houses, their inhabitants and the fluxes at the entrances of the favela. This event of crossed surveillance highlights the relations and articulations of power in such a neighborhood. The "stability" present in the past through agreements between police forces and criminals is now being replaced by a situation of incertitude concerning the control of spaces, a situation that brings new threats to peace, a condition so desired by the city that is soon going to host the next Olympic Games. Through empirical fieldwork conducted in this spatial setting I intend to discuss this set of complex relationships.

**310**
**START BEHAVING! GROWING UP, OFFENDING AND THE IMPORTANCE OF PUBLIC SPACE.**

Jenneke Christiaens
*Vrije Universiteit Brussel, Department of Criminology, Brussels, Belgium*

Traditionally, urban youth is seen as a (the) problematic group in public space.
Based on qualitative research into the phenomenon of youth offending we will analyse the importance of public space in everyday life of urban youth. By analysing prosecution files we can replace offenses in their urban – social context. This research shows that different categories of offending can give insight in how and why youngsters behave in urban public space as they behave.
Moreover, a qualitative (self-report) research, interviewing youngsters on their (delinquent) behavior, points out that public spaces are considered as the only "free" space youngsters can find (beside school, family and sport clubs). This perspective is confirmed by qualitative observations on incivilities and youngsters. Therefore, understanding the appropriation and use(s) of public space gives insight into the experience of growing up. It also sheds another light on youth offending.
We will discuss in this paper how these insights challenge today's local urban policies that focus heavily on controlling youngsters in public spaces. These policies are illustrative for a very dominant discourse, criminalising young people's "public" behaviour by way of rationalising public space.

# STALKING AND BULLYING

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## STALKING – CURRENT DATA FROM A GERMAN REPRESENTATIVE SAMPLE

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Stalking has increasingly been a subject of academic and social concern in the past decades. Not until the 1990s, anti-stalking legislation was initially implemented in European states. In Germany, stalking was classified as a punishable act in 2007. However, to date no substantial data exists on the prevalence and ramification of the German anti-stalking law to the best of our knowledge.

Recently, the Criminological Research Institute of Lower Saxony conducted a representative national victim survey on different forms of victimizations. In this survey, a representative sample of $N = 11.428$ participants with an age between 16 and 40 years was accomplished. Among other things, the survey comprised questions on various aspects of stalking victimization, for example information about the actual stalking behavior, its duration and intensity, the person of the offender as well as immediate and enduring consequences of the stalking behavior. Additionally, the awareness of the German anti-stalking law was assessed.

In this talk, we will present in detail frequency and nature of stalking in Germany, including differentiated prevalence rates, characteristics of offenders as well as immediate and long-lasting consequences of the crime. Furthermore, the results will be related to comparable international studies. Implications for future research, prevention measures, and educational advertising will be discussed in order to improve the protection of the victims of stalking.

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# EPIDEMIOLOGY OF STALKING IN GERMANY: RESULTS FROM THE FIRST NATIONAL REPRESENTATIVE SAMPLE

Lena Stadler
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Up to now there exists no universal definition of stalking for legal and research purposes. Thus, in international studies different operationalisations have been used which include criteria such as duration, repetition (the number of incidents) and fear as a consequence caused in the victim. This study examined the prevalence rates of stalking in the German population applying several definitions based on varying criteria (in terms of repetition and consequences in the victim) and cut-points. As the German stalking law that was introduced in 2007 requires the victim to have experienced a serious impairment of life as a consequence of the stalking, this was used besides the traditional fear requirement as a definitional criterion.

A representative sample of German16-to-40-year old men and women ($N$ = 5785) was surveyed in a brief interview in combination with a detailed questionnaire exploring experiences of stalking, the assessment of the behaviour by the victims (if they consider it to be stalking and if they think the behaviour constitutes a crime) and reporting behaviour. Results will be presented and implications discussed.

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# EXPERIENCE OF STALKING AMONG THE STUDENTS OF THE WARSAW UNIVERSITY (POLAND)

Dagmara Wozniakowska-Fajst

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Although stalking is an old crime it has been penalized in Poland only in 2011. Change in criminal law was preceded by big social discussion. A few loud cases and interest of mass-media caused that the perception of stalking in Polish society rapidly grew in several last years. Moreover technical development causes that stalkers more frequently use such means like text messages, e-mails or social networks. These changes concern especially young people. A few research shows that students are a quite big risk group as far as stalking problem is concerned. Stalking victimization among students is approximately 2-3 times bigger than in the rest of society. In my presentation I will refer outcomes of my research on stalking experience among students of University of Warsaw. I've asked how many of them were victims of stalking in their lives, who was a stalker, what was the relationship between victim and offender, what means were used by stalker, how long does stalking experience last and what made a stalker to stop their persecution? I've also checked punitive attitude of the students towards phenomenon of stalking.

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# SOCIAL SUPPORT FROM TEACHERS AS A BUFFERING FACTOR FOR BULLIED VICTIM'S WELL-BEING

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**Background:** A significant body of research indicates that being victim of bullying increases the risk for negative health consequences, short term as well as throughout the lifespan. Children involved in bullying either as victims or bully-victims have higher risk for psychosomatic problems than their uninvolved peers. This risk is evenly distributed among victims of all different age groups, for both genders and between countries world over. Depression, psychosomatic problems, low self esteem and even thoughts of suicide are common consequences of being the victim of bullying. It is therefore important to study factors that may improve or protect these victims well-being. Social support has proven to be an important factor for handling different kind of stressors as well as being positive correlated with academics achievements and health. However little research has studied how social support may influence bullied children's well being, especially social support deriving from teachers. The aim of this study is to explore the effects that social support from teachers may have on bullied children's health, in particular, to explore if there are differences between bullied children experiences high or low levels of social support from teachers in relation to their well-being.

**Method:** Data were collected during the spring of 2013 by using an online web-based questionnaire containing a variety of questions. The sample included all children in elementary schools, grades 4 to 9 in a mid-size Swedish m. In total, 5078 pupils completed the survey which gives a response rate at 82,01 %.

**Result:** The result will explore how social support from teacher may serve as a protective factor for bullied children in relation to their total well-being as well as show how bullied children experiences different levels of victimization benefits from teachers social support. We will also discuss which implications the results gives to the importance of taking teacher and pupils relation into consideration when formulation anti bullying prevention programs and policies.

**Keywords:** *bullying, victimization, social support, psychosomatic problems, well-being*

# DOMESTIC VIOLENCE AND CHILDREN VICTIMISATION

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## WHAT IS DOMESTIC VIOLENCE? CURRENT ANALYSES OF VICTIM'S FIRST RECORDS FROM OUR SPECIFIC PROTOCOL

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**Context:** Since 2011 in France, with the inter-partners Protocol for the fight against domestic violence (volontary violence, rapes and sexual abuses, threats, and psychological harassments), created by the National Police and the victims Support services (ADAVIP37), a detection of first domestic victimizations was established. This Protocol involved initial support regardless of the victim's gender, with an inter-disciplinary and inter-partenarial application. In practice, the Protocol allowed the elaboration of an inter-partners "index card" and a "check-list" distributed to the victims. This case work (retrospective analysis) brings to the foreground indicators to prevent recurring violence.

**Objectives and method:** The hypothesis was that the revealed violence is preceded by facts not considered by the investigation departments. The aim of the analyses is to focus on domestic violence, its criminal etiology, sociodemographic data of victims, vulnerability and future prospects of the victim in order to open up gateways of support. When confronted with vulnerable victims who don't want to indicate the facts, responding professionals can find indicators in our analyses to facilitate the coverage of the first domestic violence descriptions. From 34 "victim's check-lists" and the exchanges realized between victims and ADAVIP37, we have realized quantitative and qualitative analyses.

**Results:** Our frequential quantitative analyses, which were done using the outcomes of 34 "victim's check-lists" (specifically from victims who don't press charges), highlighted both a general typology of victims and perpetrators as well as the victimizations of domestic violence, consequences of violence (for victims, children, perpetrators), psycho-sociological factors (physical, psychological and social vulnerabilities), Modus operandi, etc. From "victim's check-lists" and the exchanges realized between victims and ADAVIP37, we analyzed the domestic assaults with qualitative observations. These qualitative analyses refined our quantitative findings (victimological typologies, specific forms of domestic violences, eg), with the selection and presentation of six clinical cases. These cases raise six dimensions of domestic violence during the first record, three general and three particular dimensions of domestic violence situations (more or less visible for the first responding qualified personnel) : controlling situations, polymorphical violence, beginning of violence, process of violence legitimization by the victim, gender of the victim, revelation of sexual violence).

**Keywords:** *domestic violence; first records; polymorphic victimizations.*

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# FAMILIES AND YOUNG CHILDREN VICTIMIZATION

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Interparental violence influences the development of both internalizing (e.g., increased fear, guilt) and externalizing (e.g., aggressive behavior) problems in children (Bourassa, 2007; Gonçalves & Sani, 2006; Shen, 2009). For a long time, the exposure to violence between parents has remained a hidden problem within the family's privacy, thus making the child an additional and quiet victim from this kind of victimization.

This work studies young children's understanding of living with interpartner violence. Therefore, the main objective of this study was to evaluate the perception of children when faced with conflicts between their parents. Furthermore, this work tries to define how these children characterize these life experiences, and how these incidents can negatively impact younger children. Theoutcome data was obtained using a qualitative approach, with a semi-structured interview. The participants were eighteen young children from 7 to 9 years old, who had been victims of interparental violence. Using the framework of Grounded Theory, we intended to understand the experiences of these children associated to the violence between their parents.

The reports from the children victims of interparental violence were analyzed in order to access their thoughts and feelings during the time they witnessed violence in their homes. It was found that children identified mainly negative interactions between parents, with the presence of verbal, emotional/psychological and physical violence. It was also possible to note that some of these children were also victims of violence from their parents (i.e. maltreatment), and a large majority identifies a negative impact at an emotional, cognitive, behavioral and physical level.

The outcomes of this research contribute to understand the impact of interparental violence in young children and can also contribute to improve therapeutic intervention in this area.

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# FORCED CHILD MARRIAGE

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Failure or success in marriage, as a holy bond, may significantly affect any society. In the past, parents helped their children, based on traditions and religious beliefs, in getting married and starting a new family at early stages of their lives; however, transition from traditional to modern and semi-modern societies led to changes in functions of the family and individual expectations, making child marriage a problem in society.

Today, cultural, economic, traditional, and religious factors contribute to child marriage. For example, poverty is a major factor contributing to early marriage of girls with adults. In many cases, poor parents regard their daughters as a source of economic difficulties, thus arrange marriages between their daughters and older men not only to cut the expense but also to achieve a more stable economic life for their daughters and themselves as well. Here, girls are regarded as objects that can be traded for money or settlement of debts. In extreme unfavorable situations, like war or agricultural difficulties in underdeveloped or developing countries, families view girls as tools for achieving financial security.

Early marriage of children or teenagers may bring about negative consequences and social harms in future as children - who are not fully developed in terms of reason and awareness – will have to reluctantly face the difficulties of married life only for selfishness of their parents. There is no goal or rationality in early marriage and this creates a cycle of recurring damages. Marriage at early ages and before reaching maturity creates different unmet expectations in teenage couples; a set of unfulfilled expectations that grows beyond the family and extends to the whole society. Girls who marry earlier than expected by social norms will eventually come to know about their lost social and familial rights and will fight to win back what they lost. Due to lack of social skills and proper education, these women will lead their married life into conflict, divorce, and emotional care for others. This results in psychological and social harms not only for parents but for children as well.

Many countries banned underage marriage pursuant to a number of international instruments and conventions singed by a great number of states. Unfortunately, most third world countries are experiencing a rise in this problem due to traditional and cultural beliefs as well as economic difficulties. Requiring governments to implement international instruments and conventions, creating requirements for marriage registration, interventions by government agencies and NGOs, raising awareness through media, defining projects for better education in underprivileged areas, identifying overpopulated families, and even forced population control and contraception may contribute to mitigation of this problem.

# CRIMINAL JUSTICE AND HUMAN RIGHTS III.

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## STATE CRIMES, REFUGEES AND THE PUNITIVE POWER OF INTERNATIONAL HUMAN RIGHTS LAW

Yoav Mehozay
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The study of state Crimes, a growing field in criminology, is burdened by the prospect of finding a definitional standardfor this type of harmful actions. Most scholars of state crimes apply international law as their standard of choice. Yet international human right law fails as a neutral or as a scientific standardmuch like any state criminal law, as Thorsten Sellin rightly observed. More importantly, international human right law lacks real punitive power and thus fails to safeguard those who require protection the most. Against the philosophical foundation of the international human right law – the *Kantian* notion of *human dignity* – this paper will discuss Hannah Arendt's sharp recognition in thinking about stateless refugees that before we can speak about human rights we must talk about the *right to have rights*. Unlike state criminal law, which is positive law, international human right law is based solely on the idea of natural law and thus does not have punitive power. The paper argues that the lack of real enforcement power cripples any efforts to safeguard those who need protection at the supranational level. Trying to help those in need, such as refuges, with international human right law as it stands thus far, is, in essence, trying to solve their problem by ignoring it. The paper, therefore, calls students of state crimes to rethink the relationship between law and sovereignty.

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# PUNISHMENT, CITIZENSHIP AND PENAL POLICY

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In many countries throughout the world, prison is increasingly only part of the punishment for those sentenced to spend time in penal institutions. Prisoners and ex-prisoners carry both legal and wider sanctions. The rights of prisoners, their conditions of confinement, rules and minimum standards, educational and rehabilitative opportunities impact not only on the experience of incarceration but also on the potential for participative citizenship. The extent to which a citizen maintains their rights and opportunities in prison can influence how well they readjust to society after release.

There are two main objectives of this paper: the first objective is to examine the experience of imprisonment, including further punishments along with the denial of liberty, which undermine the opportunities to participate as a citizen while incarcerated. The second objective is to examine what are sometimes termed "invisible punishments" or the "collateral consequences of imprisonment", which diminish the rights associated with citizenship on release. Whether it is punishment in prison or limitations on freedom after imprisonment, each of these can further distance an individual from civic society, undermine their self-identity as a citizen and lead to sense of less-eligibility. This paper will consider how penal policy can influence the potential for both prisoners and ex-prisoners to participate as citizens in society.

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# JURISDICTIONAL PRACTICE RELATED TO HATE CRIMES IN HUNGARY

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One of today's most relevant topic, due to the worldwide incidences, is the bias-motivated crimes or aka. hate crimes. In Hungary, this issue has an emphasized importance, because even though the legislature - with smaller gaps – has taken steps towards the criminalization, the apperance of hate crimes in the legal practice is insignificant because of jurisdictional deficiencies.

If we placed the Hungarian and international official statistics on hate crimes next to each other the conclusion could be that the number of this type of criminal conducts is insignificantly small. However, the reality is not a cause for joy. Many times we find that the investigating authorities even in the clearest cases, no or with only significant delay detect the prejudice motives and they prosecute and begin a legal proceeding about less serious crimes. As a result, in many cases, a number of important circumstances are not covered by the authorities, because in the process related to finding evidence of prejudiced motive does not place emphasis on the latter. Exploration of these causes is an essential part of my presentation.

The second part of my presentation focuses on the difficulties related to individual enforcements p. ex. fear of secondary victimization, the question of trust in the police and problem of policing stereotypes separately named the cases int he jurisdictional practice of ECtHR.

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**THINKING ABOUT HUMAN DIGNITY AND PUNISHMENT IN THE AMERICAN CONTEXT AND AROUND THE WORLD**

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This paper offers a preliminary working definition of human dignity, establishes that the core elements of that definition are found in the United States Constitution, and applies that definition to the subject of prison reform in the American context. Prison reform as defined here includes a focus on deprivations of dignity inside prison due to harsh conditions such as overcrowding, as well as a focus on deprivations of dignity that result from arbitrary restrictions on the rights of prisoners, notably widespread disenfranchisement of current and former prisoners. For purposes of American prison reform, the key element of the US Constitution is the Eighth Amendment, which prohibits cruel and unusual punishments. Punishments that are cruel and unusual—whether they emerge in the form of harsh conditions or arbitrary restrictions on essential rights—are cruel and unusual, we argue, because they violate the human dignity of offenders. Implications for the study of human dignity in the confinement and treatment of especially vulnerable groups, such as migrants, immigrants, and minorities are considered. The relevance of this study to the understanding of penal systems around the world is examined.

# THE OFFICE OF THE PROSECUTOR OF THE INTERNATIONAL CRIMINAL COURT: A REVIEW OF THE FIRST TEN YEARS

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In this paper, I review the experience with the Office of the Prosecutor of the International Criminal Court during the first decade of its existence, and consider what lessons may be learned from this experience. I particularly focus on the political aspects of the Prosecutor's role, and the legal and practical constraints within which prosecutorial decisions have to be made. Practical and structural challenges which the Prosecutor has faced in establishing and maintaining the perception and actuality of the independence of the Office in the international context are discussed. I also consider the influence of the UN Security Council on, and the implications of the principle of 'complementarity' for, prosecutorial decision-making at the ICC. I critically review the adequacy of the mechanisms whereby the Prosecutor is able to be held accountable for his or her prosecutorial decisions. Finally, I consider criticisms and challenges that the Office has faced, particularly from the African Union, with respect to its prosecutorial selectivity, and the implications of its decisions for concurrent peace and reconciliation initiatives. I conclude with an assessment of the extent to which the Office has been successful in establishing its legitimacy in the eyes of the international community.

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# NEW FORMS AND PERSPECTIVES OF CRIME AND DEVIANCE

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## ONLINE PRESENTATIONS: FROM DEVIANCY TO GOFFMAN; HOW THE WEB ENDORSES THE UNAUTHORISED PURCHASE OF MEDICINES

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This paper discusses how criminological and sociological theory, namely the literature on deviancy, and Goffman's analyses of social behaviour and interaction, can be applied together to understand risky and unauthorised online practices. People are buying prescription medicine from the Web, whilst interacting and communicating online about doing so. While many medicines are subject to national and state/federal regulation the Web may be used to bypass these restrictions, opening up access to online information about medicines and opportunities for purchasing. Online purchasing can be 'impersonal' – buying medicines can be done without needing to consult a health practitioner/ prescriber and may circumvent national regulation.

The misuse, illegal consumption and purchase of drugs and medicines is not a new phenomenon. However, it is a phenomenon that the Web may enable or magnify. Although it is not illegal to purchase prescription medicine rather than obtaining it from a doctor or pharmacist, using an Internet supplier exposes the consumer to a plethora of criminal behaviour and health risks comparable with illegal drug purchases. Nevertheless, though some of the threats and sanctions appear to be removed, or at least the consumer is able to disassociate themselves away from them, the risks are still undeniably prevalent. Indeed the uniqueness of this issue is that those engaging in this deviant activity are clearly and unambiguously both deviant and victims.

The Web is an environment where the public and the private are blurred and offline rules and norms do not carry the same gravitas online, creating a virtual moral order of behaviour instead. The suggestion is that some people are presenting themselves online, in a manner that may be perceived as deviant. However, this behaviour is still 'respectable' to society and to an extent normal and acceptable online. This is potentially a distinct demonstration of behaviour that has rarely been publicly visible before, a presentation of 'respectable deviancy' in the moral order of the Web. As deviant behaviour is exercised via online mechanisms, further investigation is required within criminology in trying to understand these emerging cultures.

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**NEW TECHNOLOGIES AND THE FUTURE OF CRIME. INTERNET AS A BATTLEFIELD.**
Kacper Gradon
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The presentation is focused on the new perspectives for the development of online-based crime. The **Internet** is described as a **new battlefield**, where the criminals and the law enforcement agencies compete in their fight for domination.

The analysis is predictive in nature and it exceeds the "traditional" understanding of illicit use of the Web (associated usually with acts such as money laundering, financial crime or identity theft), offering the approach which goes beyond the popular definition of cyber crime. It addresses the categories of crime in which the Internet has only recently been used or most likely will be used in the near future, at all stages of criminal behaviour: preparation for the crime, gathering of information and intelligence, obtaining know-how and instructions, selecting and monitoring the victims, creating links within criminal enterprises or networks, broadcasting threats or manifestos, preparing alibi, tampering the evidence and facilitating or orchestrating the actual completion of the crime.

The crimes that the presenation deals with include, but are not limited to, highly diverse acts such as terrorist attacks, school shootings, kidnappings, sexual crimes and stalking, compromising national security and military command & control systems, and others. The presentation is directed into an assessment of what is an extent of crime in which the perpetrators utilize Internet for their benefit, and also describes the categories of crime in which the Internet starts to play a crucial role – it is future-oriented, predictive and forecasting in nature.

Additionally, the Author diagnoses the practical, applicable means and strategies that could be used by the law enforcement agencies to prevent these types of crime, detect the perpetrators and combat them. The presentation also takes into account various legal systems in which these strategies would operate as well as issues of privacy rights and personal freedoms, which play a crucial role in any type of concepts that address enforcing law over the World Wide Web.

The Paper is a summary of the research project led by the Author at Department of Security and Crime Science, University College London (2010-2012).

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**"ON-THE-JOB" STALKING**
Guido Travaini, Palmina Caruso, Isabella Merzagora
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Stalking is, still nowadays, a study subject with a great appeal in Italy, mainly because of the latest law on nagging persecutios introduced in the Italian Penal Code in 2009 (Section 612 bis of our Penal Code).
Criminal statistics show how this phenomenon is diffused all over our National territory, and that it exists across the different social and cultural classes.
Most of the times these dynamics develop themselves in relationships between a couple, or, however, they are typical of situations in which previous emotional bonds existed.
Beside these realities, there's also a peculiar kind of stalking, related to helping professions.
The Authors show the results of a survey conducted in collaboration with IPASVI College (Milan, Lodi Monza and Brianza, an Association collecting healthcare assistants) and the Professional Association of Surgeons and Odontologists of Milan (114 cases): this research aimed to analyze how these stalking methods develop and take place in working environments, focusing most on the previous relationships between victims and offenders.

# DIY RAINBOW CROSSINGS: FINDING THE RAINBOW CONNECTION

Thomas Crofts
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Chalk rainbows have appeared all over the streets, pavements, public and private spaces of Sydney. The DIY rainbow crossing campaign initially started as a localised protest by the LGBTI community in Sydney against the removal of the rainbow crossing on Oxford Street. It was a push for a more permanent recording of the importance of Oxford Street to the community, especially following allegations of abuses of police power during the policing of Mardi Gras, echoing the darker days of more antagonistic policing of the LGBTI community. This paper will explore the background to this phenomenon and how this localised campaign about marking out space has shifted to a global concern about LGBTI equality, particularly marriage equality. It will discuss the interplay between this cultural movement and constructions of criminality, contrasting the legal framing of graffiti and criminal damage and the social and political reactions to this movement. This will involve examining the motivations behind the DIY movement and perceptions of this movement. It will also show the shifting conceptions of acceptable protest, graffiti and criminality.

# ESC WORKING GROUP IMPRISONMENT: IMPRISONMENT AND DESISTANCE IN EUROPE

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## PRISON OVERCROWDING IN FRANCE - FACTORS, PROBLEMS AND CHALLENGES

Pascal Décarpes
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The 2011 Council of Europe Penal Statistics (SPACE I) survey published on the 3rd of May, 2013, considered that prison overcrowding is a major topic in half of the European penitentiary administrations, with a growing average European prison population rate of 154 inmates per 100,000 inhabitants. On the same time, a French report on the same topic was released at the beginning of the year, issued from the work of a fact finding mission conducted by two MPs of the National Assembly in Paris. The report assesses the situation in French prisons and tackles the overcrowding problematic while making 76 propositions in order to regulate and solve this issue. This proposition will deal with the factors (longer sentences, new types of inmates), problems (violence, lack of intimacy) and challenges (numerous clausus, new prisons) involved in over-incarceration and over-imprisonment that strongly influence detention conditions and release preparation. On a larger scale, there is an ongoing debate concerning the possible correlation between prison overcrowding and either criminality or penal policy. Taking examples and research from Finland, the UK and Germany, the causes of increasing imprisonment among European States are much more complex than media covering and populist discourses. Including field work, interviews and literature review, the purpose of this paper is on the one hand to understand the overcrowding processes in France in the light of European and international practices and studies and on the other hand to discuss new ways of fighting against prison overcrowding.

# CONSEQUENCES OF IMPRISONMENT ON CRIMINAL ACTIVITY: A QUALITATIVE STUDY ON ROMANIAN OFFENDERS

Cristina Damboeanu
*Institute of Sociology, Romanian Academy, Laboratory of Violence and Crime. Prevention and Mediation, Bucharest, Romania*

The increasing rates of incarceration in the United States and Western Europe have drawn considerable academic attention to the topic of imprisonment and its effects on reoffending. Unfortunately, this has not been the case for Romania, where the impact of confinement remains largely unknown. This proves to be a major deficiency, especially in the current political context, as debates upon the country's admittance to the Schengen zone intensify within the European Union. This paper relies on the results of a research conducted in Romania, with the purpose of exploring the influences of imprisonment on offenders' recidivism. Based on a qualitative investigation, the study intends to answer the following questions: How did the life of offenders change after serving several years behind bars? How these changes affected their further involvement in crime? Using a retrospective research design, thirteen male recidivists have taken part to an in-depth interview. The respondents have been asked to describe how their previous incarceration(s) have "shaped" their "criminal capital" (skills, knowledge, affiliations), and also their major life-domains (familial relationships, human capital, employment opportunities, social networks). The interviewees have been selected from two prisons (one of maximum security and closed regime and the other one of open and half-open regime) according to the length of custodial sentences (long-term, middle-term and short-term prison sentences). The presentation concludes by advancing different hypotheses regarding the impact of imprisonment on offenders' criminal activity.

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**PRISON AS TRANSFORMATION – WHY THIS VIEW PERSISTS AMONGST PRISONERS**

Marguerite Schinkel
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A repeated finding of qualitative studies with prisoners is that some describe their experience of imprisonment as having turned their lives around (Aresti 2010; Barry 2006; Burnett 2004; Comfort 2008; Crewe 2009), often because they had 'time to think'. Comfort (2008) has shown that these views are often held in the absence of any meaningful rehabilitative efforts by prison regimes. Others have noted that prisoners' view of their sentence as transformative is in contradiction with the more familiar effects of imprisonment of breaking bonds and reducing opportunities, which make future offending more likely (Farrall & Calverley 2006). This presentation examines, on the basis of 27 narrative interviews with long-term prisoners, why some prisoners nevertheless see their sentence as transformative. It is argued, with reference to research by Giordano et al (2002), that it is those with few other resources to explain their future desistance see their imprisonment as a fulcrum for change so that they can tell a progressive narrative. The presentation also examines whether telling a story of transformation through imprisonment is likely to have any predictive power in terms of later reoffending.

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**PREVENTIVE DETENTION AS A DRIVING FORCE FOR PRISON REFORM IN GERMANY?**

Kirstin Drenkhahn
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There has been a lot of law-making in prison matters in Germany since the competence for prison law devolved upon the federal states. After all states passed youth prison laws and laws on the execution of remand custody, and some passed adult prison laws, the most recent matter has been the execution of preventive detention. This is an indeterminate custodial measure for convicts who are deemed to still be dangerous for the public after having served their prison sentence in full. The law and practice of this measure had been found to contravene the German Constitution and the European Convention of Human Rights and therefore had to be adjusted until 31 May 2013 to requirements that were set by the German Federal Constitutional Court. These requirements turn preventive detention from a security-focused into a treatment-oriented measure that has to differ significantly from imprisonment as punishment. Thus, they call not only for a new concept in the law, but also for huge efforts at implementation: new facilities have to be built, treatment staff has to be trained and hired, and treatment concepts have to be developed. The presentation will report on the new laws and the state of their implementation and discuss how this adds to the dynamics of prison law reform in Germany.

# PRISON LIFE AND IMPRISONMENT IV.

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## THE EFFECT OF INCREASED INCARCERATION LENGTH ON RECIDIVISM
Alva Albæk Nielsen
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This study examines the effect of prison sentence length on recidivism. I use Danish administrative individual level data on the birth cohorts 1980 – 1983 on incarceration spells, verdicts and sentences, as well as background characteristics such as gender, age, education and income.

There are conflicting theories and findings with regards to the consequences of incarceration. Some find that incarceration has deterring effects. Others suggest that prisons are criminogenic. The offender might for instance build criminal capital or "know-how" while in prison. Delinquent peers in the prison may further reinforce delinquent behaviour and reoffending through socialization. Prison can furthermore be stigmatising, making it harder to gain access to legal options in society - which in turn may alienate the released offender further from society.

Much research has been conducted on the association between incarceration and recidivism. However there is a gap in the literature concerning the consequences of increased incarceration *length* on recidivism – especially with regards to research addressing potential biases and causality issues. When running a simple OLS, regressing recidivism on incarceration lengths, the result will however very likely be biased. I thus use a quasi-experimental design, utilising a reform of the Danish Penal Code in June 8, 2002. The reform raised the maximum possible incarceration lengths for violence and thereby created an exogenous chock to incarceration lengths. Using data from all individuals of birth cohorts 1980 – 1983 entering prisons for violent crimes, I compare incarcerated before the reform (the "control group") with incarcerated after the reform (the "treatment group"), controlling for individual level characteristics such as gender, age, education and income. If longer incarceration has an effect (either positive or negative), there should thus be a difference in the two group's recidivism.

The findings of this study suggest that longer incarceration increases the probability of recidivism by 9 pct. points, and that prisons are thus criminogenic. The results are robust to all checks conducted.

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**EXECUTION OF LIFE SENTENCE IN POLAND. RESULTS OF RESEARCH**

Michał Fajst[1], Maria Niełaczna[2], Maria Ejchart[3]
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In 2012 a research team managed by Maria Niełaczna from the Institute of Social Prevention and Resocialisation of the University of Warsaw monitored the execution of life sentence in Poland. This severe penalty was implemented to the Polish criminal law system in 1995, replacing death penalty abolished de facto in 1988. The research team intended to check if there is a uniform nation-wide policy of the execution of the life sentence. We also checked if prison system in Poland is ready to treat this group of prisoners correctly, implementing the Recommendation Rec (2003)23 of the Committee of Ministers to member states on the management by prison administrations of life sentence and other long-term prisoners. We were also looking for good practices that could be implemented as a model in all Polish prisons. The research was conducted in 13 prisons in the whole country. The team monitored places for persons sentenced to life (their cells, common rooms, visiting areas or yards). We interviewed 94 prisoners (out of ca 300 prisoners serving this sentence in Poland), 44 officers of the prison administration controlling these inmates and scrutinized personal files of 40 prisoners.

# DISTANCING, DISORDER AND DENIAL; ELEMENTS OF WAREHOUSING PRISONERS IN GREECE

Nikolaos Koulouris

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The reported state of Greek prisons, inmates' population trends, their social and legal profiles and the social organization of prisons, show that the "natural customers" of the prison system, a heterogenneous, young, male, poor, low educated and fragmented population, consisting especially of migrants and drug dealers and users, live in inhuman and degrading conditions in overcrowded, understaffed and poorly managed prisons.

The main characteristic of prison everyday life is the undemanding but meaningless containment of inert and irregularly warehoused inmates, proof of the prison service distancing from prisoners and their needs and indifference for their future, supported and affirmed by a shiftfrom penal utilitarianism to a "no statement of no purpose" for the prison system.

The incommensurate to this situation, official rhetoric of state benevolence in prison affairs is accompanied by a pendulum-like regulatory context. On the one hand a liberal, neutrality / not interference and social policy oriented, in fond of alternatives approach is used, according to which the inmates' personality and dignity should be respected and prisons should be used as a last resort. On the other hand, serious inmates' human rights restrictions are introduced and violations are observed, while prison use increases in a state of secrecy, where lack of accountability and denial of responsibility prevail.

Law in books and law in action are considered as forming a mutually influenced 'unproductive slavery'-like social reality, which is examined in the wider context of the neoliberal decline of the social state and the overgrowth of the penal state, proposed by L. Wacquant. The presentation turns to advantage the typology of political economies and respective penal tendencies created by M. Cavadino and J. Dignan and refers to the current capitalist crisis in a western-style democracy (Greece), where characteristics of penality are stabilized by the purposeful lack of mission and standards for the prison system. Current scientific and political agendas on prison reform are used to further inform the discussion about this contradictory area of crime control, in search of transparency, reductionism and (partial) abolitionism.

# NEW ASPECTS IN TRANSNATIONAL ORGANISED CRIME STUDIES - AUTOBIOGRAPHIES, NETWORK ANALYSES AND GENDER ROLES

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## PATHWAYS INTO ORGANIZED CRIME: CRIMINAL OPPORTUNITIES AND ADULT-ONSET OFFENDING

Vere Van Koppen
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The present study aims at understanding how individuals engage in organized crime activities. Processes responsible for organized crime involvement are still poorly understood, particularly for those who become engaged only later in life. We build upon prior research on crime causation by clarifying how social ties, individual skills and experiences bring opportunities for engagement in organized crime. Theoretical ideas are illustrated by in-depth interviews with 16 inmates, all convicted of participation in organized crime and incarcerated in Dutch prisons. These interviews show how individuals at different life stages become involved in crime in general, and in organized crime activities in particular. Criminal and conventional histories of organized crime offenders turn out to be diverse. Some started their criminal career early in life and had built an extensive criminal history. Most inmates we interviewed, however, turn out to have experienced an adult onset in crime. It was found that offenders with an early start in crime have a wealth of opportunities and criminal contacts, whereas individuals who become involved in crime later in life are exposed to crime opportunities in conventional settings. Although conventional bonds to society are usually considered protective factors against crime, it seems that involvement in organized crime for the late-onset offenders was facilitated rather than deterred by their professional bonds to the community. For the inmates with a late crime onset, adult life – especially work – brought opportunities and temptations for organized crime that were absent during earlier life stages.

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**ESSEX BOYS: USING AUTOBIOGRAPHIES TO STUDY ORGANISED CRIME**

James Windle
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This paper presents a single case study of a British organised crime network operational between 1990 and 1996. The network centred around three security firms which spanned the 'spectrum of legitimacy' by legally providing security for licensed venues, whilst taxing and protecting drug dealers, and/or selling drugs in the clubs they protected. All three firms employed violence to prevent the encroachment of competitors and extort licensed businesses. Debt collection services were also used as a front for extortion. Actors were individually or collaboratively engaged in: the running of brothels and extortion of sex workers, robbery of drug dealers, burglary, the importation of drugs, and unlawful influence. At least three of the activities (robbery, violence and unlawful influence) served a dual purpose: (1) To achieve immediate and tangible goals, such as preventing the encroachment of competing security firms, avoiding prosecution, and material gain; (2) To achieve the more distant and abstract goal of creating, maintaining or increasing violent reputations.

Data on the activities of the 'Firm' was primarily collected from three (auto)biographical accounts written by individuals within, or very close to, the networks inner core (Steve 'Nipper' Ellis, Carlton Leach and Bernard O'Mahoney). The paper concludes by addressing some of the strengths and limitations of relying upon (auto)biographical accounts, and the methods used to overcome some of these limitations.

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## "BEYOND WEAK TIES: TOWARDS A THEORY OF CRIMINAL ENCOUNTERS"

Andrew Goldsmith, Russell Brewer
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In this paper, we tentatively explore some of the conditions that potentially challenge the idea and experience of networks as durable, observable organising entities in the context of criminal and other illicit activities. We do so through the idea that some forms of connection between actors of criminal significance are insufficiently stable or solid to be analysed using conventional network methods. In other words, the existing conceptual apparatus of network analysis may not be adequate to the changing environment in which criminal activities are conducted. New expressions of hyper-mobility and technologies of social coupling and de-coupling (mobile communication technologies (smart phones, social media); online identities etc), we argue, are redefining how social life occurs and is organised, including in the spheres of organised crime and terrorist activities.

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# WOMEN, BROKERAGE AND TRANSNATIONAL ORGANIZED CRIME. EMPIRICAL RESULTS FROM THE DUTCH ORGANIZED CRIME MONITOR.

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[2]*The Hague, The Netherlands*

This paper analyzes the role of women in various types of transnational organized crime and tests the 'gendered markets' hypothesis by Zhang et al. (2007) for a wide cross-section of 150 cases from the Dutch Organized Crime Monitor. The main information sources for the Dutch Organized Crime Monitor are closed Dutch police investigations into criminal groups, often spanning a period of several years. Following four data sweeps, a wide cross-section of 150 cases was collected about various forms of organized crime (period 1994-2011): 'traditional' drug trafficking cases (cocaine, heroin, and cannabis), but also other – less frequently prioritized – phenomena such as synthetic drugs (production and export), human smuggling, human trafficking, and fraud and money laundering. The paper discusses several important theoretical perspectives from the organized crime literature: the gendered markets hypothesis; the social embeddedness of (transnational) organized crime: and the idea of brokerage. Furthermore, empirical data are presented on how often women play a (prominent) role in different types of criminal activities and which roles they play. These findings are related to the 'gendered markets' hypothesis and alternative explanations. Further qualitative analysis is presented on the transnational aspects which can be discerned in the studied cases: transnational marriage and transnational relationships; language and mediation; and migration and legal status. Finally, the main conclusions are discussed as well as their theoretical and empirical relevance.

# EFFECTIVENESS OF MEDIATION IN CRIMINAL POLICY

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## RESTORATIVE JUSTICE IN EAST AND WEST – RESULTS OF A EUROPEAN CRIMINAL-JUSTICE-SURVEY

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Elements of Restorative Justice have been implemented into Juvenile and Adult Criminal Law in most Western and recently also in Eastern European countries. Victim-offender-mediation has become an important alternative to more repressive sanctions not only in juvenile justice systems. Recently in some countries family group conferencing has been implemented in some jurisdictions (Belgium, Northern Ireland etc.). As western European countries dispose of longerexperiences with restorative justice elements it will be possible to present some data on "good, promising, questionable or bad practices". Interestingly some projects have been established also in prisons (Belgium, Hungary etc.) in order to motivate offenders to make reparation or efforts for mediation with victims. The practice in Europe seems to be rather diverse. Major importance is given to mediation and restorative justice in Belgium, Finland, Northern Ireland, France and Germany, although the numbers in most countries remain modest. The experience in Eastern Europe remains only "symbolic" in most cases, but some interesting developments deserve to be mentioned. The paper will summarize the results of a EU-funded project covering 36 European jurisdictions.

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# JUVENILES AT THE CROSS-ROADS REOFFENDING-DESISTANCE: ROLE OF MEDIATION – EXAMPLE FROM POLAND

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Research on juveniles reoffending, especially in respect to restorative justice practices, are being led in certain countries regularly, in other not. Although the last is rather truth for Poland, longitudinal research on careers of former juveniles participating in mediation has been completed in 2013. Firstly, their reoffending has been checked in 1- 2,5 years period after mediation – then the percentage of reoffending was not high (14,4%), even if compared with research in other countries. Ten years after mediation, about one third (36, 2%) of former juveniles has been punished. Most of this part (40%) has committed single and less serious offense (there were for instance more offenses against property than in juvenile period). Only in 10% of the examined group criminality was intensified (however in their case there were risk factors – lack of profession or of work). Drop in number of sentenced persons after 24 year of age confirms the phenomenon of aging-out. Foreign research, even if some were evaluated as fragmentary or methodologically imperfect, are convincing, that taking part in mediation influences desistance, and even if not, less offenses are being committed and of less serious character. Results of Polish research, with two-third of those who succeed to desist offending and with high percentage of less serious offenses may support this thesis, however should be confirmed with more complex evaluation.

**Keywords:** *juvenile, mediation, reoffending, desistance, restorative*

# ACHIEVING A CHALLENGE? UNDERSTANDING REINTEGRATIVE SHAMING, MORAL DEFIANCE AND NEUTRALIZATION TECHNIQUES IN A MEDIATION PROCESS. FINDINGS FROM RESEARCH.

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This Communication presents some initial findings from a PhD research. The aim of the research is to examine the capacity of restorative justice to have an influence on the decision to desist and to identify the causal mechanisms that leads the participation in a mediation process and desistance. The project is grounded on the integration of two theoretical models in criminology: restorative justice and desistance. The research methods are qualitative and quantitative. In the first part of the study a previous and a post self-administered survey and a previous and post attitudinal test will be administered. This first part has itself three different steps: The first one takes part before starting the first individual mediation session; the second one will take place during the direct mediation, in which victim and offender meet together with one mediator; and finally, the third step will occur immediately after the direct mediation. Finally, the second part of the research, taking place 6 months later, consists in a final narrative interview with the offenders who have been observed during the direct mediation.

The aim of this presentation is to focus on the first part of the research, exploring whether the victim's participation in the process, the restoration and the process itself are able to promote positive changes on offenders behaviours after completion of the program. This will be analysed comparing whether it has been changes between previous and post self-administered surveys in terms of the use of neutralisation techniques, the impact of reintegrative shaming and moral defiance. Firstly, concentrating on the impact of reintegrative shaming, the aim is to analyse if mediation offers the possibility to express guilt, remorse, shame, leading offenders to change their offending behaviours. Secondly, it is also analysed if the process has an impact on the offender's reflection about what happened and its consequences. And finally, it is examined the capability to reduce the use of some neutralization techniques' by the offender. Specifically, if the offender is able to realise there is a victim, to admit having injured someone and to admit responsibility instead of deny it.

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**OUT-OF-COURT SETTLEMENT IN CROATIA FOR YOUTH IN CONFLICT WITH THE LAW**
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The main prupose of this presentation is to compare youth in conflict with the law who participated in out-of-court settlement (Croatian model of victim-offender mediation) in Zagreb professional service for victim-offender mediation and whose out-of-court settlement ended exclusively with apology with subsample of those who ended out-of-court settlement with some other types of restorative outcomes (e.g. apology and material compesation or some other form of restitution with apology).
The sample consisted of 209 minor and young adult offenders who participated in victim-offender mediation during the period from July 2006 until the end of 2009 (the presented results are the one collected from the lasta evaluation done bone the author).
In that sense this presentation will give and reflect on some characteristics of both offenders and victims included in the process, types of offences, the efficacy of the process itself, the decisions of the state attorney and the recidivism of the offender. Data was collected using questionnaire and documentation analysis.

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# DETECTING NEW FORMS OF HUMAN TRAFFICKING: HOW ARE WE BACKGROUNDING VICTIMS?

Maria Joao Guia
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Trafficking in Human Beings (THB) is a grievous crime generating economic huge profits. In recent years more attention has been given to its specification and analyses, mostly on the identification of this crime in order to afford victims a way out of open-ended exploitation. Nevertheless, when we look to investigation, we realize the number of convictions is far from commensurate with the estimates of victims exploited. Cecilia Malmström, Home Affairs Commissioner came to public just some weeks ago presenting a study which gathered information on Human Trafficking in Europe and her declarations are of preoccupation, stating the number of victims has raised, while the number of convictions have decreased. Once the attention of the academic community and civil society is alerted on old and new forms of THB exploitation, as stated in UE directive 2011/UE/36, more action will be taken to better protect victims as well as compensate them for the severe effects of this crime.

At the same time, bringing this topic to attention will help people to be more aware of forms of THB exploitation, furnishing information on how to act by helping justice services to be more effective on the fight against this new slavery. This topic is transversal, current, and affects all social classes and groups and geographical areas.

This pannel focuses on identifying vulnerable victims of new forms of Trafficking in Human Beings and will focus on the elements that help us identify factors that make people vulnerable to THB victimization. Authors and participants will encourage new participants to present their ideas on how to implement systems for identifying victims in order to allow policy makers and civil society services to offer better support to victims and to prevent others from becoming victims.

We will also debate the existing new forms of human trafficking, referred in the European directive 2011/UE/36, such as the exploitation of begging, procurement of persons to commit, *inter alia*, pick-pocketing, shoplifting, drug trafficking and other similar offences directed at financial gain, illegal adoption or forced marriage. Each participant will try to give ideas on these new forms of exploitation, drawing attention to data at each national level. The objective of this discussion is to be aware of new forms of exploitation, reflecting on how the text of crime could incorporate them, to be enforced in the future. It is also intended to draw attention to factors in society that are not adequately discussed. We will also try to find and specifydifferences between trafficking in adults and children. Minors should be treated differently in law. The truth is that situations are sometimes insufficiently followed up. This panel is open to new proposals and is intended to be a place where authors present their thoughts and these will be collated in a publication on THB to be proposed for publication.

# THE CRIMINAL LAW OF THE CRIMMIGRANT AND HUMAN TRAFFICKING CRIME IN PORTUGAL: VICTIMS AND OFFENDERS

Maria Joao Guia
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Migratory movements are currently registering an increase, although they are still an exception to the rule. The growing number of migrants, often 'invisible', whose predicament has come about largely as a product of economic and social discrepancies,has been the topic of a remarkably wide range of debates, involving both political and academic spheres (Baganha & Góis, 1999). Unquestionably, migratory movements benefit, at least economically (and demographically), the countries of origin and the host countries, but this phenomenon can have some negative aspects as well, such as the shaping or the reinforcement of transnational criminal networks, and social disorganisation, caused by these massive population movements in short periods of time (Bales, 1999).

In Portugal, immigrant-related criminality has been given considerable coverage in the media, and this has created in the public a sense of prejudice that associates immigration with criminality. In the United States, the most recent studies addressing this issue have questioned the validity of this correlation between crime rates and the arrival of immigrants (Rumbaut & Ewing, 2007; Stowell, 2007; Wadsworth, 2010). In recent years, the United States have introduced increasingly tougher criminal laws, and the convergence between criminal law and immigration law has given way to a phenomenon that Stumpf (2006) designated as 'crimmigration'. This phenomenon has significantly increased the vulnerability of immigrantsand this perception of the immigrant as the 'other', the outsider, motivated us to reflect on the Criminal Law of the Enemy, a theory enunciated by Günter Jakobs. According to this theory, the mere possibility of someone becoming a threat increases their chances of being rejected and expands the control exerted over their actions, through securitisation sieges.

This bipolarity in the way the immigrant is perceived has created prisms of otherness involving immigration and crime, despite the complete lack of solid and fully substantiated conclusions. Cases of offender-victim bipolarisation have been documented - a circle that lends a certain fluctuation to the roles of 'victim'-'offender'. The response of some states has been to introduce increasingly tough measures, and intolerance towards irregularity has grown, frequently giving way to the mixing up of victims and perpetrators.

Having presented the above, I will focus on the specific case of Human Trafficking, showing a connection between a new form of crime ("itinerant crime") and the brigdes that interconnect it with the human trafficking, following the recommendations of the directive 2011/36/UE. I will give an overview of the international and national actions taken to fight this crime as well as examples of aspects of human trafficking processes such as the investigation, the victims' perspectives and the difficulties found in the field of justice.

**Keywords:** *Crimmigration; Human Trafficking; Itinerant Crime; victim-offender*

# VICTIMS PROTECTION: A COMPREHENSIVE LEGISLATIVE APPROACH TO COMBATING SEXUAL TRAFFICKING IN THE UNITED STATES

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Each year, hundreds of thousands of individuals become victims of sexual trafficking in the United States. Though the Trafficking Victim Protection Act of 2000 (TPVA) was the first comprehensive piece of federal legislation to address the issue, our evolving understanding of trafficking has revealed numerous shortcomings in the TPVA that allow sexual trafficking to continue. Sexual trafficking is more than a crime. It is a complex social problem that requires multiple interventions with respect to education, prevention, enforcement, and restitution. This paper examines the TPVA in light of recent social science research on trafficking and the emerging body of victim narratives. It identifies the key instances where the TPVA misapprehends the nature of the trafficking and makes proposals for both legislative and regulatory reform.

Sexual trafficking is a market-based industry. The supply of victims is driven by the demand of buyers. Like traditional markets, if demand is curtailed, supply will follow. Therefore, while addressing the demand-side of sexual trafficking is vital, the current TVPA provisions do not provide an adequate avenue for prosecutors to convict buyers in all situations. When victims are trafficked in certain ways, it becomes very difficult to prosecute their buyers under the TVPA. With new forms of trafficking continuing to emerge, it is vital that the TVPA be revised in order to effectively curb demand and protect victims.

Moreover, certain forms of sexual trafficking frequently lead to heightened re-victimization. Law enforcement personnel are not adequately trained to recognize the signs of sexual trafficking. As a result, victims are often misidentified and prosecuted as prostitutes, effectively facing criminal charges for their fear and fragility. Likewise, many victims are charged for related crimes their traffickers forced them to commit. As a result, they may face significant socioeconomic challenges when attempting to reintegrate into society.

The lack of public awareness of sexual trafficking exacerbates the problem. The general public is not well informed on this topic. Moreover, children in high-risk populations are not sufficiently warned about the dangers. By revising our current laws and having a frank conversation about sexual trafficking, we can take one step closer to eradicating this horrific crime.

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# HUMAN TRAFFICKING FOR SEXUAL EXPLOTATION AND THE BASES FOR ITS CRIMINALIZATION

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It is difficult to define the situations in which the prostituted individual finds himself in a situation of vulnerability. Some of the supposed victims of human trafficking are capable of consciously choosing a living for themselves. Not every single individual who chooses prostitution is in a vulnerable position or incapable of offering resistance. Human trafficking, however, is an issue that largely exceeds the individual exercise of the sex trade. It involves a number of factors, such as the involvement of criminal organizations, the practice of other illicit activities, the removal of the victims from their place of origin and subsequent increase of their situation of fragility, the ongoing situation of slavery, amongst others. Prostitution cannot be rejected and ignored by law merely based on moral issues. Any and every incrimination presupposes a harmful or dangerous conduct towards a relevant legal interest. In the Brazilian case, human trafficking is associated with sexual dignity, understood as an exercise of sexual self-determination, which is not always the case in situations of social and economic vulnerability. Additionally, as was already mentioned, the very personal freedom, in its broad sense, is subject to impairment in situations where the victims, for various reasons, lose their right to come and go. An ideal legal frame should allow for a full exercise of the autonomy of those who choose prostitution out of their free will, even allowing the participation of a third party as facilitator. Notwithstanding, the States were forced to criminalise this behaviour because the facilitation of prostitution and, particularly, its exploitation by a third party is difficult to control. Trafficking in human beings stands out as the single most complex method of procuring, potentially involving harm to other legal interests and compromising the full exercise of personal freedom. From the complete criminalisation to the absolute liberalisation of human trafficking, the prohibition by probability criteria seems to be the most viable option, where human dignity is concerned. It is more likely that the trafficker is exploiting the vulnerability of the victim and that other legal interest will be harmed. Less likely is the occurrence of human trafficking with the full consent of the prostituted individual. However, should free will be proven and no legal interest harmed, the offense against sexual dignity must be disregarded and, consequently, the behaviour of the procurer must not be considered a crime. We must discard the argument that prostitution is in itself an activity that harms human dignity as a means to criminalize its facilitation. This argument is valid only when prostitution is exercised against the victim's will, by coercion, fraud or exploitation of a vulnerable situation. Whenever the prostituted individual gives his consent, the fact that he knows what is best for him should prevail and, therefore, only a potential harm to other legal interests can legitimate the criminalisation of behaviours.

# LAUNCHING A NEW ESC WORKING GROUP ON CRIMINAL LAW-MAKING POLICY

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LAUNCHING A NEW ESC WORKING GROUP ON CRIMINAL LAW-MAKING POLICY
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We present the "**ESC Working Group on Criminal Law-Making Policy**". This Group aims to build a scientific debate forum in which cross-national experiences and information are gathered to study how criminal legislative decisions are taken and how they could be improved. It is our conviction that, despite elected legislator´s legitimacy to create criminal laws, this does not exclude the possibility of monitoring and improving the processes used in such task.

**Objectives:**
1. To obtain a deeper knowledge of the criminal law-making systems in different countries.
2. To identify the actors involved and stages required.
3. To develop a concept of rationality, helpful throughout the stages of law decision-making and for the evaluation of legislative decisions already made.
4. To unify a scientific response to the problems identified in the criminal law-making processes of the different countries.
5. To discuss and agree specific recommendations for public authorities to ensure that criminal law-making uses scientifically pondered techniques and pursues a rational response to social problems.

**Fields of interest of the Group:**
1. **Legislative process**: the Group´s interest in legislative processes embraces a wide conception of it, which includes: the sociological process that takes place before legislative decisions reach political institutions such as Government or Parliament, the so-called pre-legislative stages; also, the central stage in criminal law-making, the legislative stage, where the Executive and Legislative branches discuss within and among them a legislative proposal and push it through successive phases; and, finally, the evaluation of decisions, policies and programmes already put into action as a key element to evolve and improve criminal law-making, gathering new data and information from past experience.
2. **Rationality and decision making**: the concept of rationality has proved to be suitable for arguments, discourses and decisions analysis. It is, of course, a complex concept that needs to be operationalized, and deep efforts are being made in such direction by academics. So far, rationality has been divided into five levels: ethical, teleological, pragmatic, formal and linguistic.
3. **Constitutional control of criminal decision making**: Legislative bodies must be accountable for their actions, not only politically, but also legally, and Constitutional Courts could have a role to play in such system by endorsing or disapproving criminal legislation. Constitutional control of criminal legislation could never intend to substitute legislator´s will, but it could definitely set the standards that criminal legislation is expected to observe.

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## THE SPATIAL DYNAMICS OF DESISTANCE FROM CRIME

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Studies of desistance from crime have had, as one might well imagine, to grapple with understanding time and how the unfolding of time is related to desistance. This is hardly surprising, since desistance is a process, and processes take time to unfold. What few studying desistance have done is to consider the spatial dimensions of desistance from crime. Of course an interest in the spatial aspects of crime is not new; many have charted how different crimes are associated with different places and different times of day. The night time economy is not just an economy of the night, it is also a economy which plays out in urbanised locales and even then, some venues (certain bars and clubs, city centres and so on) are more central to the night time economy than are others. Moreover, places are crucial in understanding patterns of offending, and in particular how places are important generators of actions and not merely venues in which actions are performed. Using data from a cohort of ex-probationers interviewed up to five times since 1997/98, I shall explore the extent to which those individuals who cease offending ('desisters') also spend time in different places to those which they previously inhabited and the ways in which such places alter or confirm their feelings of change. Conversely, I shall explore the extent to which pesisters use space/place and what this can tell us about the spatial dynamics of desistance from crime. This work builds on concepts derived from existential geography and more recent developments in human geography and employs techniques inspired by time-space budgets and is an attempt to develop a 'time-geography of desistance'.

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## SELF-CONTROL AND MORAL NEUTRALIZATION AS KEY PREDICTORS OF AGGRESSION IN EARLY ADOLESCENCE

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In the last decade a substantial cross-sectional association between moral disengagement (e.g., Bandura 1999) and aggression has been repeatedly evidenced. Similarly, much evidence has supported Gottfredson and Hirschi's (1990) hypothesis that lacking self-control is a key personality characteristic for the explanation of aggression and delinquency. The present paper proposes to integrate both perspectives on the basis of an adaptation of Wikström's situational action theory (e.g., Wikström, 2006).

It is proposed that self-control and moral disengagement are both mechanisms that allow an individual to maintain his/her moral self-concept without experiencing moral self-sanctions. Wheras "self-control may be defined as the successful inhibition of a perceived action alternative that conflicts with an individual's morality" (Wikström and Svensson, 2010), moral disengagement may be defined as the successful cognitive reframing of a perceived action alternative that otherwise would conflict with an individual's morality.

Accordingly, within a longitudinal design we investigate to what extent these two constructs are implicated as predictors and possible causes of aggression in early adolescence. Particular attention is given to their interaction. To this purpose we use data from a large-scale prospective longitudinal study of 1300 children from a culturally highly diverse sample in Zurich (Switzerland) who were repeatedly surveyed from age 7 to 15.

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# JUVENILE DELINQUENCY: ASSESSING THE ROLE OF FAMILY, SCHOOL AND PEERS.

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In a life-course theoretical framework (Sampson and Laub 1993) family, school and peers are defined as essential institutions of social control. The attachment of adolescents to these institutions give insight into their bonding to society and therefore also serve as a explanation of their exposure to deviant and delinquent behaviour. Furthermore the age-graded theory of informal social control (Sampson and Laub 1993) specifies diverging effects of these institutions on delinquency over the life-course, especially during adolescence. In my research, I attempt to study the contribution of the life-course perspective to the explanation of juvenile delinquency. Therefore I focus on bonding variables in general as well as on the impact of age-graded informal social control processes on self-reported delinquency. In line with the theoretical background I analyse if there are differences in the influence of family, school, and peers on delinquency between adolescents aged about 11 (5$^{th}$ grade; N= 1385) and 15 (9$^{th}$ grade; N=1452). The mediating effect of structural and bonding variables on juvenile delinquency was also taken into account within a framework of structural equation modeling (SEM). The analysis were run using data of the first panel wave of a German survey conducted in 2012 in two German cities (Nuremberg and Dortmund).

# DRUGS: PUNISHMENT OR TREATMENT?

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## THE FAILURE OF PROHIBITIONIST DRUG POLICY BY CRIMINOLOGICAL PERSPECTIVES

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Since ancient times, society uses drugs for many and various purposes, whether for recreational, religious, medical or therapeutic reasons. In the early twentieth century, it began to be instituted, initially by the U.S., a model of a social control of some psychoactive substances through the criminal prohibition of production, trade and consumption, by strictly political-economic interests. When transferring to a black market a product that will always be demanded by several segments of society, it was created an immensely profitable business, that was also politically interesting, once that, through a typically moralistic discourse, the prohibitionism became valuable tool to keep politicians in power, in addition to directly influence the relationship between the countries. At the time of distinguishing illicit substances from the licit ones, it did not considered the potential harm to the health of the consumer, but the convenience of certain drugs being prohibited and others allowed. Unlike that still preaches the UN and despite bellicose strategies against drugs, it was not possible to achieve a world free of drugs: their consumption has only increased and their trade became "the deal of the century". The adoption of an unnatural and non-scientific based criminal policy, brought more harms than goods, like the marginalization of the user, the fomentation of subsidiary criminality; as arms trafficking, corruption and money laundering, as well as a large increase in the prison population all over the world. Observed the failure of prohibitionist drug policy, it urges a more humane and effective crime policy, that takes into account the peculiarities of the phenomenon of the drug use. In reason of all above, this paper aims to purpose strategies actually legitimate, based on criminological studies; like statistic data about the profile of the drug dealer incarcerated, the percentage of the prisoners in some countries for these crimes, the most successful European experiences, as well as showing the strong link between the drug trafficking with other ways of delinquency. Therefore, it brings as initial assumptions: a) people will never stop using drugs, so, instead of banning them, it is better to reduce the damage from its use; b) the drug trafficking causes major damage to society, being extremely necessary strategies that can remove from the hands of drug dealers its trade, and consequently, their profit; c) it is necessary demonstrating to society the failure of Criminal Law on the actual drug policy, so we can have the needed support to a more democratic and human alternative.

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# CHALLENGING THE CRIMINALISATION OF DRUG USERS WITHIN LEBANON: A FOCUS ON REHABILITATION AND TREATMENT

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Among the major concerns confronted in the criminal justice system of Lebanon is the high percentage of drug abuse offenders. More than 34% of new comers are drug addicts, among which around 37% are IV drug-users. This high number of drug users is attributed to two factors, the first of which is that drug users are associated with several crimes such as robbery, and secondly due to the fact that Lebanon criminalizes drug use. The link between drugs and crime was further revealed through the use of the emotional education program which was carried out by AJEM interveners within the rehabilitation center in Roumieh Central prison. The program highlighted the hidden relationship between three components; emotion deregulation, addictive disorders and criminal behavior. The relationship between drugs and crime has created an environment where a drug user is considered to be a criminal rather than a patient that needs rehabilitation. AJEM began focusing on developing rehabilitation programs inside and initiating programs outside the prisons. Within prisons, alongside emotional educational program, AJEM began using a cognitive-behavioral approach based on harm reduction; this was a pioneer project in the Middle East. Outside of prison, we created two drop –in centers for ex-prisoners, the first of which is based opposite Roumieh prison where a team of nurses, psychologists, psychiatrists, social workers provide 'patients' with substitution treatment, supporting and encouraging them to live law-abiding lives. The second drop-in center is a housing facility for 'patients' in need where they receive support in their search for jobs and reconstructing themselves psychologically and socially. AJEM continues with both rehabilitation centers, and is working towards implementing substitution treatment within prisons. The importance of these actions is to challenge the criminalization of drug users and also to reduce drug use which may in turn reduce crime rates within Lebanon.

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**ENFORCEMENT OF SECURITY MEASURE OF COMPULSORY TREATMENT OF DRUG ADDICTS AT LIBERTY IN SERBIA**

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Security measure of compulsory drug addiction treatment (Art. 83CC RS) at liberty is usually imposedfor the addicts with a suspended sentence, financial penalty or judicial warning when there is a danger that due to dependencies he is going to make a new criminal offense. It cannot exceed three years, or until healing. If the addict willfully fails to undergo the treatment, ortreatmentis interrupted,measure of compulsorytreatmentfrom freedom will be replaced with measure of the closed type of compulsory treatment.

The purpose of this research is to identify the main characteristics of drug addicts with security measure in Special hospital for addiction diseases in Belgrade (N=60). The most important results show that they mostly are from 21 to 30 year old, unemployed, single males from Belgrade, heroin addicts, at first try cannabis in 16 year old, with short period of previous abstinence, one or more previous treatment and minor medical complications. The profile is compatible with ones from similar research in Serbia and Europe. Other findings suggest the importance of application of strict structured program withpharmacological and psycho therapeutic interventions,adapted to individual needs of each patient which much differs from those came to voluntary treatment.

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**NEW RULES, NO DRUGS: A MORE RESTRICTIVE COFFEE SHOP POLICY IN THE NETHERLANDS**

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The Dutch coffee shop system became more restrictive on January 1st 2012. Two new criteria which coffee shops had to adhere to in order to be tolerated were added tot the Opium Act Guidelines of the Public Prosecutor: the private club and the residence criterion: coffee shops could only permit access to registered coffee shop members and the members had to be residents of the Netherlands. The criteria were enforced in three southern provinces since May 2012, the other provinces were to follow by January 1st 2013.

The implementation and the effects of the new criteria were evaluated in a quasi-experimental study. The study was carried out by the WODC, Bureau Intraval and the Bonger Institute of the University of Amsterdam. A sample was drawn of 7 municipalities in the south (the 'experimental' group where the criteria were enforced) and 7 municipalities in the rest of the country, where this was not the case (the 'comparison group'). Baseline assessment took place in February-March 2012 and the first follow up assessment in October-November 2012. The implementation was evaluated in interviews amongst stakeholders (n=40 and 36). Nuisance was measured amongst local residents near coffee shops (n=712 and 714). Visitors of coffeeshops were interviewed (n=1051 and 739) and the consequences for the illegal cannabis consumer market were assessed using a street survey with cannabis users. The 'intervention logic' behind the new criteria was used as a framework for the evaluation. This logic was reconstructed by the researchers by analysing policy documents and policy plans. The presentation will show the results of the interim report which covers the period May-November 2012..

Implementation involved various actors who mostly performed according to the expectations. The local actors, however, experienced some basic unclarities in the new criteria which made implementation difficult in the beginning. There were differences in implementation between municipalities. Results show that considerable changes have taken place in the cannabis consumer market in the south of the Netherlands (the experimental group). The drug tourists mostly disappeared, the number of visits to coffee shops decreased drastically and users were purchasing their cannabis in the illegal market more often. Nuisance changed little in frequency, but there was a shift from nuisance from coffee shops to nuisance from street dealing.

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**INTRODUCING THE ROUTLEDGE HANDBOOK OF EUROPEAN CRIMINOLOGY**

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Short summary of the book:
Edited by Sophie Body-Gendrot, Mike Hough, Klara Kerezsi, René Levy, Sonja Snacken, this new book brings together twenty eight contributors and five editors intending to illustrate various aspects of a truly comparative and interdisciplinary European criminology. Handbook elaborates on theoretically grounded comparisons. The themes which have been selected reveal European perspectives, emphasizing both unifying factors and differentiations across countries where they are most obvious in terms of institutional, legal, social and intellectual dimensions. It introduces nuances in the multiple cultures of control, divergences in orientations and responses. It compares and contrasts definitions, concepts, laws and practices. We attempt to illustrate the idea of a European way of tackling crime, punishment, security, restorative justice, etc.
The Handbook is organized in three parts:
I. Six chapters offer historical, theoretical and policy-oriented overviews of European issues in crime;
II. Seven chapters looking at different dimensions of crime, including crime trends, state crime, gender and crime and urban safety;
III. Fifteen chapters examining the variety of institutional responses, exploring issues such as policing, sentencing, juvenile justice, punishment and prisons, drugs legislation, migrants' issues, trust in justice, media and crime, terrorism, and attention paid to freedoms and Human Rights.

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**ROUND TABLE: EXPERIMENTAL CRIMINOLOGY AND EVIDENCE-BASED POLICING:
THE FUTURE OF DEMOCRATICALLY RESPONSIVE POLICING IN THE GLOBAL
SOUTH?**

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*"A British Academy of Policing...could reduce human misery more than all the foreign aid money of the G20 combined. Let us not be so short-sighted that we cannot see this opportunity for Britain to strengthen its enormous legacy of democracy and the rule of law. Let us stand, like Isaac Newton, to see farther, on the shoulders of Sir Robert Peel, Sir Richard Mayne, and Sir Ronald Fisher, the inventor of controlled experiments."*
 Professor Lawrence Sherman, 2011 Benjamin Franklin Medal Lecture, 1 November 2011.
Immediately following the 'International Assistance for Police Reform?' panel, a roundtable event will take place in the same venue. A selection of panelists including leading figures from the evidence-based policing movement and its critics will take part in an informal debate on the transferability of experimental criminology and evidence-based policing policies and practices to developing and transitional countries. Following the debate, the Chair will open up the floor to members of the audience who will be invited to respond to the panellists, ask questions and reflect on the ways that European police researchers might seek to generate positive impact through their work and contribute to just and socially effective policing outcomes abroad. Both the panel and the round-table will be publicised through the ESC Working Group on Policing and may also serve as the basis for a special issue of the *European Journal of Policing Studies.*

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# FEMICIDE AND RAPE

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**FEMICIDE: AN ANALYSIS IN THE CITY OF MILAN FROM 2002 TO 2013**

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Femicide is an unconditioned topic for Crime Scientists.
In Italy this phenomenon gained a huge media interest, above all because of some really bloody news stories. All this brought to an over exposure of femicide cases and to an increasing of social distress, with possible distortortion of the objectivity of this phenomeon itself.
The Authors, thanks to a statistical analysis, examine all the femicides occurred in Milan from 2002 to 2013, taken from the Legal Medicine Archive of the University of Milan, using a multidisciplinary approach (criminological, forensic and psychological one) and focusing mainly on how those crimes born and how they criminologically develop. Important aspects such as injury methods, where the crimes took place, the victims' characteristics (and, where possible, the authors'ones) will be analyzed, and a specific attention will be paied to all the personal histories of the ones involved, to evaluate this type of crime, both from a phenomenological and etiological point of view.
All the data collected will be compared to National and International specialist Literature.

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**UNDERSTANDING TRENDS IN RAPE ACROSS EUROPE AND THE US**

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Efforts have been made in many Western countries in recent decades to reduce legal, procedural, and cultural impediments that traditionally inhibited victims from reporting rapes to the police. Despite these changes, rape remains largely underreported, especially when it occurs in the context of an intimate relationship. For these reasons, and for others related to different legal definitions of rape in different countries and the influence of diverse cultural factors, understanding and explanation of cross-national rape trends is a complicated matter. The main goal of this paper is to document trends in rape in the US and Europe, exploring methodological issues that affect a full understanding of trends, and offering preliminary explanations of the divergent trends in the US (where rape has been steadily declining since the 90s, paralleling the general drop of violent crime) and Europe, where the picture is much more fragmented, with some countries showing reporting decreases and others showing increases. Using data from official statistics and from victimization surveys, some hypothesis about trends in rape (and, generally, in violence in intimate relationships) will be explored in a compararative perspective, and in the context of the drop in violent crime that is occuring in the US and, more recently, in some European countries.

**Keywords:** *Rape; crime trends*
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**THE ATTRITION OF RAPE ALLEGATIONS IN 21ST CENTURY ENGLAND AND WALES**

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The vast majority of rape allegations do not receive a full police investigation, even fewer get prosecuted, and only a small percentage result in a conviction. The police play a key role in this process of attrition. For the rape victim, the police are the first point of contact with the Criminal Justice System. Whether or not police officers take a rape complaint seriously and consider the victim 'credible' can have a profound impact on the likelihood of victims withdrawing from the process and the likelihood of a full police investigation. An effective police investigation in turn is necessary for the collection of evidence strong enough to convince the Crown Prosecution Service to take up the case, and increases the chances of a successful prosecution. This problem of attrition has been recognized by the feminist movement in the 1970s and 80s, and resulted in a number of policy and legal changes in England and Wales, the latest being the Sexual Offences Act 2003. But have these policy interventions had an impact on the attrition of rape allegations?

Ten years on, this paper provides an up-to-date picture and deeper understanding of the attrition of rape cases in the UK context. The study presents new empirical evidence from a large case-file dataset of the Metropolitan Police London covering the years 2006-2012. The existing body of empirical research on the subject is based on data from 1987-2006. Multivariate statistical analysis of the factors that contribute to attrition and further analyses of the complex relationships between victim-, suspect-, incident- and police case-handling characteristics add to the understanding of the problem and point towards future research agendas and policy interventions.

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## DATA OF GENDER VIOLENCE IN SPAIN

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Gender violence, far from being a new phenomenom, has existed in all societies since antiquity. This type of violence is different because of several factors: cultural, economic, legal and political ones, that are typical of Patriarch Society, that has favored male attributes, and this works to wome´s disadvantage, as we shall see it can be proved by data. So this kind of structural violence has been resized in recent years due to its visibility thougth existing statistics. Until the 80´s, home problems were settled privately. Now calls from civil society, lobbies and certain legislators demand that this phenomenon is regulated by public policy.

The United Nations has been doing an outstanding job in this regard, especially througth the Commission on the Status of Women, and several states so do too. For example, today in Spain, *"Gender criminal policy"* is a priority. There is a sector that criticizes the roadmap of gender regulation, because in their opinion this supposes a discrimination against men mainly for two reasons:

- on one side, it is widespread that most of existing complaints are false, and that women take advantage in order to take benefit of the law

- on the other hand, they criticize that the high percentage of male victims left out of this specific protection

However, the data provided by the Chief state prosecutor´s Office, the Delegation of Government, the General Council of the Spanish Judiciary, and the Women´s Institute provides a reality that belies these "hoaxes". According to the Chief State prosecutor´s office there were 12.8543 complains in 2012, and only 13 of them were false. At the same time, it is demostrated that man victims only represented 9% of the total, being women 91% of total cases.

The main aim of any gender policy should be the women Empowerment, and sometimes this is a difficult goal to achieve with Crimianl Law.

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**SEXUAL VIOLENCE AGAINST FEMALE UNIVERSITY STUDENTS: THE REAL STORY**

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In this paper research on female students' experiences of sexual violence at a British university, undertaken between 2007 – 2010, is described, and some key findings of the research are presented. These findings are located within the extant literature on this topic. The paper particularly focuses on: the nature and prevalence of the sexual violence that respondents reported; comparison of the vulnerability of university students with that of women of comparable age in the general community; those most likely to be perpetrators; the relationships between perpetrators and their victims; places where, and occasions on which, female students are most at risk of such violence; and victims' and the university's responses to these issues, including reasons why victims are frequently unwilling to involve university or other authorities in responding to incidents. Implications of the findings for policy with respect to prevention and responses to such incidents, the limitations of this research, and suggestions for further research on this topic, are also discussed.

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**THE GENDERING OF HATE**
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During January 2012 a student blog 'Uni-Lad'; a website promoting 'lad'culture' aimed at university students, has opened up considerable discussion within the national and local media about sexist and misogynistic discourses surrounding rape and sexual violence. An article published through the website claimed that 75% of women aged 18-25 were 'sluts' and advised readers that if a woman did not display any interest in having sex (which they described as "spreading for your head") then to "think about this mathematical statistic: 85% of rape cases go unreported. That seems to be fairly good odds".

This paper aims to discuss several key areas highlighted by this and other written examples within the UK media Firstly the  implications of such articles and how and if they should be part of the current hate legislation (Crime and Disorder Act 1998) (Criminal Justice Act 2003). The legislation in the UK has forbidden hate speech on the basis of race, nationality (including citizenship) ethnic or national origin, religion or sexual orientation, however, sexism or misogynistic hate language is as of yet, not included

Secondly, how the Uni-lad example highlights the failure of much of the academic and policy literature to examine the intersection between class, gender and hate-crime. Hate crime has been historically been viewed as an example of working-class resentment and hostility (Ray et al, 2003) and as a way for working-class males to assert their masculinity through violence. (Tomsen, 2001) If firstly it is accepted that misogyny and sexism should be a category of hate crime, then we need to further understand how class, gender and hatred intersect. The focus will be upon the work of Connell (1995) and Hegemonic Masculinity, which claims that violence is a way for subordinated males to assert their masculinity. However, I would surmise that in the case of misogyny, this is not the case.

**Keywords:** *Gender, Hate Crime, Hegemonic Masculinity.*
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## THE IMPACT OF STOP AND SEARCH IN EUROPE

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The European social and political climate is becoming increasingly unsentimental towards both criminality and immigrants post 9/11. Emphasis is placed on preventive methods to reduce the risk of crime in high risk environments, such as *stop and search* and mandatory ID-check. Inadvertently, there is an increased risk of ethnic profiling based on generalizations about race, ethnicity, religion or nationality by police officials. Several ethnic groups have made accusations of disproportionate police attention in stop and search and other law enforcement tactics. Over the past couple of years there have been various reports by international organizations causing concern with regard to the possibility of this ethnic profiling in various EU countries. Meanwhile, empirical insight is getting even more extensive. This international panel will give a broad overview of the current research, presenting different interesting points of view.

This panel includes the following presentations:

- **Police Encounters and Public Trust: A Comparative Perspective, Covering Europe, US and South Africa**
Jonathan Jackson (London School of Economics, UK), Ben Bradford (University of Oxford, UK), Paul Quinton (College of Policing, UK)

- **Ethnic profiling in Spain: conclusions about the perceptions and experiences of a survey about the impact of stop & search**
José García-Añón, Jose Antonio García-Sáez, Andrés Gascón-Cuenca, Antoni Llorente-Ferreres (University of Valencia, Spain)

- **Stop and Search and the In/visibility of Minority Ethnic Groups.**
Alpa Parmar (University of Leeds, UK)

- **Quantifying the impact of ethnic profiling on people, communities and policing in the Netherlands.**
Avalon Leupen, Arjan Blokland, Joanne van der Leun, Maartje van der Woude (Leiden University, the Netherlands)

# POLICE ENCOUNTERS AND PUBLIC TRUST: A COMPARATIVE PERSPECTIVE, COVERING EUROPE, US AND SOUTH AFRICA

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[2]*University of Oxford, Center of Criminology, Oxford, United Kingdom*
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Previous research has established that being stopped by the police – whether in a car or on foot – can be a key moment in an individual's sense of trust in the police and beliefs about their legitimate authority. Procedural justice can communicate the extent to which officers view the individual concerned as worthy of respect, dignity and inclusion within the social group the police represent. Such communication may be particularly important – and fraught with potential difficulty – in those moments when police use their power to intrude into and disrupt people's lives. In this paper we present data from Round 5 of the European Social Survey (ESS), as well as comparative national-probability-sample surveys in the US and South Africa that replicated the ESS questions. We focus on people's encounters with the police, trust, legitimacy and cooperation. Our analysis assesses the empirical associations between prior contact with the police (where the police approached the individual), their assessments of the trustworthiness of police officers to fulfill their role, their perceptions of the legitimacy of the institution, and their willingness to cooperate with the police and criminal courts in the future.

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# ETHNIC PROFILING IN SPAIN: CONCLUSIONS ABOUT THE PERCEPTIONS AND EXPERIENCES OF A SURVEY ABOUT THE IMPACT OF STOP & SEARCH

Jose Garcia-Añon, Jose Antonio Garcia-Saez, Andres Gascon-Cuenca, Antoni Llorente-Ferreres
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In this paper we want to analyse the results of a survey that will capture the experience of police ID checks among Spain's majority and minority population. The Open Society Fund to Combat Xenophobia and Racism in Europe and the Justice Initiative are jointly funding this survey conducted by the Spanish sociology centre *Metroscopia* and advised by professor Ben Bradford (University of Oxford, UK).

The results will fill a major information gap by providing empirical and quantitative data on disproportionality in police stops of ethnic minorities versus the majority white population in Spain.

The survey also includes questions based on procedural justice that bring out the impact that different experiences of being stopped have on individuals and their communities, and can inform better understanding of the cost of discriminatory practices in terms of loss of trust in the police and subsequent lessened cooperation in resolving crime and other local problems.

The results will be discussed in the context of the legal standards and non-compliance with Spain's ICCPR obligations, the Spanish Constitutional Court decision in 2001 (which ruled that the use of ethnic criteria in ID checks made by police officers were according to the Law) and the rejection to ethnic profiling shown by other international organizations.

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**STOP AND SEARCH AND THE IN/VISIBILITY OF MINORITY ETHNIC GROUPS**

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Police practices in stop and search encounters and the impact on minority ethnic groups is one of the most contentious issues in policing. Although the impact of stop and search on minority ethnic groups has been variously analysed in terms of disproportionality to other ethnic groups, the importance of the nature of the interaction and the process by which the police may decide to stop someone, little is known about the expectations and perceptions of the police that recent migrants to the UK hold in contrast to established minority ethnic groups. Scholarship which has considered the perceptions of minority ethnic groups in larger scale surveys (e.g. British Crime Survey) has suggested that minorities hold generally positive perceptions of the police. However, research which has considered those who have experienced interactions with the police suggest that perceptions are more complex and less favourable. In addition, the difference between the views and experiences of recent and established migrants has not been addressed. This paper considers the disjuncture between the findings of the perceptions of the police and de-homogenises the experience of minority ethnic groups in order to reveal important nuances between migrants and their experiences. Using stop and search encounters as a lens through which to understand the interactions of police and minority ethnic groups, this paper is able to draw out important differences within minority ethnic group experiences.

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## QUANTIFYING THE IMPACT OF ETHNIC PROFILING ON PEOPLE, COMMUNITIES AND POLICING IN THE NETHERLANDS.

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The focus of this presentation is on perceptions of ethnic minority groups towards the practice of policing in general and more specifically on their own experiences with policing in the Netherlands. Although perceptions on policing are not by itself a hard indicator for the existence of ethnic profiling, an insight in these perceptions is essential for experiencing legitimacy of policing. Yet, from the procedural justice model we know that the perception of unequal treatment by the police, besides the fact whether or not it actually occurs, can have negative consequences on the relationship between the police and minority groups.

We will present results of the research that has been done in 2011-2012 by researchers of Leiden University on request of the Open Society Justice Initiative (OSJI) on the impact of ethnic profiling in the Netherlands. Qualitative and quantitative surveys were held among Dutch youth. Questions included in the surveys revolved around trust and confidence in the police and personal experiences that provide evidence towards social discrimination or stigmatization by Dutch police officials.The results indicate a negative perception of ethnic minority groups towards the practice of policing. In addition, the results of this study could contribute to changes in police policy towards a more benevolent course of action in preventative methods to reduce the risk of crime in high risk environments.

**Keywords:** *ethnic profiling, perceptions, policing*
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# ROUNDTABLE DISCUSSION ON AN EMERGING EU CRIMINAL JUSTICE AND POLICY

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The Union's most fundamental legal instrument, one could even say constitutional foundation, the Lisbon Treaty scrapping the post-Maastricht three-pillar system introduced a number of novelties in the area European criminal law and calls for the creation of a common criminal justice area in the EU. Changes introduced lead to stricter enforcement of EU legislation in police and judicial cooperation in criminal matters; the Court of Justice of the European Union plays a stronger role in defining fundamental rights and general principles in criminal matters; the suggested establishment of a European Public Prosecutors' Office signals a remarkable shift towards even stronger integration. Yet, certain legal solutions tellingly demonstrate that elements of supranationalism have been retained. These include basic principles of police and judicial cooperation: the principle of mutual recognition of judicial decisions as well as the principle of availability of information. Consequently, integrated cooperation is still of a transnational nature. The principles of enumerative competences for the Union, subsidiarity and proportionality, as well as certain requirements for unanimous Council decisions remained applicable. Furthermore, the Member States' responsibilities with regard to the maintenance of law and order and the safeguarding of internal security have not been affected. It is in this Janus-faced setting that post-Lisbon criminal law measures are adopted and applied.

Fragments of a substantive criminal law seem to multiply, whereas several sources of secondary law have been adopted on procedural guarantees and victims' rights. The EU Charter of Fundamental Rights sets out the framework for minimum guarantees, i.e. limits in which a common criminal justice area can legally be achieved. These include traditional procedural guarantees such as the right to an effective remedy, fair trial, presumption of innocence, right of defence, *ne bis in idem*. One of the objectives of the Stockholm Programme providing guidance for the period between 2010-2014 was also to promote judicial cooperation with the aim of contributing to the creation of a genuine European area of justice in criminal matters based on mutual recognition and mutual confidence and to promote the mutual recognition of judicial instruments in the Member States.

Most recently the European Commission 2011 *Communication on Towards an EU criminal policy: ensuring the effective implementation of EU policies through criminal law* explains how EU-wide minimum rules on criminal law could have an added value in the protection of citizens against criminal behaviour and sets out principles which will help to ensure that EU legislation on criminal law is consistent and coherent. On 22 May 2012, the European Parliament adopted a resolution on *An EU approach to criminal law stressing the need for a more coherent and high-quality EU approach to criminal law*.

EU criminal law experts in the roundtable will discuss the structural shift from intergovernmental cooperation to supranational integration in the criminal field as provided for by the Lisbon Treaty; fragments of a substantive EU criminal law; the emerging minimum standards of criminal procedure; victims' rights; and the role of the Court of Justice of the European Union, guardian of the EU constitution in the broad sense, responsible for the constitutionalization of criminal law in a system of multi-level governance.

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**CIVILIZING THE UNCIVIL: ANTISOCIAL BEHAVIOUR POLICIES IN EUROPE**

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Prof. Christine Guillain, PhD., Saint-Louis University (Brussels, Belgium).: ***Administrative penalties and human rights***

*Els Dumortier, Jenneke Christiaens & Anneke Evenepoel (Vrije Universiteit Brussel):* **To prevent worse? Crossing borders between judicial and non-judicial prevention aimed at young people in Belgium.**

Devroe, Elke **"A swelling culture of control? Tackling incivilities in two big cities in Belgium: Antwerp and Liège"**

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**ADMINISTRATIVE PENALTIES AND HUMAN RIGHTS**

Christine Guillain
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For several years, numerous countries have been considering that their judicial system was overloaded and therefore not able anymore to prosecute all and every criminal offences. They consequently authorize their local authorities to impose administrative penalties to minor offenders. If States remain masters of their penal system, they may not exclude the application of the European Convention on Human Rights by classifying an offence as administative instead of criminal. In light of the jurisprudence of the ECrHR in particular, the example of the new Belgian law reveals a number of important problems posed by administrative penalties regarding human rights and general principles of criminal law (equality, legality and proportionality, right to be presumed innocent**,** right to be heard by a independent and impartial jugde**,** prohibition against double jeopardy…).

## TO PREVENT WORSE? CROSSING BORDERS BETWEEN JUDICIAL AND NON-JUDICIAL PREVENTION AIMED AT YOUNG PEOPLE IN BELGIUM

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The prevention philosophy lies at the heart of Belgium's juvenile justice system. In 1912 a separate juvenile justice system for minors (protection model) was introduced. Children who misbehaved or displayed socially undesirable behaviour (*status offences*) could be subjected to an intervention by the children's judge (Christiaens 1998). This reaction to pre-delinquent behaviour clearly stems from a preventive perspective. The reform in 1965 expanded the scope to young people 'in danger' and a few years later (between 1980 and 1990) this support for non-delinquent minors (POS) was (more or less) separated from the protection for young offenders (MOF). The interventions towards 'non-delinquent' minors or juveniles 'in a problematic situation' are often related to problems with family, school, environment, … These aspects are remarkably similar to the (in)famous risk factor paradigm which entails the identification of predictive factors for future offending through empirical research.

Today the prevention philosophy has not quit the scene, on the contrary. In the past few decades, prevention seems to have become the new core principle of governing crime. This developmentappears to be accompanied (both nationally and internationally) by a more repressive anti-social behaviour policy. In Belgium, the legislation on municipal administrative sanctions expanded the enforcement authority of local governments to include incivilities. We can see the emergence of these incivilities as a new field of intervention at the local level, whereby new initiatives are merged with the already existing crime prevention practices in order to tackle anti-social, incivil, truant juveniles, who hang around in public spaces and constitute a 'risk'.

Bearing all this in mind, it seems that Belgium's judicial prevention (youngsters in problematic situations) and non-judicial prevention (problematic youngsters) systems may have more in common than first expected. The concept of 'risk' for example seems to play a significant role in both scenes.

In this contribution we will dwell on the question how different -or better yet similar- both forms of prevention are and what possible consequences the blurring boundaries between judicial and non-judicial prevention may entail.

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# "A SWELLING CULTURE OF CONTROL? TACKLING INCIVILITIES IN TWO BIG CITIES IN BELGIUM: ANTWERP AND LIÈGE"

Elke Devroe
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In this lecture the results of the PHD "A swelling culture of control: the genesis and application ad administrative sanctions in Belgium" (2012) are presented. In Belgium the legislation for tackling crime was voted, as in the UK (Crime and disorder Act) in 1999. This law made Mayors responsible, not only for tackling public order and keeping the peace in their municipalities, but also for controlling nuisance and incivilities in the public space. Amongst police, special wardens can operate in the public space and write reports on people behaving in a 'non civil' way. As the Mayor is held responsible for the quality of life in the so-called 'integral security' option, he/she keeps the whole chain of maintenance in his/her own hand: statement on disorder, administrative prosecuting and administrative sanctioning (mediation, fines and community sanctions). In this lecture we will analyze how the cities Antwerp (Dutch) and Liège (French speaking) deal with this competencies and integrate different partners on the local level. Both cities implemented the law on administrative sanctions in 2005. We will analyze the influence of the regional legislation on social cohesion and welfare that influences the security and incivility policy of both cities in a completely different way.

**Keywords:** *Incivilities, Administrative Sanctions, Community Sanctions*
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The third International Self-Report Delinquency (ISRD3) study is a comparative school based survey of juveniles in 25 to 30 countries (North and South America, Western and Eastern Europe, various regions of Asia). Its major focus is to empirically integrate current criminological theories by studying self-reported delinquency in different countries and cultures across the world. Members of the coordinating team will present the theoretical and methodological innovations of the current ISRD study and discuss first experiences of including a wide range of different cultures.
Presenters:
1) Ineke Marshall (Northeastern University, Boston): Using the ISRD to develop a more integrated theoretical perspective of youth crime: Focus on SAT and IAT
2) Mike Hough (Birkbeck College, London): Using the ISRD to test procedural justice theory
3) Dirk Enzmann & Janne Kivivuori (University of Hamburg and National Research Institute of Legal Policy, Helsinki): Surveying sensitive questions: Prevalence estimates of self-reported delinquency using the crosswise model
4) Martin Killias & Anastasiia Lukash (Universities of St. Gallen and Zurich): ISRD-3 in Switzerland, Eastern European and Asian countries: Some preliminary experiences

**Keywords:** *ISRD; juvenile delinquency; comparative study; theory integration; survey methodology;*
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# USING THE ISRD TO DEVELOP A MORE INTEGRATED THEORETICAL PERSPECTIVE OF YOUTH CRIME: FOCUS ON SAT AND IAT

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The aim of the third sweep of the International Self Report Study of Delinquency (ISRD3) is to broaden the theoretical reach of the survey, operationalizing concepts that are relevant to Institutional Anomie Theory, Situational Action theory, and Procedural Justice theory, as well as the more established social bonding and self-control theory, and routine activity-opportunity theory. This presentation explains how the International Self Report Study of Delinquency (ISRD3) attempts to operationalize the line of multi-level theorising advocated by Messner (2012), who set out to provide an integrated account of situational action theory and institutional anomie theory. The presentation will discuss how particular survey items in the ISRD3 core student questionnaire are used to operationalize the main concepts used in Institutional Anomie theory and Situational Action Theory in a cross-national context. The presentation will critically assess the strengths and weaknesses of the empirical cross-national test of IAT and SAT used by ISRD3.

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**USING THE ISRD TO TEST PROCEDURAL JUSTICE THEORY**

Mike Hough
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The International Self Report Delinquency (ISRD) project is an ongoing research study, with the third data collection sweep taking place in 2013 (ISRD-3). This presentation will describe plans to use ISRD3 to test aspects of procedural theory as it applies to young people of school age. Procedural justice theory is one of several theories relating to normative compliance. In essence, it proposes that fair and respectful treatment by legal authorities such as the police builds public perceptions of institutional legitimacy and thus increases public consent to the rule of law and public preparedness to cooperate with legal authorities. There have been tests of procedural justice theory as it relates to adults, but not - to our knowledge - to people of school age. The presentation will locate procedural justice theory within a broader set of theories about normative compliance, and will describe the rationale and approach adopted in ISRD3 to test procedural justice ideas using a short battery of questions on trust and legitimacy. It will critically assess the strengths and weaknesses of the approach that we have followed in ISRD3, and will propose possible ways of further testing of procedural justice theory with this age group.

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# SURVEYING SENSITIVE QUESTIONS: PREVALENCE ESTIMATES OF SELF-REPORTED DELINQUENCY USING THE CROSSWISE MODEL

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Social desirable responding is one of the major validity threats of self-report delinquency studies. Especially when comparing prevalence rates of delinquent behavior between cultures, differential responding to sensitive questions is an issue. As a method to elicit truthful responses to sensitive questions the "crosswise model" has been developed. It is a promising alternative to the randomized response technique which has been shown to work rather poorly. The crosswise model does not require direct answers to sensitive questions and needs no randomizing device. It has been implemented in the ISRD3 questionnaire to investigate how much social desirable responding might affect prevalence estimates of self-reported delinquency, and to compare validity problems of self-reported offending across countries and cultures. Using data of the Finnish ISRD3 study, we will present first results of using this method to improve the validity of estimating and predicting prevalence rates of delinquency. Results show that using estimates of true answers may result in considerably higher prevalence rates and different causal models of delinquent behavior. Suggestions for improving the method will be discussed.

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## ISRD-3 IN SWITZERLAND, EASTERN EUROPEAN AND ASIAN COUNTRIES: SOME PRELIMINARY EXPERIENCES

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[2]*Killias Research and Consulting, Lenzburg, Switzerland*

The Swiss part of the ISRD-3 project includes some Eastern European (Bosnia-Herzegovina, Serbia, Kosovo, Ukraine, Armenia and Macedonia) and Asian countries (Indonesia and one Indian city). The comparison with Balkan countries is, from a Swiss perspective, particularly relevant due to the presence of many immigrant youth from these countries. Former and tentative results indicated that rates of juvenile delinquency are not particularly high in the Balkan region, whereas offending among immigrants from these countries is above average in Switzerland (and presumably other Western European countries). The comparison with Asian countries is interesting from a broader perspective since many theories shared among Western criminologists may not necessarily be confirmed when the perspective is extended to cultures with very different value systems.

Adapting the uniform survey methodology to such different contexts, including sampling strategies, entry methods and translation of questionnaires raises many challenges. We shall also present innovative methodological solutions and first outcomes across these countries.

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**YOUTH PENALITY IN HISTORICAL AND COMPARATIVE CONTEXTS**

Barry Goldson
*University of Liverpool, Department of Sociology, Social Policy and Criminology, Liverpool, United Kingdom*

The panel will be chaired by Professor Barry Goldson. It will comprise three papers:

**Juvenile Difference in Detention Rates: What Does it say about Penal Drivers, Narratives and Politics? - Emeritus Professor David Brown, Law Faculty, University of New South Wales, Austral**ia

Juvenile detention rates across Australian jurisdictions declined, albeit variably, from the 1980s until the early 2000s. During the same period adult imprisonment rates increased significantly. This paper will reflect on the drivers behind this contradictory pattern.

**Narrating the Recent History of Juvenile Justice: The Rise and Fall of Decarceration - Professor Chris Cunneen, Cairns Institute, James Cook University, Australia**

This paper argues that ultimately the political and institutional commitment to less punitive systems of intervention for young people (such as restorative justice, police diversion, culturally 'sensitive' Aboriginal youth courts, etc) is shallow. The most recent narrative to find a place in the politics of reform for juvenile justice in Australia has been justice reinvestment. It will be argued that justice reinvestment, like restorative justice before it, already shows signs of losing its more radical agenda. The redefinition of justice reinvestment as essentially a fiscal measure means that any longer term commitment to reducing levels of youth incarceration will remain elusive.

**Speculative Youth Criminology: What Future for European Juvenile Justice at a Time of Crisis? - Professor Barry Goldson, Department of Sociology, Social Policy and Criminology, School of Law and Social Justice, University of Liverpool, UK**

Europe is currently experiencing crisis conditions and millions of young Europeans are especially disadvantaged. The crisis conditions raise big questions of juvenile justice systems in Europe and it is timely to think about the manner in which such systems might respond in the future. Thinking in this way invokes alternative visions including the "utopian vision" and the "dystopian vision" This paper will argue that at face value - and paradoxically - both the utopian and dystopian visions provide seductive totalising narratives but, ultimately, each is singularly inadequate. There are grounds for speculating that - despite crisis conditions - "humane pragmatism" will ultimately prevail.

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# JUVENILE DIFFERENCE IN DETENTION RATES: WHAT DOES IT SAY ABOUT PENAL DRIVERS, NARRATIVES AND POLITICS?

David Brown
*University of NSW, School of Law, Sydney, Australia*

Juvenile detention rates across Australian jurisdictions declined, albeit variably, from the 1980s until the early 2000s. During the same period adult imprisonment rates increased significantly. This paper will reflect on the drivers behind this contradictory pattern. The key immediate drivers of increases in adult imprisonment rates were sentencing changes, an increase in remand numbers and proportions, a drop in access to parole and an increase in parole revocations. These predominantly legal changes took place against a backdrop of a heightened politicisation of criminal justice issues and a deeper set of cultural shifts in penality around vulnerable populations, the rise of risk in correctional paradigms, the emergence of new penal subjects, the reproduction and normalization of penal culture in specific (Indigenous) communities suffering hyperincarceration, and the reinvention of the prison as a therapeutic site. But if these legal, political and cultural factors were operating to produce higher adult imprisonment rates why did juvenile rates display an opposite trajectory? What does this pattern say about the determinative effect of various penal forces, about a range of penal master narratives and about the possibilities of and spaces for penal politics in relation to juveniles? This paper will reflect on these questions.

**Keywords:** *juvenile detention politics*

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## NARRATING THE RECENT HISTORY OF JUVENILE JUSTICE: THE RISE AND FALL OF DECARCERATION.

Chris Cunneen
*James Cook University, Cairns Institute, Cairns, Australia*

The incarceration rates of young people in Australia steadily declined from the 1980s through to the early 2000s in a trend directly contrary to the developments in the sphere of adult penality. Much of this change was conceptualised within a need to provide 'alternatives' to court processing and the imprisonment of young people. However these changes were also highly uneven within the broader national framework, and especially uneven in their impact on different social groups.

The paper argues that ultimately the political and institutional commitment to less punitive systems of intervention (such as restorative justice, police diversion, culturally 'sensitive' Aboriginal youth courts, etc) was shallow. Alternative diversion processes remained strongly state-centred. Even while these 'alternatives' were in place, they were also increasingly subjected to a narrowly defined 'what works' agenda, highly limited 'scientific' evaluation, and the developing ascendancy of risk-based technologies transferred from the dominant narratives within adult corrections. To add to the volatility and contradictory nature of youth punishment, demonstrably failed programs such as boot camps have retained their political appeal.

The most recent narrative to find a place in the politics of reform for juvenile justice has been justice reinvestment. The paper argues that justice reinvestment, like restorative justice before it, already shows signs of losing its more radical agenda. Justice reinvestment's normative commitment to community–based and controlled development for impoverished, highly criminalised communities is being eroded by the goal of cost-savings within government. The redefinition of justice reinvestment as essentially a fiscal measure means that any longer term commitment to reducing levels of youth incarceration will reman elusive.

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**SPECULATIVE YOUTH CRIMINOLOGY: WHAT FUTURE FOR EUROPEAN JUVENILE JUSTICE AT A TIME OF CRISIS?**

Barry Goldson
*University of Liverpool, Department of Sociology, Social Policy and Criminology, Liverpool, United Kingdom*

Europe is currently experiencing a formidably hostile economic climate within which crisis conditions are consolidating and millions of young Europeans have been, and will continue to be, especially disadvantaged. The crisis conditions raise big questions of juvenile justice systems in Europe and it is timely to think about the manner in which such systems might respond in the future. Thinking in this way invokes alternative visions. The "utopian vision" conceptualises juvenile justice as progressing steadily and incrementally towards a state of penal tolerance, where the "best interests" of children and young people prevail and where recourse to correctional intervention - particularly custodial detention - is only ever mobilised as a "last resort". In stark contrast the "dystopian vision" emphasises the emergence, consolidation and development of a harsh "culture of control". At face value - and paradoxically - both the utopian and dystopian visions provide seductive conceptual typologies or "totalising narratives" for comprehending pan-European (even global) trends in juvenile justice but, ultimately, each is singularly inadequate. Neither provides a defensible comprehensive account of the complexity, contradictory nature and profound incoherence of transnational juvenile justice in Europe and/or beyond. Notwithstanding this, a crucial juncture has been reached as the separate European countries are currently facing fundamental choices as to the kind of society they want to build for the future. What this will mean for juvenile justice in 2020 is far from certain but there are grounds for speculating that - despite crisis conditions - "humane pragmatism" will ultimately prevail.

# COMMUNITY SANCTIONS AND MEASURES WORKING GROUP: OFFENDER SUPERVISION GLOBALLY

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## THE ROLE OF PROBATION IN PREVENTING REOFFENDING – IS THERE A "FRENCH TOUCH"?

Pascal Décarpes
*University of Greifswald, Department of Criminology, Greifswald, Germany*

Strongly influenced by the Anglo-Saxon probation revolution from the last decade, French probation finds itself in the middle of several dynamics corresponding to a managerial logic, a comprehensive approach and a risk concern, considering probationers as a client, a person needing support and a somebody with criminogenic factors and potentially dangerous. After many debates launched by a national conference of consensus on prevention of reoffending, during which professionals and academics from all disciplines were asked to provide a written and/or oral contribution, the conference jury presented its report to the French Ministry of Justice in February 2013 with 12 very comprehensive recommendations.

This paper aims at analysing this production of knowledge on underlying the role and the competencies of probation services in this field. How do probation officers tackle this issue in their daily activities? Are probation services able to conduct R&N-assessment and social work at the same time? The example of the evaluation tool 'Diagnostic with criminological objective' (in French: DAVC) used by some probation services since 2012, including standardise computer-based item collection, will illustrate some recent developments of professional practices within the frame of New Public Management. Hereby could be mentioned concepts of controlling, managerial approach as well as results-oriented leadership.

Taking into account the professionalization process that occurs in the penal and social work, underlined in a French journal (*Baudot* & *Ould-Ferhat*, 2012), probation services have integrated in the rationalisation of their institution such elements as efficacy, effectiveness and performance, following as similar process as in prison services (*Décarpes*, 2012). Inspired by the first results issued from the COST Action IS1106 Offender supervision in Europe (for France: *Dindo*, 2011 ; *de Larminat*, 2012 ; *Soissons*, 2012) and by several studies mostly from the UK, Ireland and Scotland, this paper will focus on the considerable changes faced by the French probation services within their tasks towards resettlement and public protection between care, cure and control.

**Keywords:** *Probation officers; mass probation; penal policy; desistance; resettlement*
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# PENALLY ORDERED CARE IN FRANCE: PSYCHIATRIC AND PSYCHOLOGICAL CARE AS A CRIME CONTROL AND RECIDIVISM PREVENTION DEVICE?

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This presentation will focus on penally ordered care as a crime control device in community sentences. In France, "penally ordered care" means that an offender is coerced to treatment by a judge. These offenders have either been sentenced to a community sentence or are released on parole. Some prescription criteria of penally ordered care can be identified, such as violence towards people and the presence of psychoactive substances. The very high number of cases where an offender is coerced to treatment (often regardless a medical prescription) lead us to consider it like a measure of social control, more than a therapeutic measure.

The goal of this presentation will be to discuss the role of penally ordered care in a recidivism prevention process. To this end, we will question the practices and relations between professionals from various fields (probation officers, judges, psychologists).

With data gathered from interviews with professionals and field observations, we will discuss the various positions professionals can endorse, focusing on the relations between the professionals, the knowledge of each other's missions, the practices of each worker and the way they think these practices may or may not take place in a recidivism prevention process.

The analysis of the data show that recidivism prevention appears to be the goal of penally ordered care for the probation officers and the judges whereas it is not for the psychologists, who refuse any kind of "crime control" dimension in their work. Those results will lead us to consider a split between Justice and Health, the Penal system expressing high and unfounded expectations towards the medical and paramedical practitioners, asking them to prevent recidivism by working on the offender's acting out.

From this point forward, we will ponder about the required redefinition of this "care", as well as the necessary clarification of every worker's position regarding that specific kind of treatment.

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# PROBATION IN POLISH PENAL LAW

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The polish penal code of 1997 provides three legal institutions strictly associated with the subjection of the perpetrator to the trial period. These includes: the conditional discontinuance of criminal proceedings, the conditional suspension of the execution of the sentence of deprivation of liberty and the conditional early release of a person sentenced to the penalty of deprivation of liberty from serving the balance of the penalty.

They differ fundamentally by addressees towards whom they can be applicable. Conditional discontinuance of criminal proceedings is applied to the suspect of a crime, the conditional suspension of the execution of the sentence of deprivation of liberty is applied respectively to perpetrator sentenced to such a punishment for committing a crime, and the conditional early release of a person sentenced to the penalty of deprivation of liberty from serving the balance of the penalty may relate to the prisoner in penitentiary facility, convicted of a crime.

Restriction of liberty or electronically monitored punishment may sometimes be classified as the institution of a probation. It's hard to entirely agree with this statement, because the last two institutions differ from the previous ones, however the fundamental assumptions underlying the application of all these measures are based on the same basic principles: firstly, it enables offender to avoid the negative effects of being in penitentiary, secondly, it allows to punish him but without elimination from society, especially from the family, local or labour market environment.

Author writes about different definitions of probation in Polish literature and tries to describe how the institutions of probation, or in other words, alternatives to incarceration are formed in contemporary Polish criminal justice system.

**Keywords:** *polish penal code, probation, punish without elimination from society*

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# SENTENCING SUBSTANCE MISUSE OFFENDERS IN GREECE

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Drugs have been one of the most prominent issues in public debate on crime in Greece since the 1980's. The discourse on substance misuse remains sentimental with official positions ranging from the total de-penalization of drug possession and use to the incapacitation of the 'dealers of death'.

Along with the issue of immigration and the perceived level of immigrants' involvement in crime, drugs seem to have dominated the crime policy scene for the last 20 years, having attracted much attention both by the media and politicians as well as by researchers. Today, more than half of the prison population are convicted (or detained temporarily) for drug related crimes, while many of them are serving long sentences.

The current paper presents an outline of the legal provisions on drug related offences (as amended by recent law 4139/2013) and especially those regarding sentencing and alternative measures for substance misuse offenders at all stages of the criminal justice process. A brief overview will then be attempted of the application of these provisions in practice, reflecting on existing research where available.

Questions rather than answers will finally be drawn regarding patterns of policy making and possible factors that might impede informed re-positioning of both policy and practice.

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# TRANSFORMING REHABILITATION IN ENGLAND AND WALES: IMPLICATIONS FOR WORKING WITH OFFENDERS IN THE COMMUNITY

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The probation service in England and Wales is facing the most serious threat in its more than 100 year history. The government's consultation paper *Transforming Rehabilitation* raises the strong likelihood that probation will not exist within the next ten years with the vast majority of its work transferred to private sector providers. Only the key tasks of report writing and risk assessment, and supervision of those offenders who potentially pose the highest risk will be retained by the reorganised public protection agency. But while the government's plans threaten the future of the service, they also threaten the gains that have been made in probation work in England and Wales over the past 30 years. During that period, probation has become a more tightly focused service, centrally driven and funded whereas before it was fragmented, loosely managed, locally planned all of which led to inconsistencies in practice with implications for the delivery of justice. This paper explores how the coalition government's plans will return probation work to a situation which is redolent of the past with its inefficiencies and ineffectiveness and the broader implications for working with offenders in the community.

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**EXPLORING COMMUNITY: THE ROLE OF THE PENAL VOLUNTARY SECTOR IN CANADA'S YOUTH CRIMINAL JUSTICE SYSTEM**

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In 2003, in partial response to a decade of high incarceration rates and low levels of public support, Canada adopted the Youth Criminal Justice Act (YCJA). This legislation emphasizes the role of the "community" in crime control and is indicative of a wider shift toward the local governance of crime. The enhanced role of the community has meant an enhanced role of non-profit organizations in the youth criminal justice system. This investigation explores the role of the 'penal voluntary sector' (PVS) and raises the following questions: How does the PVS relate to the traditional criminal justice system? How does the role of the PVS relate to the shifting social and political context? Is and should the PVS be philanthropic in a neo-liberal regime?

The PVS has long since existed in western industrialized states. However, under a neo-liberal penal regime it is being re-shaped and reconfigured. There is a paucity of research that reveals how the PVS works and how it relates the various components of the criminal justice system. The empirical studies that examine this shift to reposition the community in crime control tend to focus on how the traditional criminal justice actors work with others. This reseach focuses on the other end of this relationship, by focusing on how the PVS works with the traditional criminal justice actors (police,courts and corrections). This investigation, then, uses the role of the PVS in Canada's youth criminal justice system as an entry point to examine the fragmented neo-liberal state, community sanctions and the institutionalization of the PVS.

Drawing on governmentality studies and network literature, this research examines how specific institutional processes shape the everyday reality of the YCJA. Building principally on the work of Dorothy Smith's sociological method of inquiry into institutional ruling relations, while incorporating aspects of Foucault's theories of governmentality, I focus on the everyday realities as they relate to the PVS to map social relations. Drawing on data from interviews with front-line workers, managers and public servants, this research makes visible the role PVS in the shifting landscape of punishment of young offenders.

# EUROC 4: THE ROLE OF CRIMINAL LAW IN TACKLING CORPORATE CRIME

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## TO WHAT EXTENT CAN AND SHOULD ORGANIZATION STRUCTURE INFLUENCE INDIVIDUAL CRIMINAL LIABILITY OF MANAGEMENT OFFICIALS? AN ARGUMENT BASED ON THE TYPOLOGIES OF HENRY MINTZBERG

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In the Netherlands, as in many other countries, the criteria for criminal liability of both the corporation as well as its leading members are formulated in general and abstract terms. This means that they are applicable irrespective of the nature of the offence, the nature, size and characteristics of the corporation or the specific position held by the manager within the corporate hierarchy.

This paper addresses the question whether more differentiation in this field is desirable. Of all possible interdisciplinary approaches, especially organization theory can be helpful in enriching legal doctrine with several beneficial insights into the everyday functioning of organizations and their members. In turn these insights can be used for shaping more suitable criteria for criminal liability. Based on Mintzberg's typologies of organizational structures it will be argued that his five structural configurations provide for an opportunity to better shape corporate criminal liability and especially individual criminal liability of managers to an individual case at hand. Ultimately, this will provide for a betterperception of the conditions under which corporations and their managers can be held criminally liable for organizational misconduct.

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**TOO BIG TO PROSECUTE? HOW POSSIBLE COLLATERAL CONSEQUENCES OF FILING CRIMINAL CHARGES AGAINST LARGE CORPORATIONS INFLUENCE PROSECUTORIAL DECISION-MAKING PROCESSES**

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Despite growing concerns about, and even outrage over, the role that large (financial) corporations played in the current global financial crisis, criminal prosecutions against these corporations have been scarce. Prosecuting corporations has always been a topic of discussion. Are corporations mere legal fictions or abstractions that have no soul to damn and no body to kick and that are therefore not suited for criminal prosecution, or are they very real and enormously powerful actors whose conduct causes very significant harm both to individuals and to society as a whole and that should therefore face criminal charges? As part of a PhD-research aimed at studying the criminal sanctioning of corporate crime in the Netherlands, this presentation will focus on the ways in which public prosecutors address possible collateral consequences whenever they consider whether to file criminal charges against either an individual (and/)or a corporation. By analysing interviews with public prosecutors and corporate attorneys we will see how prosecutors are necessarily pragmatic in their attempts to serve the public good. Prosecutors focus not only on the seriousness of the offence and the culpability of the offender, but they also take into account economic interests and this may indeed result in some corporations being simply too big to prosecute.

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# INNER CONTRADICTIONS OF ECONOMIC CRIME CONTROL

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There are a couple of distinctive contradictions that one can find in economic crime control. Perhaps the basic one is the contradiction between the state's relentless backing of economic actors and economic growth and its *ex ante* pledge of enforcing regulation and criminal law on the very same actors. On the one hand the state reduces barriers to economic performance and maximisation of profits, while at the same time it must impose and effectively enforce regulations, standards and criminal law in the last instance. »Too big to fail« and/or »too big to indict« cases reflect this contradiction and the uneasiness of the state in its double role.

Another specific structural aspect of economic crime control is pre-emptive »regulatory capture« by which corporate players try to shape the regulatory agenda and its content (with lobbying, political party funding, the »revolving door« policy and other means). In light of these and other structural contradictions we discuss and question the role and potential of criminal law sanctions in controlling economic crime.

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## THE COMPARATIVE POLITICAL ECONOMY OF FINANCIAL CRIMES ENFORCEMENT: GERMANY AND THE US

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When it comes to the actual text of the law, there is no great difference in the prohibition of insider trading in Germany and in the US. Yet the attention this part of financial regulation receives both by politicians and regulatory agencies couldn`t be more different. In the US, notwithstanding political and economic cycles, insider trading is always listed among the top priorities of regulatory enforcement, while no considerable resources are allocated to it in Germany. There have been many efforts in political economy to explain these differences. But so far no empirical research has been conducted on what factors actually influence the decisions taken in regulatory agencies involved in the enforcement process. In my paper I wish to summarize, against the backdrop of the works in political economy on insider trading, the results of a qualitative empirical study I have conducted among professionals ranging from low-level officials doing investigative work up to senior executives responsible of policy-level decisions both in Germany and in the United States

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# SENTENCING AND PENAL DECISION-MAKING II. - JUDICIAL AND PROSECUTORIAL DECISION MAKING

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## PLEA BARGAINING DECISIONS IN U.S. DISTRICT COURTS: TESTING FOR VARIATIONS ACROSS PROSECUTORS

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Sentencing scholars have produced a large body of research focusing on individual, case, and contextual predictors of sentence outcomes. This research concludes that legally relevant factors are the primary predictors of sentence severity, but that extralegal offender characteristics also play a role; it also concludes that sentence outcomes and sentencing disparity vary by social context. Largely missing from this body of research is work that examines the important decisions that precede imposition of the sentence and that, in many ways, are as consequential as the sentencing decision itself. We address this gap in the literature by focusing on plea bargaining decisions in three U.S. District Courts. Using a unique dataset that identifies the U.S. Attorney to whom the case was assigned and a hierarchical linear modeling strategy, we identify the factors that predict plea bargaining decisions in these federal courts and we test for inter-prosecutor disparity in these decisions. We also determine whether prosecutors weigh offender and case characteristics differently in making decisions to reduce or drop charges in exchange for a guilty plea and we estimate the effects of plea bargains on sentence severity.

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# IMPOSING A SUSPENDED SENTENCE OR NOT? AN EMPIRICAL STUDY ON THE CONSIDERATIONS OF THE JUDGE

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In the Dutch criminal justice system the judge has, as in many other countries, the possibility to impose a (partially) suspended sentence. Whether or not this suspended (part of) the sentence is enforced depends on the offender's behavior, as the offender has to follow the instructions of the probation officer within an operational period of – in most cases – two years. In certain cases, the court also specifies special conditions. The offender is for example obliged to seek treatment for his addiction, or he receives a restraining order.

But how do judges perceive the suspended sentence? And which assumptions do they have with regard to its efficacy? In order to answer these questions, court decisions pertaining to the decision with respect to imposing a suspended sentence or not, were studied by analyzing 1000 court decisions in criminal cases. In about half of the cases the judge imposed a (partially) suspended sentence. Whether or not a (partially) suspended sentence was imposed was related to the type of the offence. This was to be expected, since the possibility to impose a suspended sentence is limited by law, and is dependent on the length of the sentence. However, it also appeared that the judge does take the characteristics of the offence and the offender into consideration. In case the court specified special conditions, these often involved some form of treatment.

Additionally, more specific information was gathered by interviewing 15 judges. While presenting fictitious criminal cases, the judges were interrogated about the appropriateness of a suspended sentence. Moreover, they were asked about their perspective on the goals of punishment of the suspended sentence, the severity of this punishment in relation to other types of sentences and their knowledge on the effectiveness in reducing the risk of new offences. In general, it appeared that the judges regard the suspended sentence as an important tool in their effort to prevent recidivism.

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# THE EFFECTS OF LAW ENFORCEMENT, PROSECUTORIAL, AND JUDICIAL DECISION-MAKING IN SEX OFFENSE CASES: TOWARD AN UNDERSTANDING OF DISPROPORTIONATELY LOW RATES OF SEXUAL ASSAULT PROSECUTIONS AND CONVICTIONS.

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Low reporting rates of sex crimes, and even lower rates of subsequent prosecution and conviction of offenders, is well-documented in the literature. Once an incident does get reported and enters the criminal justice net, a series of decisions made by actors at differing levels ultimately determines if the case moves forward to the next step in the justice process. The true power in determining whether a sexual assault cases moves forward rests with prosecuting attorneys. They are ultimately tasked with deciding whether or not crimes investigated and brought forth by police will be filed and pursued by the district attorney's office. Even if police have undertaken the task of prescreening offenders, prosecutors are left to determine if a particular case is likely to result in a conviction, and will likely filter out those complaints where, for example, mutual consent and/or the identification of the offender is questionable.

The present research examines this decision-making nexus and demonstrates how extra-legal factors may carry as much, if not more, weight than circumstances of the incident itself in determining the likelihood of a sexual offense charge moving forward. In a 1989 study, LaFreefound that in 70% of cases reviewed officers did not recommend prosecution of alleged attackers because of the moral conduct or character of the victim, rationalizing that the victim's behavioral history, such as drinking and having extra marital affairs, lessens the overall seriousness of the assault. These findings are echoed in the current study, where in one U.S. county (pop. 270,000) only 89 sex crimes involving adults as both perpetrators and victims were formally charged over the past 5 years (2008-2012). Using data gleaned from police reports, case files from the District Attorney's office, courtroom transcriptions, and interviews with justice system actors, the rationale for the ultimate outcome of sex crime incidents is illustrated and recommendations are provided for increasing the number of these cases for which charges are subsequently filed.

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# RELATIONSHIP BETWEEN PROSECUTOR'S PENALTY STATEMENT AND DISTRICT COURT'S SENTENCE – AN EMPIRICAL VIEW IN AGGRAVATED DRUNKEN DRIVING OFFENSES

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The implementation of criminal responsibility is the prosecution's task in the Finnish criminal proceedings. Prosecutors present penalty requirements and courts will determine whether that is justified. Penalty imposing is considered to be at the exclusive discretion of the court. The court is not bound by the penalty proposal presented by the prosecutor.

The prosecution's penalty statement shall be based on the penalty practice and the prosecutor's assessment of the blameworthiness of an act. In the legal literature it has been considered to be justified that the courts would give more weight to the prosecutions visions of the type and quantity of punishment.

In this paper my aim is through the empirical data to bring out practical information about what is the prosecutor's penalty statements relationship to the actual sentence. The statistical data consists of 448 aggravated drunken driving cases (BAC at least 1.2 per mille). The data were collected from seven different district courts in Finland. The results show that approximately in two thirds of cases the sentence was virtually the same as the penalty statement. Only in a little over 10 per cent of cases was the sentence more severe than the penalty statement. Thus, sentences remained quite well in line with the prosecutor's requirements.

**Keywords:** *penalty statement, sentence, empirical research, aggravated drunken driving*

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# EMOTIONAL JUDGES

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The mainstream approach to understanding the ideal relationship between the rational and emotional responses of the criminal judge stems from the belief that emotions are a hindrance to just and rational decision-making and there is no place for them in criminal process. Emotions should be suppressed by the judge or, this not being possible, their influence should be minimized. The authors present just the opposite view on the role of emotions in the judicial process: they claim that emotions have an important role to play in it. Even more: in their opinion emotions can improve the judicial process overseen by an emotionally conscious and emotionally intelligent judge. Firstly, they claim that the emotional process is not the opposite of rationality as is widely thought. On the contrary, emotions always have an internal logic which can help a judge understand his/her internal dynamics and improve judicial process. Secondly, the authors argue that there are certain conditions under which an emotionally aware judge can improve and enrich his/her decision-making process, by raising the rationality and maturity of his/her decisions to a higher level. Judge has to be able to perceive the situation realistically and adequately without his/her own personal prejudicial biasing his/her view, emotions have to be adequate and adequately expressed and they have to be based on values which are in accordance with the legal system.

# FROM ATROCITY TO TRANSITIONAL JUSTICE: PERPETRATION & PROSECUTION

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**FROM ATROCITY TO TRANSITIONAL JUSTICE: PERPETRATION & PROSECUTION**

Jon Shute[1], Andy Aitchison[2], Caroline Fournet[3], Nandor Knust[4]
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Despite considerable practical, methodological and theoretical constraints, Criminology and allied subjects are now making considerable progress in understanding the production of and response to atrocity crimes. This panel, offered under the aegis of the Atrocity Crimes & Transitional Justice Working Group, aims to showcase emerging socio-legal scholarship from England, Scotland, the Netherlands and Germany. Jon Shute (Centre for Criminology & Criminal Justice, University of Manchester) as Panel Chair offers a theoretical paper on 'corpsework'; how peace-time work habits, ways of coping, and occupational subcultures for professions dealing with death can be modified for the production & disposal of corpses in theatres of mass violence. Andy Aitchison (Centre for Law & Society, University of Edinburgh) considers the complicity of one such profession - the police - in war crimes in Bosnian Krajina as evidenced through documents and testimony from international and domestic courts. The evidential - and other - challenges posed by the prosecution of atrocity crimes of a sexual nature in international criminal justice are further explored by Caroline Fournet (Faculty of Law, University of Gronigen), and Nandor Knust (Max Planck Insititute for Foreign and International Criminal Law, Freiburg) takes an overview by considering structural legal components in the system of transitional justice.
Presenters:
- Jon Shute (Panel Chair, and Centre for Criminology & Criminal Justice, University of Manchester) '"Corpsework": Habit, occupational subculture and denial in times of peace & conflict'
- Andy Aitchison (Centre for Law & Society, University of Edinburgh). 'Police and war crimes in the Bosnian Krajina: Analysing judicial sources'
- Caroline Fournet (Faculty of Law, University of Gronigen). 'Sexual violence, gender and international criminal justice'
- Nandor Knust (Max Planck Insititute for Foreign and International Criminal Law, Freiburg) 'Structural legal components in the system of transitional justice'

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# POLICE AND WAR CRIMES IN THE BOSNIAN KRAJINA: ANALYSING JUDICIAL SOURCES

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Witness testimony at the ICTR has been identified as a source of 'thick description' which can be subjected to qualitative analysis to support conclusions regarding mass sexual violence (Mullins 2009). This paper will identify some of the challenges in using sources that are the result of prosecutorial and defensive strategies and, recognising these challenges, will examine what conclusions about police participation in war crimes can be supported by documents and testimony from international and domestic courts. Cases focusing on events in 1992 and 1993 in the area of the Bosnian Krajina provide source material

# SEXUAL VIOLENCE, GENDER AND INTERNATIONAL CRIMINAL JUSTICE

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Sex crimes and 'gender' issues are intrinsically linked, so much so that there appears to be a form of 'genderisation' of the legal academic discourse on crimes of a sexual nature. Due to their specificity, crimes of a sexual nature constitute extremely sensitive issues. This sensitivity has undoubtedly penetrated the legal debate and international criminal law and justice have found themselves affected by sub-legal considerations of gender and feminism over sexual violence, at harmful to the  adequate implementation of the law and to the legal discourse in general.

This 'genderisation' of the law of sex crimes seems itself to be slightly taboo and the fact that certain arguments appear to find their sole legitimacy in the – female – gender of their author or in their feminist inspiration and source appears to have been overlooked. This is of course not to suggest that the law regulating crimes of a sexual nature is deprived of any defect or that cases systematically find a satisfactory outcome but rather that gender considerations might actually not be that relevant to the legal debate and issues.

There is no doubt that '[i]nternational criminal law has been slow to include a gender perspective in its prevention and punishment of crime' (S. Mouthaan, 'The Prosecution of Gender-based Crimes at the ICC : Challenges and Opportunities', (2011) 11 ICLR 777). Yet, as an overview of the case law quickly reveals, the judicial input of the *ad hoc* International Criminal Tribunals in the strengthening of the adjudication of sex crimes is undeniable. What is crucial now is that sex crimes remain at the forefront of the agenda of the International Criminal Court, while resisting any attempt a 'gendering' the law and the legal discourse. '[I]t must become standard practice not only for women, but also for men, to address the gendered nature of atrocity crimes and crimes of sexual violence. Rather than dismissed as second class "women's work", attention to this phenomenon must be paid seriously by all those working in or writing about international criminal justice.' (L.N. Sadat, 'Avoiding the Creation of a Gender Ghetto in International Criminal Law', (2011) 11 ICLR 661).

Offering a dispassionate reflection, this paper will review and analyse the relevant international criminal law and case law to assess both the legitimacy of the 'genderisation' claim made therein and its present and future impact on international criminal law and justice.

**Keywords:** *Sex crimes, gender, international criminal law and justice*

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# LEGAL STRUCTURAL COMPONENTS IN POST-CONFLICT SITUATIONS

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The first part of the paper will provide a short introduction to the system of transitional justice.

The second part will present the different legal and "quasi-legal" systems/mechanisms used in post-conflict situations and phases of transition and will distribute a comparative analysis of these mechanisms. The comparison includes the procedures and sanctions of these different mechanisms in order to understand their functions in relation to one another. Additionally it will provide information about whether and how these mechanisms can be combined in the process of coming to terms with mass violence. Transitional Justice Mechanisms must deal with the challenge posed by the very large number of offenders – a situation that overwhelms the capacities of a traditional criminal law system. Therefore the paper will focus on the functional limits of "traditional" criminal law and to what extent the system of "traditional" criminal law can be extended by the use of "quasi-legal" mechanisms to guarantee a distribution of individual responsibility.

The third part will discuss the structural components of law within the system of transitional justice and develop an analytical tool kit for examining post-conflict situations and transitional periods. This will help to provide information on how to create an individually adjusted effective pluralistic model of transitional justice for each specific situation of transition.

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## CRIME PREVENTION IN ADOLESCENCE

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This paper discusses the difficult topic of juvenile delinquency.

Adolescence is characterized by insecurity and also by a "normal" rebellion against parents and society. This is the reason why it is difficult for adults and scientists to distinguish between this kind of rebellion and deviant behavior which can lead to criminal behavior.

Therefore, it is very important to talk to the target group to understand their behavior, problems and wishes. This is an essential basis to develop the best possible prevention measures that are also adopted by the youth.

This is why the Austrian Road Safety Board (KFV) conducted a representative survey for Austria with 1199 persons aged 14 till 21 years. The adolescents were interviewed by using the CATI (Computer Assisted Telephone Interviews) method. It isn't only representative for Austria, but also for the nine federal states and the three defined age groups 14-16, 16-18 and 18-21 Years. This is important to have the possibility to give specific statements. Furthermore, the KFV conducted four focus groups with each 10 juveniles aged 15-17 years. The main aim was to find out which fields of juvenile delinquency the target group would classify as problematic and what kind of prevention measures they would like to create respectively what they would require for their age group and for themselves.

The young people reported several fields of delinquency where they and/or their friends were involved, either as the victim or as the offender. Furthermore, they said that there are certain risk factors which increase the possibility that a person behaves differently to the desired behavior of society. They mentioned "family structure", "friendship and leisure activities", "school", "neighborhood", "victimization", and "drugs, alcohol etc. abuse, crime experiences". Recommendations have been determined in each field which have also been described in a national action plan.

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**PREVENTING INTRA-FAMILIAL INFANTICIDE: THE WELFARE WORKERS POINT OF VIEW**

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During the last years, a number of unsuccessful child protection cases and intra-familial infanticides that had occurred in families that were under state control have created a higher awareness of public and politics for the youth welfare system in Germany and brought up discussions on how it could be changed to secure a better protection of children against intra-familial violence and prevent infanticide. On an institutional level for example, new evaluation documents and stricter control mechanism have been implemented in order to achieve a better predictability of the emergency potential of an acute situation or the risk potential of an ongoing case. In this presentation, which is based on 21 qualitative interviews that have been conducted with 24 german youth welfare workers who had supported families prior to an intra-familial child homicide, the welfare workers evaluation of these new approaches will be pointed out as well as what they would suggest for the further improvement of the welfare system. Also their personal point of view concerning the infanticide cases in the families they looked after will be presented, for example what they thought to be the core issues of the cases and what the families would have needed in order to prevent the offences. It will also be displayed in the presentation how the welfare workers interaction with families has changed since the cases occurred and how they are dealing with new cases nowadays. Summing up these institutional and individual perspectives, suggestions will be made on how additional changes of the welfare system could help to achieve a better protection of children against intra-familial violence in the future.

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**CAN ROSE'S PARADOX BE USEFUL IN CRIME PREVENTION?**

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In some British and Danish studies it is found that a small group of individuals is responsible for a sizeable proportion of all offending activity. In contrast Rose's prevention paradox suggests that the majority of first-time cases of a criminality come from a population at low or moderate risk and only a minority of first-time cases come from the minor high risk population.

The study tests whether Geoffrey Rose's prevention paradox can be applicable in prediction of first-time crime and early interventions using Danish administrative data. The data are based on a prospective longitudinal study that attempts to predict juvenile delinquency measured by first contact with the police (arrest, pre-trial detention or charges of crimes) taking a complete cohort of all children born in Denmark in 1984 (N=54,458). The children are followed from birth to early adulthood in 2006. The predictors represent the major crime reduction paradigms, such as deprived environment, family circumstance and individual skills. A discrete-time Cox model is used to allow for changing covariates over time. The population had 6,075 first time contacts with the police over the 300,591 person-years available. More than twenty risk factors were significantly predicting first-time contact with the police. Predictions were substantially more accurate than chance. The paper confirms the Rose prevention strategy paradox. The majority of first-time criminal cases come from a population with low or moderate risk and only a minority of first-time cases come from the high-risk population.

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## TOWARDS A RHIZOMATIC THEORETICAL FRAMEWORK TO UNDERSTAND THE CONSEQUENCES OF PREEMPTIVE SURVEILLANCE OF CHILDREN

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Considering that surveillance of children can be seen as the oldest and most "banal" form of surveillance and taking into account all the measures and technologies that have been developed to surveill children by the government from the 20th century onwards in Western society, it is striking how little research has been done on surveillance of children and the consequences flowing from it. Scholars have consigned children to the margins or, even more commonly, entirely excluded children as a political (Wagnsson, Hellman & Holmberg, 2010) or social actor category. This lack of attention is strange especially as Marx & Steeves (2011) remark "kids are literally the poster children for surveillance"; children illustrate a broader array of central surveillance concepts and dynamics and confront one with issues that do not come to light when focusing on the general 'adult' population.

Furthermore although increasingly surveillance technologies are designed to predict future crimes, and within criminological research a shift has been emphasised from a post-crime to a pre-crime society (Zedner, 2007), very little in-depth research has been conducted on the nature of preemptive surveillance and its consequences. As a result of this shift, earlier and earlier interventions are seen as necessary to reduce criminal opportunity and to increase surveillance before harm is done. 'ShareCare for children' which is implemented in several councils in England is one of the results of this 'pre-emptive turn.' 'ShareCare for children' is an integrated assessment and case management system of which the key focus is to facilitate the secure sharing of health, youth justice, social care and education systems data with the goal of targeting children and young people before they get into trouble or become a victim.

The main purpose of this paper is, by using 'ShareCare for children' as a case study, to propose a rhizomatic theoretical framework to understand the (un)intended consequences of preemptive surveillance of children. This analysis will use the notion of the 'surveillant assemblage' as proposed by Haggerty & Ericson (2000) as starting point to provide a better understanding of how these technologies are governed and implemented. By looking at the governance and practice of these types of system as assemblages, which are characterised by a rhizomatic structure, surveillance dynamics, power relations and (un)intended consequences come to light that otherwise would have stayed in the dark. Moreover by looking at surveillance technologies as an assemblage, it is possible to go beyond the traditional understanding of surveillance as an exclusive relationship between the surveillance authority and the subject of the surveillance and it becomes clear how other actors, like technology play an important role as well and need to be taken into account when exploring the consequences of the implementation of these technologies.

**Keywords:** *surveillance preemption risk crime prevention early-intervention*

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# ACTION RESEARCH WITH PROFESSIONALS WORKING WITH AT-RISK YOUTH

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Recently an agreement was reached between  the municipality of 's Hertogenbosch in the Netherlands and the Center for Public Safety and Criminal Justice of Avans University to cooperate in a joint research to improve the  early identification and approach of at-risk youth.

Although in the end the result of the research is aimed at the youths, we focus primarily on the professionals who work with young people. Our approach is based on the assumptions and pretensions of (exemplary) action research, in which the professionals in the field are considered as equal partners (fellow researchers) since they are the experts, with most and best -- albeit often implicit and tacit -- knowledge of the issues at stake.

The concept of ' youth at risk ' refers to a -- still relatively small -- group of mainly Moroccan-Dutch boys, who 'are not doing well'. Within the concept of Ulrich Beck's risk society these young people can be considered 'at risk' par excellence. On the one hand they find themselves in a situation providing little chance of a full and meaningful life: early school leaving, problematic home situation, little opportunities on the labour market, excess of leisure, living on the street). On the other hand their behavior contributes to (the feelings of) unsafety and lower quality of life in neighborhoods.

Against this background, it is understandable that government intervention is focused primarily to leading these young people to school and labour and prevent them from drifting into crime.

In practice not so much the activities themselves, but the qualities and the commitment of individual professionals undertaking these activities determine the success of these activities. Not just 'what works' but also 'who works'.  Perhaps we than hit the most important condition for success: the expertise and passion of the professionals.

In this study we follow professionals in many different projects for an extended period of time and fill the model we have developed for this purpose. The model consists of eight fields on which the professional operates and which affect each other reciprocally. The eight fields are:
1.     the at-risk youth and his immediate environment
2.     the direct colleagues, the team
3.     the partners in other organizations, the chain
4.     the own organization
5.     law and regulation
6.     the media
7.     the profession, professional bodies
8.     the private situation of the professional.
In this paper we present the design of the research and the preliminary results of the first pilot projects.

**Keywords:** *At-Risk-Youth Action-Research*
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# POLICING WORKING GROUP: POLICING, BORDERS AND MOBILITY GOVERNANCE

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**POLICING, BORDERS AND MOBILITY GOVERNANCE**

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Borders and national boundaries are not only highly charged topics of contemporary political discourse, but are increasingly becoming a central concern and locus of policing. Apparently designed to control movement and produce immobility, borders are situated not only at the edges of the state but are also, through ID checks and alike, proliferating within the national territories of western states. Termed by Weber and Pickering as 'transversal' logic, contemporary border policing transgresses traditional boundaries separating states, between inside and outside of the society, and among various policing and administrative domains. While being marked by of historically established practices of racial and colonial control, the contemporary control of the border is also becoming a source of new ideas and rationalities of policing, novel articulationsof police culture, and innovations in transnational cooperation. Drawing on empirical studies conducted in Europe and North America, the aim of this panel is to debate the role of border policing and mobility control, in local, national and transnational contexts, and to examine their impact on the nature of membership and social governance.

**Contributors:**
Katja Franko Aas: *What's in it for me? : Frontex, transnational policing and state sovereignty*
Helene I. Gundhus: *Where the action is: police culture and transnationalisation*
Sigmund B. Mohn: *Police without real police work?: immigration policing in Norway*
Karine Côté-Boucher: *The Effects of Dynamics of Distanciation upon Border Officer Discretion at Canadian Customs*
Chair: Katja Franko Aas

**Keywords:** *Policing, border, mobility control*

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# WHAT'S IN IT FOR ME?: TRANSNATIONAL POLICE CO-OPERATION AND STATE SOVEREIGNTY

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The paper examines Frontex, the agency responsible for the protection of the EU's external borders. Based on interviews (conducted with Helene I. Gundhus, Norwegian Police University College) with Frontex officers and government officials, and the analysis of relevant policy documents, the paper reflects on the changing notions of sovereignty enacted in contemporary models and practices of European police co-operation.

By looking at the examples of extraterritorial policing, the outsourcing of security tasks, and the policing in multi-jurisdictional spaces, the paper directs attention to the spatial aspects of sovereignty and the changing nexus between policing, territory and jurisdiction. The paper examines this problematic through the concept of disaggregated sovereignty (Slaughter), which, rather than on autonomy, places priority on co-operation, networks, capacity and shared responsibility. Consequently, transnational police cooperation reveals a complex dynamics of burden shearing and self-interest, where sovereignty is – both on the level of governmental activity and in on-the-ground policing practices - used and enacted strategically, through tactical games and continuous negotiations. The paper concludes by addressing the potential implications of these developments for transparency and accountability of European border policing practices and Europe's human rights commitments.

**Keywords:** *policing, borders, citizenship, globalization, sovereignty*

**407**
# WHERE THE ACTION IS: POLICE CULTURE AND TRANSNATIONALISATION

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Police professionalism in the Nordic countries is based on the presupposition of physical and cultural proximity to the public. International police co-operation, on the other hand, can be described as a form of policing-at-a-distance, which may indicate a disruption of the proximity model. However, interviews with Norwegian participators in the European Union Agency Frontex indicate that Frontex is a transnational 'success' in terms of dynamic and efficient policing, because it has elements of the proximity model. Norwegian police officers are motivated and attracted to join, because of possibilities to be "where the action is" and developing personal contacts. The ability to (physically) take part in the action, and experience things first and bodily, makes it possible to create informal social bonds. Like much policing generally, the art of border policing is learned through on-the-job socialization and personal experiences on the scene. Formal connections, legal agreements and databases are described as not enough for creating a police occupational culture, and 'authenticity' is viewed as a value. At the end of the paper we will discuss what this means for understanding of developing a transnational organisational police culture.

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## POLICE WITHOUT REAL POLICE WORK?: IMMIGRATION POLICING IN NORWAY

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This paper presents findings from a fieldwork with Norwegian police officers concerned with enforcing returns of rejected asylum seekers. Tapping into immigration administration budgets this special branch of the Norwegian police is one of the fastest growing both in spending and in police staff. The general status of the immigration police work is however low within the larger organization. But while returns are the overarching targets, prevention of crime is not only mediated as secondary goal through public discourse, it is also an important motivation for the police officers working in the field. Thus the fusion of immigration and crime control is also a tendency from within and the bottom of the police organization. The civil and service image of the immigration police is however drawing in the direction of keeping away from crime control. The paper explores this struggle for professional identity and the implications for the practice of immigration policing. Different ways of making "real police work" is pointed to: the usage of operative investigative techniques similar to crime investigations, the uncovering of crimes during immigration-related controls, and the deportation of persons seen as hardened criminals.

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# DYNAMICS OF DISTANCIATION AND BORDER OFFICER DISCRETION AT CANADIAN CUSTOMS

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Based on fieldwork and interviews with Canadian border officers involved in the processing of commodities and truck drivers in land border ports of entry, this paper is concerned with the changing nature of cross-border policing for commodity flows in North America and its everyday consequences upon security professionals. It particularly examines the effects of distanciation dynamics in border policing — i.e. the spatial disembedding of social relations and their re-organization along vectors less dependent on locality — upon the work routines and occupational identity of frontline officers. These dynamics emerge from a new division of labour and work patterns that transform decision-making processes in ports of entry. Notably, intelligence-led border policing, the current centralization of risk management as well as the automated character of commercial customs clearance enter in tension with border officers' efforts at maintaining their hold on significant portions of their responsibilities. Counter to the often reiterated view of a greater discretion at the border, findings emerging from officers' description of how their typical daily activities have been modified by distanciation in border control suggest a surprising conclusion. The vanishing tangibility in their work processes and their partial deskilling leaves officers with fewer opportunities to exercise the full array of their legislated discretionary powers. Officers' increasing lack of ownership over the customs release process announces the development of a contentious internal politics regarding decision-making at the border. These changes point to the weakened but continuing significance of discretion as it is reshaped into a set of practices through which frontline security bureaucrats negotiate, and sometimes resist, the disembedding of border control from local ports of entry.

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**COMPARATIVE PERSPECTIVES ON POLICE LEGITIMACY**
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This panel presents findings from cross-national comparative research on police legitimacy and police-adolescent-relationships. A lack of trust in the police and hostility towards the police, particularly among minority youths, is believed to be the basis of youth riots experienced in some European countries as France, Britain, and most recently, Sweden. Although minorities today represent a large share of the urban population in many European countries, in particular of the marginalized social underclass, large-scale riots failed to materialize so far in some countries, as in Germany.
Sebastian Roché / Dietrich Oberwittler / Anina Schwarzenbach: A Comparative study of adolescents' attitudes towards the police: findings from the French/German POLIS project
François Bonnet: **How do police officers speak about minorities in France, Italy and the Netherlands?**
Mai Sato: Comparing police legitimacy: the case of Japan

**Keywords:** *police, policing, trust, legitimacy, collective violence, adolescents, cross-national comparison*

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# A COMPARATIVE STUDY OF ADOLESCENTS' ATTITUDES TOWARDS THE POLICE: FINDINGS FROM THE FRENCH/GERMAN POLIS PROJECT

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The POLIS project aims at measuring and explaining differences in police-youth-relationships in France and Germany (N=13 000/7000). In each country, two cities of different sizes were selected, and both qualitative and quantitative data collected. We report first findings from a large-scale quantitative school survey among adolescents measuring police-related attitudes and experiences of adolescents. How many adolescents have had a police contact during last 12 months in France and Germany, and how widespread are stop-and-search practices and reports of discriminatory or unfair treatment? Are there differences in the levels of police legitimacy between the countries, and between majority and minority youths within both countries? Which individual factors can explain the variation in legitimacy? The answer to these questions can hopefully contribute to a better understanding of the causes of collective youth violence in Europe.

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# HOW DO POLICE OFFICERS SPEAK ABOUT MINORITIES IN FRANCE, ITALY AND THE NETHERLANDS?

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Questions of relationships between police officers and ethnic / racial / religious minorities in Western Europe have become more central as incidents involving police and minority youths have sparkled urban riots. Widespread suspicions of racial profiling undermine police legitimacy. Textbook accounts of police culture describe racial prejudice as a staple feature among line officers. Simultaneously, there is a wider consensus in public opinion that racism is not a legitimate opinion; discrimination is criminalized in many countries; and European courts and human rights institution instruct countries to combat racist practices and racist attitudes within their police forces.

But these efforts are complicated by the diversity of European countries, especially the diversity in speech norms about race/ethnicity, and diversity in what is considered offensive in some countries and what is not. While most police scholars in Western Europe are aware of how their own police officers speak about local minorities, no comparative study of police talk about minorities has been undertaken so far. This paper addresses this gap with data from interviews (60+) with police officers in France, Italy and the Netherlands. It goes without saying that the interview is an artificial setting that is likely to trigger social desirability bias in respondents' discourse, but our respondents in these different countries were placed in the same situation.

The paper examines three issues: whether the mere fact of using ethnic categories in France, Italy and the Netherlands is problematic or not; how do police officers anticipate accusations of discrimination; and how do they theorize the over-representation of ethnic minorities in crime. Ethnic categories as explicit and commonsense (Italy, Netherlands) or awkward and muted (France). Casualness and awkwardness in speaking about ethnicity translate in different types of discourse in the designation of minorities as responsible for most of the crime, but also in different modalities of concern over the accusation of discrimination. Italian and Dutch police officers promote cultural theories to explain minority crime, while French officers prefer structural explanations. Implications are discussed in the conclusion.

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## COMPARING POLICE LEGITIMACY: THE CASE OF JAPAN

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This paper will present data from a Japanese survey on police legitimacy. The survey was carried out by MasahiroTsushima and Koichi Hamai at Ryukoku University in Japan in 2011 with a sample size of 2000. It uses the same questionnaire as the 'Trust in Justice' module of the Fifth Round of the European Social Survey. Results include key findings on similarities and differences in relationships between trust in justice, attitudes to punishment, perceptions of legitimacy and self-reported compliance with the law and cooperation with justice officials. The Japanese data shows that trust in the police is low in comparison to other countries which participated in the ESS. For example, the Japanese public's felt obligation to obey the police ("…do what the police tell you even if you don't understand or agree with the reasons?" 11 point scale from 'not at all my duty' to 'completely my duty') was one of the lowest among participating countries. The presentation will draw on these findings and reflect on contexual and methodological issue in carrying out comparative research.

# CRITICAL REFLECTIONS ON CRIMINOLOGICAL DEBATES AND EDUCATION

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## COMPARATIVE CRIMINOLOGY AND METHODOLOGICAL NATIONALISM

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The critique of methodological nationalism suggests that social scientists tend to treat nation-states as if these are closed and autonomous units and that they, therefore, fail to grasp processes that transcend the framework of the nation-state. The critique is not new but in recent years it has been uttered more frequently, in particular in view of developments  variously grouped together under headings such as globalization, Europeanization and cosmopolitanization. In this paper we explore to what extent also (comparative) criminology falls prey to the pitfalls of methodological nationalism. We will highlight, in particular, the challenge of understanding pan-European developments in the field of crime control. Indeed, if Europe becomes a source for social stability and transformation in itself (that is, if it starts to make sense to speak of a nascent 'European society') then criminology can no longer justify neglecting this European dimension of reality. We will therefore argue that Europe should not be approached as the sum of a number of nation-states or a new emerging super-state but rather as a dynamic political project which, increasingly, tends to shape crime control throughout Europe.

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# 'ANOTHER KNOWLEDGE IS POSSIBLE' AND NECESSARY: A POSTCOLONIAL CRITIQUE OF 'COMPARATIVE CRIMINOLOGY'

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In this paper I argue for a post-colonial, comparative criminology. I argue that an awareness of the postcolonial can open up new pathways for comparative criminological investigation suited to our times. The postcolonial turn does not refer to a world *after* colonialism has ended (it hasn't) but to the diversity of cultural, social and political contestation and crises brought into being by a multiplicity of colonial projects. Postcolonial critique has been concerned with articulating and privileging the subjugated knowledge of colonized peoples. I subject to critique some recent debates in comparative criminology from a dialogic space outside the academies of the 'Anglosphere'. In doing so I have been guided by a number of critical perspectives generally ignored by criminologists of the Global North's academies, including: postcolonial theories, radical anthropology and what Rowena Connell calls 'southern theory'. All of which maintain that, in the words of postcolonial philosopher Boaventura de Sousa Santos, 'another knowledge is possible'. I argue that these have direct and important implications for an increasingly 'post-colonial Europe' of intense 'colonial nostalgia', insecurity and obsessive 'bordering' and 'Othering'. I critique comparative criminology's focus on the Euro-American experience, and its fixation with the nation state as the point of departure for comparative critique, as forms of what Edward Said called 'colonial discourse'. Subjects critiqued include: the relevance of the notion of the 'punitive turn'; the debate over Garland's 'cultures of control' thesis (and its detractors); comparative penology and notions of 'policy transfer'.

**Keywords:** *post-colonial, comparative criminology, Anglosphere, southern theory, colonial discourse,*
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# ONLINE GRADUATE PROGRAMS IN CRIMINOLOGY AND CRIMINAL JUSTICE: STRENGTHS AND WEAKNESSES

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Quite rapidly in the past two decades, there has been a major proliferation of criminology and criminal justice graduate programs delivered in the online format. These online programs, some from major research universities and others from smaller liberal arts colleges, have provided unprecedented opportunities for extending the reach, throughout the United States of America and the world, of the educational disciplines of Criminology, Criminal Justice, and Justice Studies. This paper seeks to use the Boston University's Criminal Justice Online graduate degree program, which is supported by the Department of Applied Social Sciences, as a base for discussing the major advantages and disadvantages of the use of online formats and technologies, in accomplishing these goals of extended education through online programs. Major issues to be covered include comparative costs, language restrictions, varying international laws and criminal justice practices, and course delivery issues. Online courses to be reviewed include White Collar Crime, Research Methods, Criminology, and the Sociology of the Prison. As well as courses that have been developed in management in Criminal Justice settings, Forensic Sciences, Cyber Crime, Law, Juvenile Delinquency, and Statistics.

# UNIVERSITY LAW STUDENTS' ATTITUDES ON CRIME AND JUSTICE IN SLOVENIA, RUSSIA AND ROMANIA – A COMPARATIVE ANALYSIS OF LEGAL CYNICISM AND RELATED CONSTRUCTS

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The paper presents findings from a cross-national survey on legitimacy of policing and criminal justice. The survey was conducted from November 2012 to February 2013 in Slovenia, Russia and Romania. Respondents were law students from the respective countries. The study focused on legal cynicism, legitimacy, procedural justice, distributive justice, police effectiveness, police trust, police authority, moral credibility, deterrence, police cooperation and legal compliance.

The findings on legal cynicism show that it is the lowest in Slovenia, followed by Russia and Romania. We also tested a model with regression analysis, using legal cynicism as a dependent variable and other factors as independent variables (procedural justice, distributive justice, police effectiveness, police trust, police authority, moral credibility, deterrence, police cooperation, legal compliance, criminal victimization and demographic variables). In Slovenia, 52% of variance of legal cynicism is explained by four independent variables (police authority, age, procedural justice and deterrence), in Russia 80% of variance of legal cynicism is explained by eight variables (police authority, victimisation with violent and property crimes, moral credibility, police cooperation, socio-economic status and age). In addition, in Romania, 55% of variance of legal cynicism is explained by three independent variables (police authority, victimisation with violent and property crimes). Comparison shows that 'police authority' (a factor consisting of items on police obedience of laws, police decisions according to the law, similarity of police values with local communities they serve in, consistency of the police moral values with the values of respondents and belief that the law enforcement represents the values of people in general) impacts legal cynicism significantly in all three countries.

The results of the study are important for understanding of specific attitudes of future legal professionals about policing and criminal justice system and imply factors, which should be addressed to reduce legal cynicism.

**SITUATIONAL CRIME PREVENTION**

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**HOW BURGLARS SELECT THEIR TARGET**
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Burglary research often looks at environmental characteristics that are not observable, but comes from databases. When observable factors are used, some limitations arise. Because it is unknown how the situation was at the time of the burglary, observing variable characteristics can lead to false conclusion, since for example locks could have been installed after a burglary. To prevent this, research needs to observe characteristics that are quite stable over time.

Also, often only one level, the house, the street or the neighbourhood, is researched. This while the choice process of a burglar includes multiple levels before a suitable house is selected. The interaction between these multiple levels is the core of this research. The goal is to determine how environmental characteristics on neighbourhood, street and house level are intertwined in the target selection process of burglars.

By observing 2000 houses in Ghent (half burgled, half not), the streets they are in and their neighbourhoods, the influence of the environment on target selection can be analysed. This presentation presents the first results of this research, giving insight into environmental characteristics of the house and it's environment that influence the target selection of burglars.

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# BURGLARY SECURITY EFFECTIVENESS

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In the past fifteen years volume crimes dropped substantially in most countries with reliable crime trend estimates. In England and Wales domestic burglary fell by over 60% since 1995, the trend levelling off after 2005/6. Wider use of more and better security arguably contributed to these drops. This study analyse two decades of the British Crime Survey data to measure the effectiveness of burglary security devices. The analysis uses the Security Impact Assessment Tool (SIAT)to estimate the respective Security Protection Factors (SPF's) that indicate the security conferred by individual and combined burglary security devices. This work is the initial stage of a larger project that has been funded by the Economic and Social Research Council – Secondary Data Analysis Initiative of the UK and examines: *Which burglary security devices work for whom and in what context?* This first analysis phase will:

1. Estimate the extent to which changes in the availability of household security has changed the risk of domestic burglary and /or the modus operandi of burglars over time; and
2. Rank security devices, individually and in combination, in terms of their general effectiveness in thwarting burglaries.

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# IN AND AROUND - EXAMINING ATTRACTORS AND GENERATORS OF THEFT ON THE LONDON UNDERGROUND

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A recent paper (Newton et al, forthcoming) developed a model to identify likely risk of theft on the London underground using a new technique termed 'interstitial analysis' (expanding on Ratcliffe's aoristic analysis) that considerably improved on the previous inaccurate end of line reporting system used. This model also demonstrated how risk of theft from person within the controlled underground system was closely correlated with general theft at underground station forecourts, and, moreover general theft within close proximity (250m) of stations, but not other theft in general and not shoplifting; in other words offenders did not seem to distinguish between above and below ground targets. This model holds true when standardised by passenger volumes and, moreover, demonstrates how the theft risk patterns evident shifted to different locations at different times of the day. This paper extends this analysis by examining the landscape and environment inside and around these stations. It pilots an approach to assess the influence of land use, design and other features within and near to stations, in an attempt to quantify which characteristics of transit stations (beyond passenger volumes) may increase or reduce their propensity to act as generators and or attractors of theft, and how this varies by different times, and on different days of the week. It will summarise by discussing the crime prevention implications of this.

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# SITUATIONAL DYNAMICS OF MARITIME PIRACY

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In this paper we adopt a situational perspective to assess how measures of target suitability and guardianship either enhance or prevent maritime pirates from being successful in their attacks. We argue that situational perspectives are especially appropriate for understanding piracy, an offense that takes place in an extremely narrow range of situations, and which despite an international resurgence in recent years is still relatively uncommon. The main question we address in this paper is the extent to which situational variables predict the success of pirates in boarding, robbing and hijacking ships. We examined nearly 2,500 attacks of piracy or armed robbery at sea from around the world that occurred between 2005 and 2010. Our sequential and multinomial logit models show substantial support for the argument that situational dynamics are critical for predicting the success of pirate attacks. Thus, boarding attempts and successes were less likely when ships took evasive maneuvers and spotted the pirates well in advance of attacks. Boarding attempts were less likely when crews radioed for assistance and increased their use of spotlights and deck lighting; successful boardings were less likely when crews used alarms and fire hoses to resist the attackers. Compared to piracy robberies, piracy hijackings depended more on opportunity measures. Our results show that the success of pirate attacks is by no means certain but rather depends greatly on the unfolding of key situational features. We discuss the implications of the research for criminology theory and for policy.

**Keywords:** *piracy, hijack, robbery, situational crime prevention*

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**PREDICTORS OF FEAR OF CRIME AMONG WOMEN: THE IMPACTS OF FEAR OF SEXUAL ASSAULT VERSUS FEAR OF PHYSICAL ASSAULT**

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The volume of research on women's fear of crime shows that fear of sexual assault is the most significant predictor of women's fear of crime. The current study extended the shadow of sexual assault hypothesis focusing on the shadowing effect of the other types of crime to the women's fear of crime, by testing whether the fear of sexual assault or the fear of physical assault has a greater impact on fear of other crimes. The data analyzed in the current study was collected from a representative sample of 645 undergraduate female university students enrolled at Lund University, Sweden. Multivariate logistic regression analysis revealed that fear of sexual assault fear of sexual assault and fear of physical assault are positively correlated with almost all other types of fear of crime. However, the fear of sexual assault has a stronger impact on other types of crimes, especially, fear of non-sexual violent crimes, than fear of assault. Consistent with the prior research, the results highlights the importance of fear of sexual assault on women's fear of crime. Furthermore, across all models, perceived risk is the consistent predictor of fear of crime among women.

**424**
# A MULTIDIMENSIONAL ANALYSIS OF THE FEAR OF CRIME: QUANTITATIVE STUDY

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Insecurity feelings are a complex concept that has been intensively explored both theoretical and empirically by the scientific community and still matter of debate. This presentation explores the concept of "insecurity feelings" and its fundamental dimensions – affective (fear of crime), cognitive (perceived risk of victimization) and behavioral (behavioral reactions to crime) dimensions. More specifically aims to, in on one hand, to understand how these dimensions can be measured and, on the other hand, to explore possible relations between feelings of insecurity along with individual, contextual, and social variables.This paper analysis the results from a face-to-face survey applied to 110 subjects (48.2% males), in which "insecurity feelings" were assessed using different forms of measurement generally used by the scientific community. The analyses focused on the different dimensions of insecurity feelings according to the socio-demographic variables, victimization experiences, intensity and frequency of worry about being a victim of crime and the emotions related to victimization. In addition, the relation between fear of crime and punitive attitudes towards the criminal justice system is explored. The results show that individuals who were victims of crime in the last year reported higher levels of fear of crime and were more worried about becoming victims. Moreover, it was observed that the vast majority of the respondents reported being worried about the possibility of being victim of a crime although only nearly half of the sample reported that barely think about possibility of being victimized. Nonetheless, the perception of physical and social incivilities was correlated with fear of crime. In general the items related to punitive attitudes correlate positively with the feelings of insecurity but are not associated with victimization. The relevance of the results will be discussed in the light of the current debate of the scientific community about this topic.

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**THE IMPACT OF PARENTAL CONTROL AND RESPONSIVENESS ON ADOLESCENTS' FEAR OF CRIME. INDICATIONS OF THE EXISTENCE OF AN INTERGENERATIONAL TRANSITION OF FEAR OF CRIME?**

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This paper discusses this relation between parental control and responsiveness and fear of crime among adolescents. Assumptions on this relation have mainly used the victimization-causes-fear model, suggesting that a better parent-child relation may decrease the risks of being victimized and lower the negative effects of victimization, thus resulting in a lower level of fear of crime among juveniles. We will argue, in contrast, that a more profound understanding of this relation must take the societal significance of the fear of crime into account. This perspective suggests that culturally shared images on safety and risk can be transferred onto young people via parent-child communication, which may result in an intergenerational transition of feelings of fear, especially when parent-child relations are better and perceived parental control is stronger. Data from a large-scale and representative study among 1.200 Flemish adolescents between 14 and 19 years old, are used to test the effects of these parental variables on reported levels of fear of crime among these young people.

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## STORIES AS PROPERTY: NARRATIVE OWNERSHIP AS A KEY CONCEPT IN THE EXPERIENCE OF CRIMINAL VICTIMISATION

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The title of this paper intentionally invokes Nils Christie's famous 1977 article *Conflicts as property.*The key notion it explores is that there is indeed an issue of ownership involved in justice reactions after victimisation, but suggests that its kernel concerns ownership of the *narrative* of victimisation, rather than the 'conflict'. This view is informed by recent advances in personality and clinical psychology, which reveal narratives to be an independent component of personality (McAdams & Pals, 2006), as well as one of the main means by which extreme, negative events are processed (e.g. Currier et al,2006; Park, 2010). The paper will elaborate the importance of  narrative in the experience of victims of crime.

In addition the paper will demonstrate that a number of victimological phenomena have in common that the story the victim has constructed/ is attempting to construct to make sense of his or her experience has to compete with alternative and/ or opposing narratives. This is visible in societal reactions to victimisation, including the tension between victim's experience and media reporting (Peelo, 2006), the reaction of third-party observers (Hafer & Begue,2005) and the notion of the 'moralization gap' (Pinker, 2011), but in the (formal) justice reaction as well, whether this is retributive or restorative in nature.

The paper will argue that understanding the importance of victim's narratives, combined with the notion that victims narrative ownership is often embattled, offers a new perspective on victimological phenomena and will discuss the implications of this perspective for victimological research and policy.

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**MULTIPLE VICTIMIZATION THROUGHOUT LIFE: MORE IS NOT ALWAYS WORSE?**

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This study aims to characterize the phenomenon of feminine multiple victimization throughout life (prevalence, types, perpetrators) and its impact. We analyse the relationship between experiences of victimization and symptomatology, as well as the effect of socio-demographic variables on the risk of multiple victimization.

The study included 39 women, aged between 18 and 64 years, selected according to three criteria: actual experience of interpersonal violence (domestic and/or sexual), institutional dependence and/or social exclusion (e.g., long-term unemployment, welfare dependence); lack of involvement in psychotherapy. We use a semi-structured interview to measure the lifelong multiple victimization, two instruments that measure marital violence (Marital Violence Inventory) and sexual violence (Sexual Experiences Survey – Short Form Victimization) and two instruments to evaluate the level of clinical symptomatology (BSI and OQ-45).

The results indicate a high number of victimization experiences in all stages of life, with a higher prevalence in adulthood, perpetrated mainly by the partner. Despite the high number of experiences of victimization, women reveal reduced symptomatology. Only 30.8% had symptoms of clinical relevance (OQ45) and 17.9% had severe depression. Women who have more symptoms are those who experienced a higher number of criminal acts (e.g., robbery, property destruction). Women who are currently in the shelter tend to have fewer symptoms. Possible explanations are discussed and implications for practice.

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# EXPOSING SUBTLE SHIFTS IN UK VICTIM POLICY AND BEYOND

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In the UK, trends in crime control policies have shifted towards greater victim inclusivity. This paper focuses on two local level policy developments over the past decade which have aimed to empower victims and communities, particularly with regards to combatting anti-social behaviour (ASB) and domestic violence.

ASB policy has not been pursued by the Coalition government with the same vigour as their New Labour predecessors. However, where developments have taken place, a shift in policy emphasis is apparent which elevates the status of victims. Similarly, the Domestic Violence Disclosure Scheme, which relies upon victimisation already having taken place, invites query about this supposedly 'preventative' proposal in ensuring the safety and protection of women affected by intimate partner violence. A key influencing factor in these policy mechanisms has been political rhetoric and the rise in politically visible public figureheads such as the Victims' Champion, Commissioner and Minister.

The paper critiques the effectiveness of such 'victim-focused' strategies to realistically prevent victimisation, within the context of a wider neo-liberal responsibilisation policy agenda and in comparison to similar developments in the European Union.

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**A COMMUNITY CONFLICT MODEL OF ASB: UNTANGLING THE RELATIONSHIP BETWEEN VULNERABILITY YOUNG PEOPLE AND INTERPRETATIONS OF ACTION.**

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Recent research for the Inspectorate of Constabulary (HMIC) on vulnerable victims of ASB in England and Wales made an important distinction that related victimisation to the overlapping categories of personal, situational and incidental. While the distinction allows for a clearer understanding of the factors that contribute to vulnerability the methodology gives little insight into the way the ASB events unfold. The lack of knowledge about victim-perpetrator interaction is a critical flaw. It undermines attempts to shape the most appropriate response to the victim and it allows for easy assumptions about motives for ASB that further stigmatise young people as participants in 'hate' crime. This article fills a gap in our understanding by drawing on case studies showing how the response of vulnerable victims can have a marked impact on the nature and extent of the conflict. The article makes a distinction between the differing forms of communal conflict, using the terms control, dispute, and game to capture the way that repeat incidents of ASB can begin without the 'intent' implied in descriptions of 'disability hate crime'.

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# THE INTERGENERATIONAL TRANSMISSION OF VICTIMIZATION: A COMPARISON BETWEEN TRADITIONAL CRIME AND CYBERCRIME

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Over the past couple of decades, several prospective multigenerational studies have shown that criminal and violent behavior is transmitted between generations. The intergenerational transmission of victimization, however, remained relatively understudied. Such intergenerational transmission of victimization can be expected based on some mechanisms that also explain the intergenerational transmission of offending, such as genetic mechanisms and social learning mechanisms.

Data from the LISS panel, a large-scaled representative sample of households in the Netherlands, is used to study the intergenerational transmission of victimization. The final sample constitutes of 1017 children and their 1148 parents. Self-reported criminal victimization is measured by asking respondents whether they experienced any of 14 types of crimes. A distinction is made between victimization of traditional crime (e.g. burglary, theft, intimidation and maltreatment) and victimization of cybercrime (e.g. hacking, identity fraud, intimidation by electronic means and online consumer fraud). It will also be explored whether there are gender differences in the intergenerational transmission of victimization. Odds ratios are used to indicate the degree of transmission, and GEE-models are used to control for the fact that parents with more offspring appear more often in the equation.

Results show that there is significant intergenerational transmission of victimization. This intergenerational transmission of victimization is almost twice as large for traditional crime than for cybercrime. Moreover, the transmission of victimization of traditional crime is larger if the victimized parent is the mother, while the transmission of victimization of cybercrime is larger if the victimized parent is the father. In addition, sons of victimized parents seem to be more at risk to be victimized themselves than daughters of victimized parents.

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**THE IMPORTANCE OF TAKING THE STATEMENT FROM PHOTOGRAPHS AS A TECHNIQUE TO VERIFY FACTS**

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Asking the silent witness for detail information during investigation process might solve your case. The only shortcoming is to have necessary skill on how to do it. The importance of interviewing all the photographs in the case docket should be considered by the all detectives. The challenge might be lack of skill to do that or a mere omission of the source of information from the photographs. The photo- album in the case dockets should not only be there for the court to view, but the detective should utilize them for further investigation purposes as well. The detective should write complete statement like any other statement, should have preamble and dates with particulars of the incident. The same methods and principles should apply when taking the statement from the photographs.
There is a say that one picture tells thousand words and it is true, because the version of the witness who sow the incident might be influenced by various factors, such as: old age, psychological effects and emotional aspect, etc the picture as a silent witness might tells more than the witness. Although there are notes which describe each picture briefly in the photo- album, it is essential for the detective to record the information from each picture in statement form. There is some small integrities which the witness might over looked and also some micro evidence which might be of no value during preliminary investigation which might be of utmost important to the court at later stage. Mostly where there is murder and there is no any suspect and witnesses and it is difficult to investigate such case. Therefore, the detectives end up closing the case as undetected due to lack of information. It is essential to make proper interview of incident photographs because they might lead you to the establishment of modus operandi of known suspects. In that way the case might be resolved very easily. The questions how and who committed the crime might be detected on crime scene photographs and also modus operandi profile of the culprits might be identified. The detective might find out that the similar and identical methods were applied during the commission of crimes in the area. The trade mark is very essential because it will distinguishes the individual from other suspects. Photographs will definitely help you to assess the nature and extent of injuries sustained because an X-ray picture is more accurate. The focus of this paper is to alert the detectives in the South African Police about the importance of taking a statement from the crime photographs for investigation and court purposes.

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## HOW (NOT) TO MANAGE A CRIME SCENE

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At a time where police work relies increasingly on technology in the identification of individuals by DNA profiling, the introduction of these technologies has led to the development of CSI procedures more quicker, objective and effective in a attempt that through the aid of forensic science to law, justice become more accurate and less prone to error.

In this new landscape of greater scientificity in criminal investigation the police officers appear as an actor of great relevance. In that sense, it's important to understand how these professionals had adjusted with their knowledges and practices to the cientifization of policial work process and how the introduction of DNA identification in their work came to help them.

If the new technologies that the police forces have today can be a valuable contribution for the obtention of more reliable evidence in the searching for the truth, they may also generate some tensions within the competences of the different police forces that in practice may intervene in a crime scene.

In this communication I pretend to analyse the role played by different police institutions that intervene in a crime scene and the procedures done by them, trying to show the main constraints that are placed to CSI in Portugal. Based on the analysis of semi-structured interviews done to police officers between 2011 and 2012, on my post-doctoral research "DNA and criminal investigation – a comparative sociological analysis of its evolution and impacts in Portugal and in the UK", they highlight some of the constraints that arise nowadays in the portuguese CSI, linked with the preservation of the chain of custody and its integrity and with the discrepancies between law and practice.

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# AN EVALUATION FRAMEWORK FOR THE USE OF FINGERPRINTING TECHNOLOGY: A CASE STUDY OF THE SOUTH AFRICAN POLICE SERVICE

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Globalisation processes that drives the progression of crime requires of the police to use state-of-the art technologies as one of the appropriate responses in dealing with criminality. In an attempt to ascertain the significance of technology in police work, this research examined the impact that the use of biometric technology such as the Automated Fingerprint Identification System (AFIS), may have had on the operational efficiency of the South African Police Service. Investigations in this research thus begged the question on the extent to which the use of the Automated Fingerprint Identification System had improved on the quality of service delivery by the police. Following the police's task of identifying criminal fingerprints, the problem in this research was that ever since the introduction of the Automated Fingerprint Identification System, no research had been conducted to assess the impact thereof in the South African Police Service. With no evaluations forthcoming, a further problem was that substantial amounts had already been spent in the procurement and implementation of the technology and this was without a way of ascertaining if such a purchase was a good return on investment. Additional problems such as the underutilisation of the available biometric resources and the non-completion of operational registers, which were identified in this research, also proved to have compromised not only the quality of policing services, but community safety and security too. Although the research findings showed that the use of the Automated Fingerprint Identification System facilitated accuracy in the identification and arrest of many suspects, some of the conclusions reached suggest that the emphasis in the South African Police Service was mainly on quantitative aspect such as productivity, and less focus on accountability issues that relate primarily to the qualitative aspects.

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# YOUNG PEOPLE AND CYBERBULLYING

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## CYBERBULLYING AMONG ADOLESCENTS: BEHAVIORS, CONTEXTS, ACTORS AND CONSEQUENCES IN A SAMPLE OF PORTUGUESE ADOLESCENTS ATTENDING HIGH SCHOOL.

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Today's adolescents grew up in societies where the internet is an integrant and important part of their lives, being related with many daily activities. Despite all of the advantages the internet and new technologies brought, they also created new challenges. Adolescents interact, on a regular basis, in a digital world that has no frontiers, where it is possible to communicate anonymously and with little monitoring. This virtual space, however, brings a new set of threats and adolescents have to cope with them constantly. *Cyberbullying* is one of them. This is a relatively new phenomenon, whose definition is far from consensual, but there are some aspects in which the authors agree: *cyberbullying* involves the use of technology to victimize another person; it implicates harm, i.e., the victim suffers negative impact (e.g., emotional, social); and the behavior is repeated. It is often described as one of the main threats adolescents have to deal with nowadays.

In Portugal there is still scarce knowledge about this phenomenon and its consequences. Recently we conducted a study on *cyberbullying* victimization and perpetration in a sample of Portuguese adolescents attending high school, in an attempt to characterize the incidence, practices, actors and consequences of *cyberbullying* (particularly the association between the experience of *cyberbullying* and the self-esteem perception). A total of 466 adolescents participated in this study (257 girls and 219 boys). Data were collected using a *cyberbullying* survey - to obtain data on incidence, types of behaviors, contexts, perpetrators, victims, etc - and the Rosenberg self-esteem scale to evaluate self-esteem. In our communication we will present the main results of this study and will make some considerations regarding the need to develop strategies to increase the public awareness of this problem and to prevent it.

**Keywords:** *Cyberbullying; cybercrimes of violence; adolescents; characterization; prevention*
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# YOUTH AND CYBERSAFETY: CHARACTERISTICS OF JUVENILE VICTIMS AND OFFENDERS ONLINE

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The Internet has become an integral part of children's lives. The increased connectivity of children raises questions about the possible negative consequences. Various experts point to the possible dangers and parents express their anxiety, often fuelled by media statements.. Hence, children's Internet use is often associated with risks. Therefore, different actors, who have a special interest in the wellbeing of children, emphasize the need to take appropriate measures. In order to do so effectively, it is important to know which children are particularly at risk.

The results presented derive from a national representative survey on online risks, funded by the Dutch Ministry of Education, Culture and Sciences. The survey was conducted in the Netherlands in 2011 (first wave) and in 2012 (second wave) amongst youth aged 10 to 18 (N=6.300). Children in primary and secondary education filled in an online questionnaire in their classrooms.The goal of this survey is to elucidate possible unsafe situations for children in cyberspace. As in the offline context, it is likely that some children are more at risk on the Internet than others. Therefore, the purpose of the present investigation is to identify which children are most at risk and to clarify why. The findings of our research contribute to the development of measures to protect this specific group of children.

Although online risks are widely debated in literature, little empirical evidence is available that explains why certain children are at risk on the Internet and why others are not. Therefore, three factors are included in this study to measure this. Firstly, individual factors (e.g. self-control, self-disclosure, gender and educational level) are accounted for. Individual factors may provide or influence risks on the internet. Secondly, environmental factors (e.g. relationship with peers and parental media education) are balanced against the online risks. Thirdly, the unique characteristics of the Internet which possibly play a role in the increase of risk for children are considered (e.g. perceived anonymity).

The online risks were defined around three themes, i.e. cyber bullying, cyber sexuality, and cyber crime. The results of this study provide a comprehensive overview of which children are at risk when using the internet. In addition, the results enable policy makers to adjust or develop effective intervention and prevention programs to better protect children in cyberspace.

**Keywords:** *adolescents, online risks, cyber bullying, cyber sexuality, cyber crime*
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# PRISON LIFE AND IMPRISONMENT V.

## PENAL ENVIRONMENT QUALITY ASSESSMENT

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In this paper I will discuss the preliminary results of the quality assessment study (based on Liebling´s et co dimensions) which the Finnish Criminal Sanctions Agency conducted in January 2013 as a census survey The present study was preceded by a pilot study conducted in 2011 in four prisons and combining both survey data and qualitative interviews (staff and inmates). The overall quality was experienced being relatively good in the pilot study highlighting at the same time similar tensions and problems that Liebling et co had revealed in their study. Due to these indicative results it was considered reasonable to test Liebling´s dimensions on wider material in order to find out if the differences will remain.

The preliminary results of the new study show that the penal environments (closed prisons, open prisons and community sanctions) in Finland differ in all dimensions the main result being, that staff/clients in Probation (communitys sanctions) as well as staff/prisoners in open prisons are clearly more satisfied than staff/prisoners in closed environments.

# HOW DO WE EXPLAIN NORDIC 'DIFFERENCE' IN PENAL POLICY AND PRACTICE?

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The Nordic countries have some of the lowest imprisonment rates in the OECD, two or three times less per head of population than Anglophone countries such as England, New Zealand and some Australian states. At the same time, Nordic prisons are generally run on the principle that these institutions should be 'normalized': their conditions should be approximate, as much as possible, to those on the outside world. In contrast, security and control have become normalized in Anglophone prisons, exaggerating the differences between these institutions and the outside world (see Pratt and Eriksson 2013). How, then, can we explain these Nordic differences in punishment? It will be argued that the origins of these differences begin in the early 19th century social arrangements of these societies. The values of egalitarianism, moderation and restraint became central features of Nordic culture and helped to promote high levels of social inclusion: these same values then helped to inform and were reinforced by other features of these societies that have been seen as the reason for Nordic 'difference' (the model of welfare state in this region, social democratic oriented political economy, political culture and the mass media).

This paper presents the conclusions from the recently published book *Contrasts in Punishment: An explanation of Anglophone excess and Nordic exceptionalism* (Routledge, 2013). Apart from the above-mentioned differences and their pathways, we will also explore the social cost of Nordic exceptionalism, and ask 'can it last?'

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## LET THE PUNISHMENT FIT THE CRIME

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Punishment and crime contradict in the legal system of Cyprus. According to the Cyprus Criminal Law, offences are categorized into minor and senior. Minor offences are either punished with fine penalties or with imprisonment, whereas senior offences are always punished with imprisonment. However, in Cyprus, punishment does not fit the crime, nor does it deter: as the justice system, prison life, imprisonment and the alternatives have failed to achieve their goals which include proportionate punishment, rehabilitation of offenders, retribution and social safety. Additionally, the key factors contributing to the unfair punishing policies concern the misuse of an individual's socioeconomic power to benefit, lack of alternative sentences, the treatment of prisoners, discrimination, insufficient training of the individuals involved in the justice system, the inefficient role of the parole board and the penitentiary structure. As a result of the problematic system, offenders continue to behave as criminals repeating offensive behaviour and failing to be a law abiding citizens. Setting aside the solutions, already applied through the years in order to change the justice system in Cyprus, there is the need to outline new ideas and solutions that might be considered more constructive. In order to overcome these unfair punishing policies and unsuitable procedures, there is the need to change moral values, cultural beliefs, as well as the justice system. Possible ways to confront this failure of the justice system is the introduction of alternatives to imprisonment, obedience and discipline to prison rules and regulations, continuous education and training of the individuals involved. Through these alterations and much more that can be done, there will be a possibility to a more tangible achievement of a fair correctional system, which will at last set the milestone for future punishing policies. Thus, above all, the most important accomplishment is to pursue Beccaria's notion of belief, "Let the Punishment Fit the Crime".

**Keywords:** *Justice, Crime, Punishment, Alterations, Imprisonment*

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**IMPRISONMENT IN EUROPE: HOW MUCH DOES IT COST?**

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While the European prison populations keep on growing, the expenses related to imprisonment are also subject to their proper fluctuations. The latest available data show that, in 2010, the average daily amount spent per each inmate in custody in Europe was about 120 Euros. Yet, the costs of imprisonment vary widely across countries. Restricting the analysis to a homogeneous geopolitical area, this presentation shows a comparative analysis of the expenses faced by several Western European countries between 2006 and 2010 in the matter of detention in custody. The analysis does not only take into account the average costs of detention, but also the average length of detention per inmate, the prison budgets and the ratio of an active citizen's annual wages and the amount spent for an inmate's annual detention. The results show that the annual amount spent for an inmate exceeds the annual wages of an active citizen in all the countries studied. The ratio between these two measures seems driven by the average length of imprisonment in each country, in such a way that the lower ratios are found in the countries with the longer average lengths of detention.

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**PRISON SCHIZOPHRENIA IN POLAND – BETWEEN OLD INNOVATIVE EXPERIMENTS AND RECENT OVERCROWDING**

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Situation of the Polish prison system can be evaluated schizophrenic. There are many dimensions where this special situation can be studied. This paper examines two.

First one is tradition where Polish prison system spreads between two extremes. On the one hand, there was a very dark history of the communist era when prison played an important role in order to eliminate class enemies. On the other hand, Poland experienced very innovative and 'brave' experiments too, like the so called Szczypiorno experiment from late 1950's where young offenders were treated with care and with understanding their needs.

The second aspect is the present situation where the aforementioned dichotomy can also be shown. Firstly, Poland has high prison population with heavy overcrowding. However, at the same time, lots of very good rehabilitation programme can be found throughout the country which led to receiving the European Cristal Scale of Justice Award in 2009 for the Polish Prison Administration's volunteer work for inmates.

Based on these conflicting results this paper is trying to answer the following question: In 2013, what kind of picture does the Polish prison system draw then?

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**PRISON LIFE AND IMPRISONMENT VI.**

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**CHANGES IN THE SOCIAL NETWORK AFTER IMPRISONMENT**

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Our current knowledge on the association between imprisonment and changes in relationships with family and friends is limited. Since social relationships affect criminal behavior and can contribute to improved life circumstances after release, it is important to gain more insight into this association. Our study examines how and to what extent the inner social circle of prisoners changes in size and (criminal) composition after release, in comparison with the period prior to imprisonment.
We use data from the Prison Project, a large-scale panel study that surveys 1909 Dutch prisoners who entered pre-trial detention between October 2010 and April 2011. The dataset contains detailed information about the social networks prior to, during and after incarceration. By asking prisoners about the people with whom they discussed important personal matters, we obtained information about prisoners' more intimate social relationships – often referred to as the 'core discussion network'. We asked respondents about the status of their social relationships during follow-up interviews.
Our preliminary results show that, when compared to the period prior to imprisonment, the core discussion network does not change in size after release. However, there is a considerable change in network composition. We find that more than 60 per cent of the relationships in the pre-prison network are replaced after release. More detailed results regarding changes in size and network composition (e.g. number of criminal network members) will be discussed.

# IMPRISONMENT IN THE EYES OF CHILDREN: EXPERIMENTATION OF A SUPPORT GROUP FOR CHILDREN WHO HAVE A PARENT OR A RELATIVE IN PRISON

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In addition to the Penitentiary Administration's missions of preventing desocialization caused by imprisonment, some associations offer psychological and social support to families of prisoners. The research project "Imprisonment in the eyes of children" (In French, "Regards d'enfants sur l'incarcération" or RESI) is an action research launched in January 2013, initiated by two of those associations. The idea is to create support groups for children who have a parent or a relative in prison. Indeed, it seems that children's knowledge and experience of the incarceration are not always as imagined by the parents. The research hypothesis is that a system that would give the opportunity to peers, who are experiencing the same situation, to exchange, would allow these children to share their questionings and experiences, and to express what cannot be said to parents or relatives, or more widely to their social environment (friends, school, neighbours…).

The intended public consists of children who have a parent or a relative in a prison for men. First, some of the associations' employees and volunteers have been interviewed, in order to collect information about their practices and current experiences with the intended public, as well as their suggestions regarding the forthcoming project. Interviews have also been conducted with parents whose children could potentially benefit from this experience. The analysis of theses interviews, combined with theoretical and methodological considerations, made possible the creation of a support group that will be experimented during the fall of 2013.

The first results of this prospective study show the complexity of supporting children who have a parent or a relative in prison. Various obstacles have been identified: the degree and quality of the child's knowledge of the situation; the parents' will to explain, or not, the imprisonment situation to the child or to talk to him about it; the variable limits of what the volunteers allow themselves to say and do when in direct contact with the children; or the formal constraints linked to the rhythm of the visits to the imprisoned parent and to who is coming to the visiting room with the child (a parent, a member of an association).

These first results allow us to consider various dimensions that will define the experimentation: what kind of group will it be? Which themes will be put to work and how? Which tools will be used, especially with the youngest children (games, images, playlets…)? Such questions will influence the creation of the support groups and will be discussed in this presentation.

**Keywords:** *prison, maintenance of family ties, social insertion*
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**THE PARTNER RELATIONSHIPS OF PRISONERS PRIOR TO DETENTION. A COMPARATIVE STUDY AMONG PRISONERS AND THE GENERAL POPULATION.**

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The current study examines the partner relationships of prisoners prior to incarceration. Earlier studies on prisoners' partner relationships exclusively focused on the period during or after incarceration. However, knowledge on the pre-detention period is essential to establish any causal effects of incarceration on partner relationships. We describe a wide variety of aspects of prisoners' partner relationships: relationship history, current relationship status, and content of the current relationship (quality, support, conflict, and partner violence). In addition, we make a direct comparison with partner relationships among the general population. We use unique data from the Prison Project ($N = 1909$) and the Netherlands Kinship Panel Study (NKPS; $N = 2879$). The results show that relationship histories and current partner relationships differ substantially between prisoners and the general population. The findings stress the importance of including pre-detention partner relationship information in studies on the impact of incarceration. Also, they point at the potential role of justice officials and penitentiaries in gathering information and offering guidance on prisoners' partner relationships.

**Keywords:** *Imprisonment, partner relationships*
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# A COMPREHENSIVE DIAGNOSIS OF DRUG-RELATED ISSUES IN GERMAN PRISONS

Sarah Schwope
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The prison population in Germany, like in other Western societies, presents an increasing number of inmates who are using or who have recently been using psychoactive substances (PAS) during their incarceration. The consumption and dealing of PAS in prison have an impact not only on the inmates and the guardians, but also on all implicated services in a prison system, mainly the medical department, social services, the psychological and educational counsels and above all the prison administration. Beside the differences in the application of the National Prison Law between the sixteen German states, every prison has its own way of handling drug-related problems. In order to face these problems and to implement promising programs and strategies or to make organisational improvements, it is necessary to have a comprehensive overview of the current programs and practices, as well as the attitudes and the specialised knowledge about drug-related issues of implicated staff members. We develop an assessment methodology that will contain analyses of a facility's official statistics (for example the number of available places in substitution treatment or the number of inmates receiving drug counselling), questionnaires investigating attitudes and specific knowledge of all staff members, and questionnaires determining opinions and reactions of drug using inmates and other inmates not involved with PAS. A particular focus is also put on the guardians who represent the direct interface between the inmates in need and the prison administration as well as the existing services. The development of a uniform assessment methodology is crucial for inter-facility, regional, national and international comparisons that will allow the implementation or copying of measures that have already resulted in improvements of drug-related problems and the treatment of drug users. In a first step, the assessment tools and methodology are developed and subsequently tested in one correctional facility in North-Rhine Westphalia, Germany. After a detailed revision based on this trial, the assessment will be realised in ten correctional facilities located in one German state.

# GAMBLING BEHAVIOUR AND CRIMINAL CAREERS AMONG PRISONERS IN THE UK: FINDINGS FROM AN INNOVATIVE APPROACH

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Previous studies have shown that prisoners are vulnerable to probem gambling. However, other types of gambler exist that display varying levels of problem gambling. In addition, not all prisoners are the same in terms of frequency and persistence of offending. So what is the relationship between gambling and criminal careers when these nuances are considered? We analysed criminal history and gambling behaviour information of 752 prisoners in custody in England and Scotland. Using responses to questions on the Problem Gambling Severity Scale latent class analysis (LCA) was used to classify types of gambler – 6 groups were identified including 'occasional loss chasers'. LCA was also used to classify prisoners according to frequency of offending, length of criminal career, and age of onset – 4 groups were identified. Regression analysis showed that offenders who don't gamble or gamble with no problems are more likely to be less criminally active, but of those offenders who do gamble with at least some problems, there is no relationship between gambling behaviour and criminal careers. These findings have implications for the effective use of resources aimed at addressing gambling behaviour among offenders.

# ASIAN ORGANIZED CRIME

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**THEMATIC PANEL 'ASIAN ORGANIZED CRIME'**
Dina Siegel
*Willem Pompe Institute, Department of Criminology, Utrecht, The Netherlands*

Prof. Wing Lo (City University of Hong Kong) and Sharon Ingrid Kwok (Australian National University)
Triads, Casinos and Juvenile Delinquency in Macau
The present study investigates beyond these well-documented risk factors of juvenile delinquency, and explores the predictive power of triad influence in relation to the known factors, such as family, school, and peers.
Prof. Michael Levi (Cardiff University)
Organized Financial Crime and Corruption and their Control in Asia:  Current Issues And Future Prospects
This paper reviews the extent to which corruption and other financial crimes can plausibly constitute threats to Asian and other states, and what the implications are of such threats for patterns of financial crime, including spillover threats
Prof. Sheldon X. Zhang (San Diego State University) and Ko-lin Chin (Rutgers University)
Women and the Heroin Trade: A Niche Market Perspective
Drawing on data from a survey of 297 convicted female inmates and in-depth interviews with more than a dozen of active drug dealers in an urban setting in southern China, we propose a niche market perspective to explain women's participation in this illicit enterprise
Prof. Dina Siegel (Utrecht University)
Asian Organized Crime in the European Union
This presentation will focus on the question how Asian organized crime has entered the criminal area in a number of EU countries. It analyses how the activities of different Asian criminal groups are linked to migrant communities and which fields are concerned.

**Keywords:** *Organized crime, Asia, triads, EU, heroin, financial crime*
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**TRIADS, CASINOS AND JUVENILE DELINQUENCY IN MACAU**

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Despite the wealth of studies examining the risk factors of juvenile delinquency, few have examined the impact of triad associations. The present study investigates beyond these well-documented risk factors of juvenile delinquency, and explores the predictive power of triad influence in relation to the known factors, such as family, school, and peers. Based on an extensive and representative sample of youths in Macau, the study confirms that young people's associations with triad societies strongly predicted delinquency. Focus groups with youth social workers and an interview with a former VIP gaming room operator provided explanatory information on how young people were triadized into the gaming and its associated industries. It is argued that a quasi-legitimate opportunity structure exists in Macau. Within the quasi-legitimate triad subculture, an opportunity structure exists for smart and disciplined out-of-school youths to achieve success through quasi-legitimate employment, whereby they learn triad subculture through such means.

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**ORGANIZED FINANCIAL CRIME AND CORRUPTION AND THEIR CONTROL IN ASIA: CURRENT ISSUES AND FUTURE PROSPECTS**

Michael Levi
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This paper examines the definition of financial crime and international trends in online and off-line fraud and money laundering. It applies a routine activities model of criminal organisation to them, alongside other possible drivers of change (including corruption) in both crimes and their organisation. It reviews the extent to which corruption and other financial crimes can plausibly constitute threats to Asian and other states, and what the implications are of such threats for patterns of financial crime, including spillover threats. It raises questions about whether financial crimes in Asia are merely delayed action replays of patterns observable in the countries of the Global North (or, indeed, the more economically advanced countries of Asia), or are likely to follow their own path, modified by issues of global interdependence in both financial services and regulatory controls. Finally, it reviews the extent to which anti organised/financial crime measures are likely to impact on the extent and organisation of financial crimes.

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## WOMEN AND THE HEROIN TRADE: A NICHE MARKET PERSPECTIVE

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Women and paid labor have long been studied by social scientists, but women's participation in illicit enterprises (i.e., organized crime) has received little empirical attention. In a three-year field study, we encountered numerous female entrepreneurs in the heroin trade in Southeast China as well as around Golden Triangle. Many of them were found in prisons serving long sentences, while others were doing small time drug trade on the street as a means to sustaining their own addiction. Unlike the legal economy, where deliberate efforts through government policies or legal manipulations can be made to improve women's participation in the labor market, women's entry into criminal enterprises requires a different set of requisites. Drawing on data from a survey of 297 convicted female inmates and in-depth interviews with more than a dozen of active drug dealers in an urban setting in southern China, we propose a niche market perspective to explain women's participation in this illicit enterprise. We will attempt to explain how gender played a meaningful role in gaining market and strengthened Chinese women's position in an illicit business that has mostly been dominated by men elsewhere in the world.

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## ASIAN ORGANIZED CRIME IN THE EUROPEAN UNION

Dina Siegel
*Willem Pompe Institute, Chair of Criminology, Utrecht, The Netherlands*

This presentation shows how Asian organized crime has entered the criminal area in a number of EU countries. It analyses how the activities of different Asian criminal groups are linked to migrant communities and which fields are concerned. They include extortion, human smuggling and trafficking and money laundering. In collaboration with other non-Asian criminal groups, Asian organized crime is also active in the production and trade of illegal drugs, match-fixing and counterfeiting of consumer goods. The general research question addressed in this note is: What is the extent and character of Asian organized crime in the European Union and what kind of threat do these groups pose to the European economy and European democracy?

Additional questions are: Which European countries are vulnerable to the activities of Asian organized crime groups? How are these groups embedded in local migrant communities and the local economy of the host countries? What is their modus operandi and how and where do they launder their criminal profits?

The article is based on research which took place 2010-2011 and applied the following methodology: content analysis of secondary data available from the extensive literature on Asian organized crime and from media reports and semi-structured interviews with experts from law enforcement and criminologists engaged in research on specific aspects of Asian organized crime. Theoretical explanations will be provided to these new developments of illegal and semi-illegal markets and to the attractiveness of the (illegal) business opportunities in Europe.

Asian organized crime is mainly associated with the historically romanticized Chinese *triads* and Japanese *yakuza*. Other Asian crime groups are less well known in Europe. However, rapid economic growth in many Asian countries, increasing numbers of migrants and advanced technological opportunities have resulted in new forms of organized crime, bringing these 'unknown' crime groups closer to Europe. Asian organized crime manifests itself today in almost all European countries and demands the attention of law enforcement agencies, policymakers and academic researchers.

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## RECENT STUDIES ON RESTORATIVE JUSTICE

Edit Törzs
*European Forum for Restorative Justice, Leuven, Belgium*

This panel presents recent research projects and findings on the field of restorative justice. Van Camp's research deals with the question why victims engage in a restorative process and what are the personal and prosocial motives behind their choice to participate and meet with their offender. Hagemann presents a new action research project which aims to develop the use of restorative justice at post-sentencing level. It addresses the ways to develop a restorative practice at this stage of the criminal procedure that complies with the interests of victims. Mannozzi presents empirical data on restorative practice in Italy, more particularly on the use of victim-offender mediation for violent crimes in prisons. The presentation includes a theoretical reflection on the connection between criminal norms, punishment and trust. Finally, Törzs summarizes the findings of a survey on the specificities, challenges and opportunities of applying restorative justice in intercultural conflict settings in Europe.
Presentations
Tinneke Van Camp - School of Law, University of Sheffield - UK: Victims and their justice motives in a restorative intervention
Otmar Hagemann - Kiel University of Applied Sciences - Germany: Restorative Justice at post-sentencing level; supporting and protecting victims
Grazia Mannozzi - University of Insubria – Italy: Mediation as a key-component of imprisonment: the Italian experience about victim-offender mediation for violent crimes
Edit Törzs – EFRJ and affiliate at KU Leuven – Belgium: Restorative justice practices in conflicts in intercultural settings

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# RESTORATIVE JUSTICE AT POST-SENTENCING LEVEL; SUPPORTING AND PROTECTING VICTIMS

Otmar Hagemann
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According to article 12 of the Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime which entered into force on 15 November 2012the establishment of standards is demanded to prevent secondary and repeat victimization in the context of mediation and other restorative justice services and to safeguard the victim from intimidation and from retaliation.

This international comparative action research project aims to promote the right of victims to get access to RJ procedures while developing adequate support and protection mechanisms to minimize the above mentioned risks. To achieve this, a number of more specific objectives shall contribute:

§ Development, respectively further development, of RJ procedures / practices and access for victims to these measures by practically implementing / improving RJ in prison under scientific monitoring

§ Answers to the question: How can victims besupported, protected and safeguarded within post-sentencing RJ measures?

§ Development of guidelines and training materials from the research findings, with specific focus on victim assistance

In order to implement these research concerns, the project searches for mechanisms assuring RJ is only used in the interest of victims. Practitioners and academic partners from Germany, UK, Belgium, Spain, Croatia, Portugal, and transnational organizations are involved.

There is a limited offer of RJ at post-sentencing level in the partner countries, despite the fact that often especially victims of more serious crimes are in need of closure. The project focuses on prison settings but does not exclude other post-sentencing measures.

For more details and downloads see www.rjustice.eu

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**VICTIMS AND THEIR JUSTICE MOTIVES IN A RESTORATIVE INTERVENTION**

Tinneke Van Camp
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This paper addresses the reasons presented by victims of crime for their participation in restorative justice. Restorative interventions provide an active role to victims. This implies that a victim-participant is willing to engage in a communicative process with the offender. Empirical findings suggest that victims are not only looking to meet their own needs for reparation, voice and empowerment through such a dialogue and effort. Victims also seem to consider societal interests. Accordingly, restorative justice may not only serve individualistic motives, but also prosocial justice motives. The purpose of this paper is to advance insight into the personal and prosocial interests victims seek to fulfill when they agree to communicate with their offender. More particularly, it is concerned with whether prosocial motives are considered as a specific reason for initiating a restorative intervention or agreeing to participate in it, or rather as an additional, beneficial side-effect. To this end, semi-structured interviews are being conducted in Belgium and the UK with victims of crime against property or against the person who have agreed to participate in victim-offender mediation or conferencing. The interviews are done immediately after a respondent agrees to participate in a restorative process or initiates it and before their communication with the offender has fully taken off. Data collection is on-going; at this stage, preliminary findings can be presented. It will, for instance, be argued that victim-participants adopt a prosocial perspective upon agreeing to participate or initiating a restorative intervention, often in combination with other reasons. Such prosocial motives include helping the offender come to terms with what happened and offering forgiveness as well as raising victim awareness and contributing to a safer society. Although they do not have previous experiences with restorative justice, victims see it can have multiple benefits and is a sensible thing to do. The observations made in this study advance insight into the significance of personal and prosocial justice motives and into why restorative justice matters to victims of crime. Consequently, they clarify the role victims are willing to play in the aftermath of the crime. Implications for research and practice will be discussed.

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# MEDIATION AS A KEY-COMPONENT OF IMPRISONMENT: THE ITALIAN EXPERIENCE ABOUT VICTIM-OFFENDER MEDIATION FOR VIOLENT CRIMES

Grazia Mannozzi
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The paper intends to propose some considerations about the opportunity/utility of victim-offender mediation (VOM) in serious criminal cases by moving from some concrete experiences occurred in the main Italian prisons.

Primarily, it will refer the first complex experience of VOM with "surrogate victims", approved by the Court for Enforcement of Sanctions (Tribunale di Sorveglianza) of Venice for an offender sentenced to life imprisonment and carried out between 2005-2012.

Moving from that experience, the paper will explore, in a wider perspective, the possibility of using both mediation and victim empathy groups to deal with inmates convicted for serious violent crimes.

In particular, it intends to verify if such devices could be aimed to:

1. better formulate the prognosis about not reoffending, which is a pre-condition to grant/obtain penitentiary benefits (such as semi-detention or home detention) according to the Italian legislation;
2. promote reparative conducts after conviction;
3. improve responsabilisation and social reintegration of the offender.

At the end, the paper will propose some reflections about the triangulation among *criminal norms*, *punishment* and *trust* and how it may change when restorative justice devices are introduced as key-components of sentencing and execution of more traditional sanctions.

**Keywords:** *victim-offender mediation, sanction system, imprisonment, semi-detention, victim empathy groups,*

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**RESTORATIVE JUSTICE PRACTICES IN CONFLICTS IN INTERCULTURAL SETTINGS**

Edit Törzs
*European Forum for Restorative Justice, KU Leuven, LINC, Leuven, Belgium*

This presentation shares findings from a survey launched by the European Forum for Restorative Justice in 2013 as part of a European research project, called ALTERNATIVE, on developing alternative understandings of security and justice through restorative justice approaches to conflicts in intercultural settings.

In the understanding of this research, intercultural settings are not the same as 'intercultural conflicts', as the latter would imply that the existence of cultural difference is a problem in itself. A restorative approach aims to create possibilities for a balanced and respectful dialogue between parties in conflict. Are there any implications then for the practice of the fact that a conflict happens in an intercultural setting? How can practitioners be aware of and address the different perceptions, value systems, perspectives of conflicting parties? What can restorative justice approaches offer in these conflict settings? What are the consequences for the restorative practice if the conflict itself was based on hatred or bias because of cultural differences being present? These are examples of practice related questions the project would like to answer via action research in four different countries, and feed back findings to the theoretical work done in the first phase of the research.

As part of this theoretical grounding the research aimed to know more about already existing restorative justice programs and practices dealing with conflicts in intercultural settings. Therefore restorative justice practitioners were addressed across Europe to share their existing experience on this issue by answering a survey. The presentation will summarize the outcomes of this mapping exercise.

**Keywords:** *restorative justice practice, conflicts in intercultural settings, survey*
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# TERRORISM, COUNTERTERRORISM

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## EXAMINING THE EFFECTS OF COUNTRY-LEVEL STRUCTURAL CHARACTERISTICS ON LONG-TERM TERRORISM PATTERNS, 1970-2005

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There are several existing criminological explanations of country-level violence that focus on the impact of structural characteristics on variations in homicide rates across countries. Prior literature examining terrorism has indicated that many of the same structural characteristics, such as economic development, economic inequality, and political regime, may also be associated with variations in country-level terrorism. Using terrorism data taken from the Global Terrorism Database (GTD), we examine if traditional correlates of cross-national homicide rates are also significantly related to cross-national levels of terrorism among a sample of approximately 200 countries/territories between 1970 and 2005. Using latent class growth analysis, we classify countries into terrorism trajectory groups that reflect different levels of overall terrorist activity overtime. We then predict membership into terrorist rate groups using overall and lagged measures of several country-level variables. We conclude with a discussion of the implications of our findings for traditional criminological research examining cross national lethal violence, as well as terrorism research.

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**TERRORISM IN NIGERIAN: EXPLORING THE MOTIVATIONS AND STRATEGIES OF BOKO HARAM'S INSURGENCY - A THEORETICAL DISCOURSE.**

Chijioke Nwalozie

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Boko Haram is a Hausa name, which originated from Northern Nigeria in the West African Sub-region. The name is translated in Arabic as 'Jamā'a Ahl al-sunnah li-da'wa wa al-jihād', and in English as 'Western Education is sinful'. Strictly speaking, Boko Haram is a Nigerian based terrorist organisation with utter hatred for Western Education. This extremist group has become a hydra-headed monster that has come to stay in Nigerian society.

Over the years, Boko Haram had aimed at making the Northern part of Nigeria ungovernable by persistently unleashing brutal and violent terror attacks on innocent lives and properties. These attacks are still on going and have on specific occasions resulted in hundreds of deaths and serious injuries. Collated toll on dead and injured so far mounted to well over ten thousand. The macabre scenes at the terror hotspots are evidence of the state of insecurity in the polity. This has brought about the argument that whereas the Federal Government is controlling other parts of the country, Boko Haram is controlling some key Northern states.

By exploring available literature sources on Boko Haram, which include newspapers, journal articles, texts and even pictures, this paper seeks an understanding of their terror motivations and strategies in Nigeria. Moreover, by employing both the instrumental and organizational theoretical perspectives, the paper offers explanation for Boko Haram's motivations and strategies. Therefore the paper concludes that winning the war on terror in Nigeria necessarily requires a better understanding of how the competing trilogy of politics, religion and tribe, which are inextricably linked to the people's culture can be tolerated, and expressed or played out in a peaceful, just and democratic society.

**Keywords:** *Boko Haram, terrorism, terror, violence, Nigeria, motivations, strategies, politics, religion, and tribe.*

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# SELLING COUNTERTERRORISM POLICY: AN ANALYSIS OF POLICY ENTREPRENEURS AND CLAIMSMAKING IN TERRORISM COVERAGE

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While some hold to the democratic ideal of a "free and impartial" press, in reality, the American mainstream news media are best classified as a collective, profit-seeking, bureaucratic, political institution, subject to influences both active and passive. Timothy E. Cook notes that while production values of news seem content-neutral, news narratives are impacted by journalism's professional values, the cultural values of American society, and the profit motive of news organizations. These narrative are also subject to outright manipulation by policy entrepreneurs, who are active "advocates for proposals or for the prominence of an idea" (Kingdon, 2003, p.122). These individuals may be in elected or appointed government positions, interest groups, or research organizations, but their goals are similar: to get their preferred policy solutions onto the government agenda - and active participation in news media is necessary to achieve that goal. One of the more common tactics of policy entrepreneurs is to frame aspects of issues or events in news coverage as either potential problems or solutions (*diagnostic* and *prognostic* frames, as discussed by Donileen Loseke, 2003).
While all policy entrepreneurs appearing in the news utilize diagnostic and prognostic framing for their agenda-setting attempts, not all who make claims in the media about the "real" problems or solutions connected with a particular issue or event are actually policy entrepreneurs. These other claimsmaking individuals are often used by the media to fill profit-related needs such as dramatic, ideological, and theatric narratives, which they believe will improve ratings. The current study seeks to separate the claimsmakers from the policy entrepreneurs in terrorism coverage, which has implications for a wide range of government policies relating to security, foreign affairs, and counterterrorism. It will examine coverage of a single recent terror event, the bombing of the Boston Marathon on the 15th of April, 2013, across three news sources with differing profit motives: a for-profit entity, the Cable News Network (CNN); a non-profit entity, the Associated Press (AP); and a public entity, National Public Radio (NPR). It is hypothesized that while sources who are policy entrepreneurs will deliver similar messages across news organizations, other claimsmakers will have very different roles depending on the level of profit motive of the news outlet. A full discussion of thematic content of claims will be included.

**Keywords:** *media, terrorism, counterterrorism, policy, political communication*

# THE CRIMINAL LAW FOR THE ENEMY THEORY - A CONTEMPORARY DEBATE ON THE BALANCE BETWEEN THE NECESSARY FIGHT AGAINST MASS CRIMINAL PHENOMENA AND THE PROTECTION OF HUMAN RIGHTS.

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In this paper we present a criminal policy's theory called *criminal law for the enemy* and the paths that make could possible the formal and material justification of the statutes based on it. To do so, we research the philosophical and sociological sources of this theory, and the specifics of some kinds of contemporary criminality that can be pointed as the reason of creating this new kind of criminal system's responses as well. This theory summarizes the ideas and the guidelines that lay behind all kinds of statutes made in order to fight organized crime and terrorism. As a matter of fact, the *criminal law for the enemy* theory has being studied and criticized for the last thirty years in Europe continental criminal law, but until now there isn't a clear compatibility between the major part of the researchers' thought about it and the statutes made on its logic. For instance, even if a successful statute created in order to attack some kind of international mob criminal activity, provides the possibility to the police of arresting its soldiers and bosses, and confiscating it's illegal properties (as the Italian 90's anti-mafia statutes), this kind of regulation is very often classified as a sort of violation of fundamental rights just because it's establishes a harder regulation on the mob than to the rest of the other criminals, non associated with this kind of activity. In the first part of this research we try to understand the philosophic origins and the sociologic content of the *criminal law for the enemy* theory in order to provide a valid theoretical background to the statutes based on it. In the second part, we analyze systematically those statutes seeking for real violations of human rights or any kind of inhuman response to organized crime and terrorism, in order to identify it and propose alternative regulations, able to fight effectively against crime, but not violating that sort of rights. Must be pointed that, because of the recent growth of terrorist and organized transnational crime activities, this topic is right now in the core of the criminal law's and criminal policy's discussions around the western world, and due to the lack of a consensus between the major part the lawyers and the social need to control mass criminal activities, it will be the capital problem of the contemporary criminal policy for a while.

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# EDLC SESSION III: LIFE COURSE TRANSITIONS AND CRIMINAL DEVELOPMENT

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## DELINQUENCY AND SCHOOLS

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As one of the primary agents of socialisation during adolescence schools have become an important place for crime prevention measures. Today students spend much of their time at school and accordingly less time with their families. This means that the schools' educational responsibility has become much more important. Moreover schools are a popular place for crime prevention because of their access to almost all students. Thus over the past years lots of programmes have been developed and are operating now but many of them lack theoretical basis as well as high-quality evaluation. Therefore criminological theories are examined for possible starting points for successful school based crime prevention.

To find support for these theoretical theses data from the first four waves of the "Crime in the modern city" (CriMoC), panel study are analysed using Structural Equation Modeling. The findings suggest that the quality of the student teacher relationship is a causal link in the generation of adolescent delinquent behaviour and hence a promising starting point for crime prevention measures.

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# THE INFLUENCE OF THE TRANSITION TO WORK AND HUMAN AGENCY ON DELINQUENCY

Andreas Daniel
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The successful transition to work is one of the most interesting concepts for explaining desistance in (young) adulthood. According to control theoretical assumptions an unproblematic transition into stable work leads to an accumulation of personal capital (social, cultural and physical capital) and to a restructuring of routine activity patterns. It is assumed that these processes are strengthening the ties to conventional society and restrict opportunities for delinquent behavior. Considering action and identity theories, desistance processes may not be solely influenced by structural alterations but also by changes in the self concept of an individual who decides to "make good". Proceeding from these theoretical considerations, the question arises whether changes in the person's identity/agency are induced by structural changes like the transition into a stable job or if the decision to desist precedes structural changes.

To test the relationship between the transition to work, agency and delinquency data from the german panel study CriMoC is used. By applying a longitudinal latent class analysis to the job status for the years after leaving the school, different transition patterns are discovered. In a second step it is analyzed how these patterns influence delinquency rates and the identity/agency concept and vice versa. Lastly it is tested whether the different transition patterns act as a moderator of the relationship between agency and delinquency.

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## ANTICIPATING CHANGE? EXAMINING PRE-AND POST MARITAL PATTERNS OF OFFENDING

Arieke Rijken, Arjan Blokland
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While an increasing amount of studies finds marriage to be associated with reduced offending frequency, the causal mechanisms involved are still unclear. Maturation theories ascribe desistance to the aging of the individual, denying any independent effect of life course transitions. In contrast, age-graded social control theory argues that marriage, and especially a good quality marriage, can constitute a turning point in the offender's criminal career, resulting desistance from offending. Finally, cognitive theories of desistance argue that marriage and desistance both result from a process of cognitive change and a desire of settling down that starts well before actual marriage. To test hypotheses derived from these three theoretical perspectives we use longitudinal data on a sample of offenders convicted in the Netherlands in 1977 and examine changes in offending frequency in the years surrounding marriage. We examine whether these changes are conditional on the age of marriage or the quality of marriage. In addition, we assess the extent to which these patterns differ for men and women and across different birth cohorts. Implications for both theory and policy are discussed.

# SOCIAL BONDS, ATTITUDES TOWARDS NORMS AND DELINQUENCY: AN EVALUATION OF COMMON DEVELOPMENTAL PROCESSES

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The criminological life-course perspective is concerned with the development of deviant behaviours and its sociological and socialpsychological causes and conditions. Developmental aspects are usually tested in terms of stability and interactional, i.e. reciprocal effects between the components of an explanatory model over time or by describing and explaining one or multiple trajectories of the behavioural variables. However, the concepts of change/growth and common development have barley been utilized for the sociological and socialpsychological dimension that are typically used to explain behaviour. By applying higher order parallel process latent growth models to panel data from the german »Crimoc-Study«, this paper evaluates to what extent social bonds, attitudes towards norms and delinquency share developmental processes that are statistically interrelated in terms of a common course or trajectory during adolescence. Further, the impact of exogeneous covariates (e.g. gender, education, social values) on the common developmental process is considered.

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**DEMOCRATISATION AND PUNISHMENT IN SOUTHERN EUROPE (SESSION SPONSORED BY PUNISHMENT & SOCIETY: THE INTERNATIONAL JOURNAL OF PENOLOGY)**

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[2]*Universidad Nacional del Litoral, Argentina, School of Law, Buenos Aires, Argentina*

This session will address the multifarious relationship between the transition from authoritarian to democratic regimes, on the one hand, and penal policies and practices, on the other hand, in Greece, Spain and Portugal. Some of the specific questions that will be explored include the following: In which particular fields, to what extent, and in what ways do processes of socio-political democratisation influence levels and patterns of punishment in disparate jurisdictions? Which are the factors that facilitate or prevent such influence? And how does or should criminological inquiry explore these questions? The session is sponsored by *Punishment & Society: The International Journal of Penology*. Papers:
Lost in Transition: Democracy and Punitiveness in Greece since 1974 - Leonidas K. Cheliotis (University of Edinburgh) & Sappho Xenakis (Birkbeck College, University of London)
A Long-lasting Sovereign Mode of Punishment: Post-Dictatorship Penal Policies in Spain - José Ángel García Brandariz (University of A Coruña, Spain)
Historical processes and present-day configurations in criminal policies in Portugal - Rita Faria (University of Porto, Portugal)
Discussant: Dario Melossi (University of Bologna)

**Keywords:** *Democratisation, punishment*

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**LOST IN TRANSITION: DEMOCRACY AND PUNITIVENESS IN GREECE SINCE 1974**

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It is commonly assumed in pertinent scholarship that the end of the Greek military dictatorship of 1967-1974 signaled a crucial moment of catharsis in which Greece belatedly experienced a renunciation of the type of exclusionary and highly coercive forms of government that had already been rejected by other states across Europe after the Second World War. Focusing on surveillance, policing and especially imprisonment, this paper argues not only that the transition from dictatorial to democratic structures and practices was far from abrupt or thorough in the immediate aftermath of the dictatorship itself, but also that important continuities in terms of punitive state practices have actually intensified in the country more recently, including in conjunction with pro-junta, far-right groups that openly employ violence in the name of law and order. The paper goes on to argue that a sufficient and growing segment of the Greek population has directly or indirectly supported the persistence and extension of these punitive state practices, not least due to the significant rehabilitation of the junta's record in domestic public opinion over the past quarter-century, and the corresponding ascription of the intervening years as a period of excessive leniency in society and politics alike.

**Keywords:** *Democracy, state and public punitiveness, dictatorship, Greece*

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# A LONG-LASTING SOVEREIGN MODE OF PUNISHMENT: POST-DICTATORSHIP PENAL POLICIES IN SPAIN

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The theoretical framework which analyses the cleavage between penal welfarism and penal post-welfarism, especially as developed by David Garland (2001), is particularly suitable for examining the deep transformations in the field of penal policies we have witnessed over the last three decades in some core European and Anglo-Saxon jurisdictions. Nonetheless, this framework is less adequate for the purposes of analysing the evolution of penal policies in other countries. Such is the case of Spain, due to a late democratization process, a chronically underdeveloped welfarism, and a set of continuities in this domain of public policy between the time of the dictatorship and the democratic period. The paper seeks to explain the peculiar evolution of Spanish penal policies, drawing mainly on Foucault's (2003) concept of sovereign power, paying particular attention to the continuities inherited from the non-democratic period. Moreover, the paper intends to update the theoretical framework in relation to the current period, i.e., the time of the Great Recession, which has forced the Spanish administration to admit that the fiscal crisis of the State sets limits to a sovereign mode of punishment, and has fostered key changes in the penal policies adopted by the Spanish government.

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# HISTORICAL PROCESSES AND PRESENT-DAY CONFIGURATIONS IN CRIMINAL POLICIES IN PORTUGAL

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This paper will attempt to make sense of present-day configurations of criminal policies in Portugal, particularly in relation with punishment. In so doing, the paper will consider long and deep historical processes, including the creation of the country's republican regime (1910), the dictatorial *Estado Novo* (1933-1974) and a recent democracy marked of late by economic crisis and social instability. After providing historical and structural background, the paper will briefly review previous pertinent studies on public policies and concerns regarding particular issues such as drug use (Agra, 1999, 2009; Quintas, 2011), youth delinquency (Agra & Castro, 2002, 2003), criminal victimisation, criminal sanctions, security (Agra, 2005; Agra, Quintas, & Fonseca, 2002) and financial crime (Faria, 2007; Faria, Cruz, Leite & Sousa, 2013). The paper will also use the *Revista Portuguesa de Ciência Criminal* (a scientific journal on criminal law and criminology created in 1991) as an "epistemic analyser" of trends in criminal policies at the beginning of the 21<sup>st</sup> century in Portugal (Agra, 2009).

# DRUG POLICIES: COMPARATIVE ANALYSES

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**THE TALE OF TWO DRUG POLICY APPROACHES: POLISH AND PORTUGUESE DRUG POLICIES DURING 2000S AND THEIR EFFECTS**

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Around the year 2000 in Poland and in Portugal, almost at the same time, major but completely different reforms of drug policies were introduced. Portuguese reform involved decriminalization of personal drug possession of illicit drugs, while Polish one introduced broad criminalization of such possession. According to statements made often in the literature Polish reform should contribute to reduction of drug consumption due to the deterrent and educational effects exerted on the population, while Portuguese one involved a serious risk of resulting in increases of drug consumption due to the fact that it sent a 'wrong message' to the population. Therefore it may be interesting to observe developments in both countries during the 2000s using available criminal justice data regarding intensity of the law enforcement effort and available epidemiological data regarding prevalence of drug use. To measure intensity of the law enforcement effort present research used available statistical data on the number of drug offences in general, and the number of drug possession offences registered by the police in both countries, as well as the data on the numbers of convictions for such offences. To measure prevalence of drug use were used results of general population surveys in both countries, as well as the results of European School Survey on Alcohol and other Drugs (ESPAD). It is necessary to note that despite substantially increased law enforcement effort Poland did not experience any drop in drug use prevalence, or even its stabilization. At the same time moderate, low level Portuguese law enforcement pattern did not result in any substantial increases in drug use. As a matter of fact it seems that developments of drug use prevalence remained in both countries fairly similar. This seems to confirm the thesis that neither restrictive, nor liberal drug policy approaches seem to influence in any significant way drug consumption prevalence.

**Keywords:** *drug policies - Poland - Portugal - law enforcement effort - drug use prevalence*

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# FROM AN ACCEPTED SUBCULTURAL ACTIVITY TO A SEMI-ILLEGAL MARKET: CHANGES IN THE DISTRIBUTION OF DOPING PRODUCTS IN BELGIAN AND FRENCH CYCLING

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The presentation draws from an ongoing doctoral project about the market for, and specifically the supply of, doping substances and methods (collectively referred to as "the products") and the effectiveness of anti-doping policies in Belgian and French cycling (supervisor: Prof. Letizia Paoli). The project relies, for its data collection, on a multi-method instrumentation set, including the analysis of policy documents and criminal proceedings; semi-structured interviews with riders and their sporting and medical staff as well as policy-makers and law enforcement officers; and a survey among elite and amateur riders.

Due to a secondary socialization process, doping was totally accepted by the overwhelming majority of the elite riders. The products circulated very openly in the cycling teams and were provided by both the team sporting and medical staff. Doping was part of the cycling subculture and was far from being deviant vis-à-vis the cycling norms and values.

The legitimacy of doping products use and distribution was shattered by the Festina Affair during the 1998 Tour de France, which created a window of opportunity to set up the World Anti-Doping Agency (1999). The Festina Affair is also the starting point for the intensification of law enforcement action against both the riders and the providers of doping products. As a result of these changes, doping practices have become more secret and clandestine and the distribution of doping products is nowadays much more rarely organized by the cycling teams. An impact of the anti-doping policies from the 2000s is thus that they have at least partially destroyed the doping-favorable subculture of elite cycling and have unintentionally created the conditions for the development of a semi-illegal on which riders interested in using doping products have to find individual solutions to get them and other actors extraneous to the original elite cycling subculture increasingly play a role as suppliers.

During the presentation, we will present some preliminary findings to single out that evolution and to understand to what extent other actors are involved in the distribution of doping products and methods to the cyclists.

**Keywords:** *doping, market, cycling, subculture*
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# WHICH DRUG USERS GET PUNISHED? THE LINKS BETWEEN DRUG USE, DRUG DEPENDENCE, POLICE CONTACT AND PUNISHMENT IN THE UK AND AUSTRALIA

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Little is known about the interaction between drug use, drug dependence, detection and punishment. Specifically, it is sometimes supposed - but not empirically proven - that the police tend to arrest and punish drug users who have problematic patterns of drug use (e.g. drug dependence) more often than 'recreational' users. This paper will use data from the Global Drug Survey to examine the levels of police contact, punishment and drug dependence that are experienced by members of a sample of over 6,500 respondents (aged over 16) in each of Australia and the UK.

The Global Drug Survey is an independent online survey that accesses large samples by collaborating with global media partners such as The Guardian, Mixmag and Gay Times in the UK and Fairfax Media in Australia. It received over 22,000 responses between November 17th and December 22nd 2012. It asked respondents to report their drug use and experiences of drug dependence and drug law enforcement.

The paper will present a latent class analysis that identifies the underlying patterns of self-reported drug use in each country sample. It will then present an analysis of the levels of police contact, punishment and drug dependence that are reported by members of each class of drug use in each country. It will finally use multivariate analysis (including demographic variables as controls) to provide answers to the questions: are there different patterns of drug use, police contact, punishment and drug dependence in the Australian and the UK samples; are different patterns of drug use associated with different levels of police contact and drug dependence; how frequent are drug users' contacts with the police (i.e. what is the risk of police contact for different classes of drug user); what class of drug users is most severely punished; and are dependent users more likely to have police contact and get punished than other drug users?

# ATROCITY CRIMES AND TRANSITIONAL JUSTICE

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## GENOCIDE, CRIME AND MORALITY: A THEORETICAL INQUIRY

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It is has long been known, at least since the trial of Socrates, that there exist crimes that effect changes in the moral constellation of a society. In this paper I explore the ways in which the crime of genocide can be understood as violent actions that impact moral sentiments. I begin by briefly examining the moral and explanatory reasoning surrounding genocide, and the ways that this crime is distinguished from other types of organized-group violence like warfare. In arguing for a moral approach, I contend that the distinctive attributes of genocide revealing this moral dimension are ignored by approaches seeking to identify similarities with other types of violence or group discrimination. One consequence of this is that the unique characteristics of genocide become conflated with other traits—e.g. conflict or racism. I argue that a balanced approach exploring both similarities and differences with other types of group violence opens the way for this moral approach. The result, I claim, is that genocide is a crime that is best understood as future-oriented action aiming at moral transition. Overall, my effort is to make better sense of this connection between genocide, morality and crime by drawing on the work of, among others, Hannah Arendt and Emile Durkheim.

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# VICTIMS, POLITICS AND TRANSITION; VOICE, AGENCY AND BLAME

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This paper is drawn from over a decade of fieldwork in a dozen societies, and drawing from elements of criminological, feminist, sociological, philosophical and post-colonial literature, this paper focuses in particular on how victimhood is constructed in such contexts. The paper explores the ways in which voice and agency are realized, impeded or in some cases co-opted in transitional justice. It also examines the role of blame in the construction of victimhood, and in particular the ways in which such a notion may render victimhood contingent upon 'blamelessness', encourage hierarchies between deserving and undeserving victims and require the reification of blameworthy perpetrators in order for victimhood to be properly realized. The paper concludes by suggesting that the increased voice and agency associated with the deployment of rights discourses by victims comes at price acknowledgement of the rights and humanity of the 'other' and the willingness to be subject to the same respectful critical inquiry as other social and political actors in a post conflict society.

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**DIRTY WORK, SOCIAL CONTROL AND PARAMILITARIES IN COLOMBIA**

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Unlike the classical model of European state characterized by the military centralization (Tilly 1990), some post-colonial states have a privatized model based on para-institutional violence (Ahram 2011). With the expansion of the private security industry (Garland 2001), the general trend towards privatization of violence has increased even more in these countries, para-institutional groups integrating the market of private security (Dupont, Grabosky, Shearing and Tanner 2007). In contemporary armed conflicts, these groups tend to participate in criminal activities and they are responsible for the exercise of mass violence, entering a logic of mutual exploitation between the state and a set of private actors obtaining benefits from violence (Tanner and Mulone 2012). This mutual exploitation appears in Colombia, where alliances between the state, regional elites and drug traffickers were put in place, giving rise to the commission of mass violence by paramilitary groups (Mazzei 2009). The expansion of the private security industry in the 1980s and 1990s created a security market, the participation in these groups becoming a job. This presentation proposes to consider the participation in paramilitary groups as a form of dirty work (Hughes 1958) because it is a work morally problematic that is seen as necessary by a set of actors who derive a profit. Based on interviews conducted by us with ex-combatants of paramilitary groups in Colombia, we argue that the work of these groups is a form of social control (Black 1983), ensuring conformity with the elites' conservative values, through the elimination of individuals considered subversive, marginal or criminal. Combatants' work is the surveillance (Foucault 1975) of the population who provides information. The practice of work is banal (Arendt 2005) for the fighters because it is the fulfillment of a set of tasks on a routine basis, without thinking about the consequences of their actions. A military and security language makes the violence banal. But as criminal groups, it is not a rational and unemotional work (Adler 1985). Combatants search freedom in the enjoyment of all kinds of pleasures. This job allows them to access to consumer privileges they don't get in other types of work. Unlike criminal groups, it is not a sub-culture against the norms and values of their society. Defending the values of a society of patrons (Hoffman 2011), they build a respectable identity, allowing them to enjoy the privileges of the violence freely.

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**EMERGING ISSUES IN THE INTERNATIONAL PENAL SYSTEM**

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Modern international criminal courts regularly sentence persons convicted for the commission of international crimes to lengthy terms of imprisonment. Over one hundred and fifty individuals have been sentenced by the UN Tribunals for the former Yugoslavia and Rwanda, the Special Court for Sierra Leone and the International Criminal Court. Yet little is known about the systems used to deprive international criminals of their liberty. International sentences of imprisonment are typically enforced by cooperating States in national prisons, subject to the supervision of the sentencing international court. This paper looks at some critical questions in relation to the enforcement of international punishment. Do the systems used to enforce international sentences of imprisonment conform to international human rights and penological standards? Do these systems facilitate the attainment of international criminal justice objectives? This paper defines the international penal system, outlines the various ways in which an international sentence of imprisonment can be enforced, and tries to answer the questions outlined above. In particular, it will ask whether the contemporary international penal system can ensure the provision of humane and effective international punishment. It concludes with recommendations for the development of the contemporary international penal system.

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## THE VICTIM IN TRANSITIONAL JUSTICE. A COMPARATIVE ANALYSIS OF SPANISH AND COLOMBIAN MODEL.

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Transitional justice is a set of theories and procedures from certain political processes through which societies seek to settle accounts with a past atrocity and impunity, achieving this justice for victims of dictatorships, civil wars and wide internal armed conflict duration within the future decalogues truth, reparation and non-repetition in order to return and move towards peace and democracy.As a mechanism for recognition of victims is sought from the promotion of peace, exercise and respect of human rights, through reconciliation, reduced damage, the exemplary punishment of those responsible, creating commissions truth and historical memory, transformation and welcome to the real democratic framework of society.One of the essential purposes of any law that seeks to provide a legal framework for transitional justice process should consist of the effective dismantling of the structures that allowed them to commit serious human rights violations, precisely in order to prevent these repeat. The partial model of Transitional Justice in Spain, is based on "forgive amnesic" which were not considered effective strategies for the elucidation of the facts, obtaining the truth and reparation for the victims, and that helped ease of negotiations between actor and national reconciliation through oblivion.In Colombia,despite the persistence of the current armed conflict between guerrillas, paramilitary criminals transformed into emerging bands and the national army, representing the state, attempts have been implemented gradually and successively since 2000 a series of ideal of "Democratic transition legitimized", contributing to a truly radical transformation of order social and political, represented a significant shift in international policy of peace. It is for this that the goal of this comparative analysis between Spain and Colombia through the victim implement a true macro system overall implementation of Transitional Justice, which contextualizes obtaining a reasonable balance between the competing demands of justice and peace and duty to punish crime unpunished achieving the honor of the victims through the mechanisms of reconciliation with former adversaries. States collectively rainsing awareness about the results and consequences of violence can represent significant changes by looking for peace, security and social reconstruction in order to obtain an ideal society where we can live in harmony as human beings. For the victim is important given this role in comparative law, it will be in your application's main subject of protection and respect for human rights by ensuring that serious violations previously not recur, by understanding what happened, the punishment of these responsible, repair, truth, justice and peace longed obtaining.

# PLENARY SESSION IV.

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**CULTURES OF CONTROL AND PENAL STATES**
David Garland
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"The Culture of Control" was one of several efforts to diagnose and explain changing patterns of crime control and punishment at the end of the 20th century. And the critical discussions that followed on from these efforts have taught us a great deal about the social forces that pressed for the expansion and intensification of penal and social control. As the scholarship in this field grows more sophisticated and more comparative, we face some choices about research strategies and priorities. In this presentation, I argue that there are good reasons to bring the (variable) character of penal states to the foreground of analysis and I outline a basis for analyzing the penal state and its deployment of the power to punish.

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# EUROPE AS A NORMATIVE POWER: CULTURAL PEERS AND PENAL POLICIES

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Since the end of World War II, European values have been decisive in defining human rights and justice, and shaping normative arguments on which penal policies are based. As Europeans position themselves as 'normative power' globally, and shape criminal justice they are seen and see themselves as 'cultural peers'. However, penal policies, imprisonment and prison conditions simultaneously converge and diverge within Europe, and its penal landscape is marked by deep divides. Which values and cultural patterns are seminal in creating Europeans as 'cultural peers' in penal policies? In which ways are these values operative in the penal institutions of clusters of cultural peers within Europe? Do they create a 'European way of justice' and establish Europe as a normative power? These questions will be explored in a cross-cultural analysis for the cultural space and the spatial context of both nearness and distance in Europe.

# STREET GANGS AND VIOLENT EXTREMISM

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## UK STREET GANGS – STRIVING FOR STREET CAPITAL

Simon Harding
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This presentation will present the findings of a four year study into street gangs in south London. It proposes a theory of Street Capital based upon ethnographic fieldwork and the concept of social field analysis as developed by Pierre Bourdieu. This theoretical perspective and organising framework has been central in revealing fascinating new insights into how London gangs are structured; how and why young people become affiliated; issues of recruitment into the gang; motivation for involvement; adhesion to the gang; joint enterprise – and most importantly the imperative for violence.

I consider how young people strategise to achieve Street Capital within this social field and thus strive to achieve distinction within the social field of the urban street gang. This imperative to acquire Street Capital offers a cogent explanation for the dramatic increase in violence amongst gang affiliated young people. I shall consider key issues of gender roles within the urban street gang, the central role of information, the generation of a Street Gang Repertoire of activites, and a range of dynamic gang behaviours within the social field of urban street gangs in London.

**Keywords:** *Gangs; Bourdieu; violence; street capital*

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**EXPLAINING RIGHT-WING VIOLENT EXTREMISM: EXPLORING THE ROLE OF PERCEIVED INJUSTICE AND PROPENSITY TO VIOLENT EXTREMISM**

Maarten De Waele
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The events of 9/11 gave rise to a huge increase in studies on political violence and terrorism. Horgan (2005) and Bouhana & Wikström (2008) postulated that the increase in studies has not led to an increase in the understanding of political violence. Horgan argues that theoretical cloudiness around the concepts of extremism and terrorism impedes our understanding of the phenomenon and its causes. However, some scholars have attempted to integrate this fragmented knowledge in a theoretical framework. In the present inquiry we build upon insights derived from Sampson and laubs theory of cumulative disadvantage, Tyler's model of procedural justice and Wikstrom's recently developed Situational Action Theory. Following SAT, we define (right-wing) political violence as acts of moral rule-breaking stated in law and distinguish between causes and causes of the causes of right-wing political violence. The present study focuses exclusively on the antecedents and consequences of propensity to violent extremism. Propensity to violent extremism is a consequence of moral support for violent extremism and low self-control. The present inquiry evaluates (1) the (in)direct effect of cumulative disadvantage and perceived (in)justice on moral attitudes that are relevant to the explanation of self-reported right-wing political violence and (2) the (in)direct effects of perceived procedural justice, moral support for right-wing extremism and thrill-seeking behaviour on self-reported political violence and self-reported political vandalism. The analyses are based on a large-scale web survey among adolescents and young adults in Belgium.

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**481**
**EXPLAINING VIOLENT EXTREMISM: THE ROLE OF EXPOSURE TO NEW SOCIAL MEDIA**

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Violent extremism and radicalization as the pathway leading up to violent extremism are hot topics worldwide. Both scholars and policy makers increasingly focus on unraveling the process of radicalization and the causes of violent extremism in order to develop more effective prevention strategies. The rapid development of the internet and the constant creation of new technologies is complicating this task. Especially new social media (NSM) give rise to the concern that (self)radicalization and recruitment for violent extremism will rise under influence of the internet, due to the unprecedented ease at which NSM facilitate communication and information sharing, dismissing time and space. In this regard it is problematic that there is hardly any empirical evidence confirming the influence of exposure to online radical content on radicalization. The present study aims at gaining insight in the relationship between exposure to extremist content through NSM and violent extremism. It is assessed to what extent different measures of exposure to extremist content through NSM are related to self-reported political vandalism and self-reported political violence, among adolescents and young adults, controlling for other known risk factors. Data have been gathered using 1) a paper and pencil study among high school students in Antwerp and Liège and 2) a web survey targeting youths between 16 and 24 years old in Flanders and Wallonia (N= 6020). Results show that there is a positive statistical significant effect of exposure to radical content through NSM on both political vandalism and political violence. However, the most persistent effects are found for those measures where individuals *actively* seek out extremist content on the internet as opposed to passive and accidental encounters using NSM. This suggest that an already existing, offline formed interest in violent extremism, pushes young people to search for certain information using NSM, which in turn further influences them in the direction of violent extremism. Thus, although NSM is a facilitator for the occurrence of violent extremism, it is unlikely that passively encountering radical content using NSM will lead to violent extremism without underlying real life exposure. In order to transcend the mere enumeration of risk factors, diffusing rather than clarifying the field, the results will be integrated into an integrated model explaining violent extremism, using the framework of the situational action theory.

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# CULTURAL CRIMINOLOGY: CONSTRUCTION OF DEVIANCE AND CULTURAL MEMORIES

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## THE SOCIAL CONSTRUCTION OF SUICIDE IN LIBYAN SOCIETY

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The aim of this study is to explore how the suicide act is constructed and evaluated in Libyan society. The methodology includes an analysis of 172 prosecutors' files covering the period from 2000 to 2009 which exist in the sub-public prosecution departments. These concern cases of those who succeeded in committing suicide and of those who tried to commit suicide but were unsuccessful. The study also includes semi-structured interviews with officials (including prosecutors, law enforcement officers and medical practitioners) in order to examine and explain the part played by officials in the social construction of suicide.

Findings indicate there are distinct ways in which suicide in Libya is socially constructed and this varies depending upon the perspectives of officials, witnesses and the person who has taken their life. The current study reveals important factors which are trusted by officials to inform their decisions about suicide verdicts. These include:-*medical evidence, crime's theatre, witnesses statements, mode of death, the biography of the deceased, suicide notes and threats to commit suicide, and finger prints.*

The interpretation of suicide by officials may be summarised by the following themes: - *religious weakness, escaping from the current situation, psychological illnesses, life's problems, irrationality, and unemployment.*

Witnesses construe the meaning of suicide along the following lines:- *escape from current situation, psychological illnesses, religion, self flagellation, physical illnesses, and study problems.* However, for those who have taken their life or attempted to take it, suicide may be evaluated in terms of the following themes – *escape, emotional blackmail, revenge, self blaming and frustration.*

An important theme of the thesis is to demonstrate that people construct the meaning of suicide according to the cultural contexts they are placed in. The examination of such constructions has the potential to reflect broader social anxieties in a particular society such as the role of religious knowledge in a secular state.

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**'MORAL PANIC? A CASE STUDY OF YOUTH CRIME IN SCOTLAND 2000- 2004' - MASTERS DISSERTATION (DISTINCTION)**

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This case study critically analyses what has been cited as a contemporary 'moral panic' concerning youth crime in Scotland between 2000 and 2004. A number of methodologies are employed to generate data on the topic and to determine the appropriateness of the label 'moral panic' to this issue. These include secondary analysis of official crime statistics and public opinion surveys; content analysis of official government press releases and all youth crime related newspaper reports from a Scottish broadsheet and tabloid newspaper; and a discourse analysis on key newspaper articles and government publications. This data suggested that political, media and public concern was disproportionate to the actual level of youth crime and thus a moral panic is indicated. The various formulations and interpretations of the moral panic construct are then applied to the current case study in an attempt to assess their relative strengths and weaknesses. Particular attention is paid to the validity of recent criticisms of the moral panic construct, namely it's antiquity due to the conditions of late-modernity. The benefits of incorporating discourse analysis and risk theorising into moral panic research is also assessed. It is concluded that despite the pragmatic criticisms of moral panics in late-modernity, many of the classic theories central tenets remain relevant to our understanding of societal responses to social problems. Furthermore, it is argued that the integration of discourse analysis, and to a lesser degree, risk theorising, broadens the scope of moral panic research.

**Keywords:** *Moral Panic; Media & Crime*

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# HOW DOES "DISCIPLINARY ORTHODOXY" AFFECT PUBLIC ATTITUDES TOWARDS CRIME AND PUNISHMENT IN GREECE?

Magdalini Pipini
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Public opinion regarding crime-related issues is a challenging matter for researchers and politicians alike. An ill-informed public with regard to crime, punishment and other aspects of the criminal justice system leads to discontent and demands for harsher policies to strengthen public safety. Politicians harness public opinion to secure votes, and this can result in policies that are founded on erroneous beliefs. The objective of this paper is to look more deeply into people's attitudes towards crime and punishment, and to consider why Greek people hold the views that they do and how such views are constructed. Culture is one of the core issues, and in this context the Greek Orthodox faith and the traditional tight Greek family unit are relevant. This paper suggests the term "disciplinary orthodoxy" to describe how these two aspects of Greek culture influence public opinion towards crime. I will conclude by showing that my research indicates that the stronger are the Greek people's adherence to their traditional religious and family values, the less punitive are their attitudes towards crime and punishment.

**485**
**MONITORING TELEVISED VIOLENCE: A CHANNEL-LEVEL APPROACH**

Stelios Stylianou
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Violent television content has attracted the attention of students of deviance and crime for quite a while. Although theoretical and empirical discussions on the subject, especially with respect to the social and behavioral effects of such content, remain inconclusive, there seems to exist an overall agreement that violent content should be controlled. Thus, state authorities, perhaps in all countries of the world, use sanctioning systems to contain televised violence. The typical approach is to detect and evaluate broadcasts that break time slot rules and the application of sanctions on the respective channels. In this paper, I present a method for ranking television channels according to how much violence they broadcast. Unlike the typical program-level sanctioning systems, the proposed method offers a channel-level index, based on estimates of how much violence each channel broadcasts in a given period of time and/or within a given time slot and/or on certain days of the week. The score for each channel is obtained through estimation based on quantitative content analysis of a probability sample of broadcasts. This index can be useful (a) as a channel profiling tool, (b) as the basis for a channel ranking system and, as such, as an informal sanctioning device, and (c) as a variable in quantitative studies investigating associations between televised violence and other social phenomena. An application of the method will be presented.

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## TESTING PROCEDURAL JUSTICE THEORY IN BELGIUM AND SWEDEN

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Procedural justice theory assumes that trust in procedural justice and in the effectiveness of the police are important issues for building the legitimacy of the aforementioned institution. Additionally, the perception of police legitimacy, as a result of public trust, is necessary for the recognition of police authority. When citizens recognize the right of the police to determine authority, they are assumed to feel the obligation to obey the police and ultimately comply with the law and cooperate with the police. This theoretical framework is mainly tested in Anglo-Saxon countries. Hence, the purpose of this contribution is to test the key assumptions of procedural justice theory in the Belgian and Swedish context using data of the European Social Survey (ESS). Attention is paid not only to the role of procedural justice, but also to the role of deterrence and the role of personal morality to explain the willingness to cooperate with the police and compliance with the law. This allows us to compare the impact of procedural justice with the impact of other possible determinants. We used Structural Equation Modelling (SEM) to do the analyses. The results suggest that the reason why people cooperate with the police is different in both countries.

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**TRUST IN THE POLICE ACROSS EUROPE: ANALYSES OF POLICE-INITIATED CONTACTS**

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Research in the field of Trust in Justice has intensified in the last years. Studies based on theories of procedural justice as being responsible for institutional legitimacy – looking at the role of fair procedures in building trustworthiness among residents and citizens – have increased recently, also thanks to the module "Trust in Justice" included in the fifth wave of the European Social Survey (ESS5). The core question measuring procedural fairness is asking about the general attitude on the treatment of the police (*How often do police treat people in your country with respect?*). The analyses that will be presented are based on the argument, that the experience of an interaction with the police has an impact on trust in them. Moreover, it is also affecting the perceived procedural justice.

In a first step, the influence of satisfaction with the encounter on trust in the police will be presented. This perception may be influenced by socio-demographic variables, though. Therefore, while asking who has been stopped by the police, sex, age and belonging to an ethnic minority will be taken into account. Secondly, the influence of having become a victim of a crime on one hand, and life satisfaction on the other, will be elaborated. Finally, for the explanation of differences between countries, cultural patterns will be looked at. Based on studies that propagate an influence of social trust on trust in governmental institutions, the influence of social trust on trust in the police is taken into account.

**488**
**INDIGINITES OF ORDER MAINTENANCE**
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The turn to order maintenance in the theory and practice of policing in Western countries has substantially expanded state authority as well as the scope and nature of police-citizen contact. Under this regime, police proactively interdict and temporarily detain citizens whose behavior is deemed sufficiently suspicious for police to conclude that "crime is afoot." In American cities, police stop more than one in 10 adult citizens each year. A new body of research shows that police interactions with citizens, especially minority citizens who are stopped, are hostile and aggressive. Police draw and point weapons, use restraining force such as handcuffs, conduct unwarranted bodily incursions in the search for drugs or other contraband, and use racially and homophobically-tinged invective to degrade suspects. This essay traces how the widespread use of coercive police authority to conduct harsh "field interrogations" produces several incursions on dignity. The analysis focuses on the balance of harms and purposes, and the tragedy of the criminal justice commons that has grown with the spread of order maintenance policing. While conventional tests of this police authority assess the balance of justifications by state actors to impose liberty costs in the pursuit of safety and the heterogeneity of this balance across population groups, this essay injects the notion of dignity into the jurisprudence of "street policing." It instantiates the calculus of perverse legitimacy costs into the analysis of unrestricted police discretion in the pursuit of safety.

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**LEGITIMACY AND EFFECTIVENESS OF JUDICIARY: SOME CRIMINOLOGICALLY LESS VISIBLE ASPECTS AND NEW CHALLENGES FOR EUROPE HIGHLIGHTED**

Nina Persak
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In the recent years, the trust-related issues of legitimacy of the criminal justice system have received increased criminological attention, although the research has predominantly focused on the police, to a much lesser extent on the judiciary. Issues of fairness of treatment or procedural justice seem to have overshadowed some of the other legitimacy-building factors, such as distributive justice concerns, decision-making or quality of justice dimensions and structural factors in the legitimacy-of-justice equation. The paper will shed light on these latter, in criminological research much more neglected, aspects of judicial legitimacy, by among others taking a closer look at the recent European Commission interventions against two Member States whose actions posed structural and individual threats to judicial independence. Furthermore, the paper shall address the current European justice-related challenges and the new European Union tool, the EU Justice Scoreboard, which has been developed to help counter these challenges (particularly the challenges to the quality, independence and efficiency of national justice systems, and consequently to the effectiveness of EU law) by allowing progressively more detailed assessment of the functioning of justice systems (of their strengths and weaknesses) in all Member States.

**491**
**TESTING SITUATIONAL ACTION THEORY CROSS-NATIONALLY**
Kyle Treiber
*University of Cambridge, Institute of Criminology, Cambridge, United Kingdom*

This session tests various propositions of Situational Action Theory (SAT) using data from adolescents in the UK (the Peterborough Adolescent and Young Adult Development Study; PADS+, Sweden (the Malmö Individual and Neighbourhood Development Study; MINDS) and the Netherlands (the Hague Study of Peers, Activities and Neighbourhoods; SPAN). Designed specifically for cross-national comparison, these three studies apply unique and innovative methods to studying the interaction between adolescents and their social environments, exploring cultural differences and the universal nature of key social processes.

1. Core elements of Situational Action Theory: A cross-national comparison of the cities of Peterborough, the Hague and Malmo
> Per-Olof H. Wikström, Kyle Treiber (Univ. Cambridge)
> Frank M. Weerman, Gerben J. Bruinsma (NSCR)
> Marie Torstensson Levander (Malmö Univ.)
> This paper tests the core propositions of SAT across adolescent populations in three different countries, the UK, Sweden and The Netherlands. Using data from the PADS+, MINDS and SPAN, we explore cross-national differences in crime propensity and criminogenic exposure and the extent to which the interaction of these two concepts explains differences in rates of crime involvement.

2. Self-control, intoxication and violence: A cross-national comparison of Peterborough and Malmö.
> Kyle Treiber (Univ. Cambridge)
> Robert Svensson (Malmö Univ.)
> This paper delves into the significantly higher rates of violent crime amongst young people in the UK vs. Sweden using international comparative data from PADS+ and MINDS. It explores the explanatory capacity of population differences in self-control and rates of alcohol use.

3. Morality, deterrence and theft: A cross-national comparative study
> Robert Svensson, Marie Torstensson Levander (Malmö Univ.)
> Per-Olof H Wikström (Univ. Cambridge)
> In this study we will test one of the key assumptions of the Situational Action Theory and examine whether morality and deterrence interact in the explanation of self-reported theft among adolescents in Sweden and England. More specifically, deterrence is assumed to have a greater deterrent effect on theft for individuals with low levels of morality than for individuals with high levels of morality. To achieve this we use data from PADS+ and MINDS.

4. Parental monitoring, supervision, activity fields and young people's offending: A cross-national comparison using space-time budget data.
> Beth Hardie (Univ. Cambridge)
> Anna-Karin Ivert (Malmö Univ.)
> This paper presents, for the first time ever in criminology, an international comparison using space-time budget data. Comparative levels of parental monitoring and supervision and its impact on young people's activity fields and offending are explored using data from the UK (PADS+) and Sweden (MINDS), within a Situational Action Theory framework.

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# CORE ELEMENTS OF SITUATIONAL ACTION THEORY: A CROSS-NATIONAL COMPARISON OF THE CITIES OF PETERBOROUGH, THE HAGUE AND MALMO

P-O Wikström[1], Kyle Treiber[1], Frank Weerman[2], Gerben Bruinsma[2], Marie Levander[3]
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Per-Olof H. Wikström, Kyle Treiber (University of Cambridge); Frank M. Weerman, Gerben J. Bruinsma (NSCR); Marie Torstensson Levander (Malmö University)
This paper tests the core proposition of Situational Action Theory (SAT) that crime propensity and criminogenic exposure interact to explain crime involvement (P X E = C) across adolescent populations in three different countries: the United Kingdom, Sweden and The Netherlands. Using data from participants aged 15 to 16 years old from the Peterborough Adolescent and Young Adult Development Study (PADS+), the Malmö Individual and Neighbourhood Development Study (MINDS), and the Hague Study of Peers, Activities and Neighbourhoods (SPAN), we explore cross-national differences in crime propensity (reflecting personal morality and the ability to exercise self-control) and criminogenic exposure (refleting peer crime involvement and time spent with peers in risky settings) and the extent to which the interaction of these two concepts explains differences in rates of crime involvement.

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**SELF-CONTROL, INTOXICATION AND VIOLENCE: A CROSS-NATIONAL COMPARISON OF PETERBOROUGH AND MALMÖ**

Kyle Treiber[1], Robert Svensson[2]
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This paper delves into the significantly higher rates of violent crime observed amongst young people in the United Kingdom compared to those observed amongst young people in Sweden using international comparative data from the Peterborough Adolescent and Young Adult Development Study (PADS+) and the Malmö Individual and Neighbourhood Development Study (MINDS), both ongoing longitudinal studies with a particular emphasis on advancing knowledge about the role of social environments in crime causation. This paper explores the capacity of population differences in self-control and rates of alcohol use to explain differential rates of violent/aggressive crimes by 15 to 16 yeard olds, and how frequency of alcohol use and participants' abilities to exercise self-control interact to explain their violent crime involvement. Unlike many cross-comparative studies, this study utilizes data which is collected using identical methods across both study sites, which has significant implications for the validity of the comparative findings.

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**MORALITY, DETERRENCE AND THEFT: A CROSS-NATIONAL COMPARATIVE STUDY**

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[2]*University of Cambridge, Institute of Criminology, Cambridge, United Kingdom*

In this study we will test one of the key assumptions of Situational Action Theory (SAT) and examine whether morality and deterrence interact in the explanation of self-reported theft among adolescents in Sweden and England. More specifically, deterrence is assumed to have a greater deterrent effect on theft for individuals with low levels of morality than for individuals with high levels of morality. To achieve this we use data from the Peterborough Adolescent and Young Adult Development Study (PADS+) (N = 703) and the Swedish Malmö Individual and Neighbourhood Development Study (MINDS) (N = 485). Morality represents young people's willingness to break rules; for young people with strong morality it is predicted that deterrence is unlikely to influence their decision to commit crime, as their morality will already lead to their not perceiving crime as a viable alternative. Deterrence is presumed to influence the decision to commit an act of crime only for those who perceive crime as an alternative, and only if they deliberate over whether or not to choose that alternative. In this case, deterrence may play a role in their (conditionally) rational decision making.

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**PARENTAL MONITORING, SUPERVISION, ACTIVITY FIELDS AND YOUNG PEOPLE'S OFFENDING: A CROSS-NATIONAL COMPARISON USING SPACE-TIME BUDGET DATA**

Beth Hardie[1], Anna-Karin Ivert[2]
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[2]*Malmö University, Department of Criminology, Malmö, Sweden*

This paper presents, for the first time ever in criminology, an international comparison using space-time budget data. Space-time budgets measure young people's activity fields by gathering temporal and spatial data on their activities (what they are doing, who they are with, and where they are, including incidents such as acts of crime) which can be linked to geographic data, for example, from national censuses or community surveys. For this paper, data are drawn from the Peterborough Adolescent and Young Adult Development Study (PADS+) and the Malmö Individual and Neighbourhood Development Study (MINDS) and analysed within a Situational Action Theory framework. This paper explores comparative levels of parental monitoring and supervision in Sweden and the United Kingdom and its impact on young people's activity fields and rates of offending. Parental monitoring and supervision have been identified as key factors in young people's crime involvement, and SAT suggests they exert their effects through their influence on young people's exposure to crimnogenic settings.

# NO SEX PLEASE! CRIMINALISATION AND SOCIAL EXCLUSION OF WOMEN IN A HISTORICAL PERSPECTIVE

**496**

## VICTIMS STILL? A REVIEW OF FEMALE TRAFFICKING IN TAIWAN

Lanying Huang
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Human trafficking, often described as "modern-day slavery", is by no means a new phenomenon. In many societies, women and men are recruited and transported for the purpose of exploitation within a country or across countries. The majority of victims are economically disadvantageous women with low social status. Existing data and literature mainly focus on transnational trafficking. They fail to present the full picture of exploited women in Asian context, where female is still viewed as a weaker and inferior gender. Using Taiwan as an example, I describe how female victims of human trafficking were overlooked under the current immigrant-crime-security framework. I discuss three types of women trafficking from a historical perspective, namely sold daughters, underage prostitutes, and immigrants. I conclude that social isolation and discrimination not only contribute to these women's vulnerabilities, but also further stigmatize them during the criminal justice procedure. The launch of Human Trafficking Prevention Act has done very little in solving old problems. It instead increased the risk and cost of so-called "victims of human trafficking".

**497**
## CRIMINALIZATION AND SOCIAL EXCLUSION

Johnson Ayodele
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*Oro* is one of the many ancestral gods commonly worshipped by Yoruba people of the south western part of Nigeria. Being an extra-judicial resource among Awori people, the shrine of *Oro* (*Igbo Oro*) is not accessible to non-initiates, especially women. In addition, women are forbidden from sighting the *Oro* cult. Any woman who acts in breach of the restriction, risks death. This paper examines the criminal implications of *Oro* Cult for the wellbeing of women residents at Ojo Local Government Area of Lagos, Nigeria. Twenty in-depth interviews are conducted with the Chief Priest, the Traditional Ruler and adult men and women residents of the local government to provide data that complement relevant archival sources that are explored. The study found that women are displeased with the diverse victimizations arising from the restriction of their movement during *Oro* festivals. In the light of the established strength of *Oro* cult among the Awori people, the paper suggests that public policy should adopt it as an informal means of crime control. Moreover, it should be used to curtail the rising tide of criminality and make the entire public space of the local government area safer for its citizens and other residents.

**498**
## NO SEX PLEASE! YOU CAN'T CONSENT SO YOU ARE CRIMINALS

Ann Skelton
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This paper tells the story of a current constitutional challenge to the criminalization of sexual activities between consenting adolescents. South Africa's new Sexual Offences legislation had good intentions of protecting children from sexual abuse, but it went too far by criminalizing all consensual sexual activity from kissing through to intercourse between adolescents aged 12 – 16 years. This is linked to a mandatory reporting provision, so parents, teachers and counsellors who know about such activities must inform the police. The law exposes adolescents to the risk of prosecution, and if convicted, their names would be placed on the sex offenders register. Two children's rights organisations, legally assisted by the Centre for Child Law, challenged this law on the basis that it unjustifiably infringed the rights of children to dignity, privacy, sexual autonomy and to have their best interests considered paramount. The case was won in the High Court, and was then argued before the Constitutional Court on 30 May 2013. The presentation will explore the case against the notion that safer societies are best promoted through social inclusion rather than social exclusion. The Sexual Offences law operates from a paradigm of social exclusion, whilst other South African laws such as the Child Justice Act operates within the notion of social inclusion. The contradictions will be ameliorated, though not fully resolved, if the Constitutional Court rules in favour of decriminalizing consenting sexual activity.

**499**
# CRIMINALIZATION AND LIBERTY

Gerry Johnstone
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By criminalizing conduct, the authorities in society erect significant barriers which prevent people from doing things they might want to do. Yet, liberty is one of the supreme values of the western world. It is hardly surprising, then, that the criminalization of conduct has often been challenged and resisted on the ground that it involves unwarranted interference with people's liberty. Such challenges invite a number of questions. What precisely is meant by 'liberty'? Why do we attach such high value to it? What is the value of liberty relative to benefits that might be gained by the criminalization of conduct? These are perennial questions. However, they have acquired urgency in recent years as a result of dramatic changes in the way society uses and enforces criminal law. For many commentators, these changes point to the conclusion that liberty is in grave danger Accordingly, thinking though the issues of criminalization and liberty, and arriving at a coherent and progressive stance towards these issues, strikes me as a task of the utmost importance today. But, liberty is a politically and culturally complex social value, and does not line up neatly with other aspects of a social democratic vision of a good society. This paper is intended as groundwork for a research project which has the broad aim of helping me and those who read my work to think more sharply and clearly about these issues.

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# RESTORATIVE APPROACH IN JUVENILE JUSTICE

**500**
**INNOVATIVE RESPONSES TO ADOLESCENT TO PARENT VIOLENCE**
Rachel Condry
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This paper presents findings from a three year ESRC-funded study 'Investigating Adolescent Violence towards Parents' which seeks to understand the different ways this complex form of family violence is understood, focusing on the experiences of parents and young people who live with violence and on how reported cases are managed within the criminal justice system. Adolescent to parent violence is a largely 'invisible' form of family violence which remains unarticulated within the fields of youth justice, policing, domestic violence, and criminology. This is despite developing research evidence to suggest that it is a significant issue and an acknowledgement that it is a relatively common problem by those that work 'on the ground' with young people and their families. This form of family violence presents very real problems for criminal justice and often falls between the cracks of different services. There have, however, been a handful of small-scale innovative responses designed to specifically address the problem both in the UK and internationally. This paper considers how those responses have evolved to address the problem of adolescent to parent violence, the degree to which they are integrated with criminal justice, and what they can tell us about the most appropriate approaches to the needs of these young people and their families.

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## LOOSING YOUR RELIGION OR WHY RESTORATIVE JUSTICE FOR YOUNGSTERS IS IN NEED OF A RE-MAKE: THE BELGIAN CASE

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Restorative justice in Belgium is often presented in youth criminological literature as an example of good practice and/or as an interesting case. Especially with the recent reform (2006) of the Juvenile Protection Act, the restorative dimensions and potentials of the Belgian youth system are accentuated. However, in this paper we will present at least three fundamental reasons why we consider this view as over optimistic. First of all, the role of (Belgian) criminological research/scientists regarding (the rise of) restorative justice can and should be questioned. Secondly from a children's rights perspective several fundamental problems can and should also be observed. Thirdly, taking into account available data on the implementation of Belgian restorative justice practices, it seems that these RJ practices do not represent a fundamental shift in the social reaction towards youngsters.

Based on these arguments we conclude that, if restorative justice wants to be taken seriously and maintain its ambition to be an alternative for classical (penal) justice, an "introspection" and self-critique is necessary.

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**502**
# RESTORATIVE JUSTICE & JUVENILE JUSTICE SYSTEM: A COMPARATIVE PERSPECTIVE BETWEEN SPAIN, PORTUGAL AND UK.

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*[3]University of Gloucestershire, Department of Natural and Social Sciences, Gloucester, United Kingdom*

The principles of Restorative Justice have influenced juvenile criminal law throughout Europe as an essential mechanism for the rehabilitation of young people and even the diversion away from criminal careers, nevertheless the evaluation of its impact have been sparse. This comparative study aims to trace the evolution of Restorative Justice in European legislation and establish how comparative restorative mechanisms are operating in three juvenile justice systems in Spain, Portugal and the UK. This research project will be carried out by researchers from University of Castilla-La Mancha (Spain), ISMAI (Portugal) and Gloucestershire University (UK).
Using semi-structured interviews with experts working within the Juvenile Justice Systems of these three countries and statistical data we will analyse the contribution such 'conflict resolution' mechanisms have made in the juvenile justice systems. The inclusion of the, so-called "third way" of criminal law, has allowed opening legal responses ranging from resolving the conflict between offender and victim to reducing fear of crime in the community, through a change of attitude to and from the victim to the outcome of the crime. Findings will explore the limits and outcomes following the implementation of restorative justice into the juvenile justice system.

**503**

**'YOU JUST TELL THE WHAT THEY WANT TO HEAR'. YOUNG PEOPLE AND RESTORATIVE JUSTICE**

Sarah Soppitt
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The use of restorative justice, while not a new phenomenon, has over the last two decades seen something of a revival and an eclectic mix of practices have developed under this broad umbrella term. Advocates and critics of restorative justice are equally vocal yet restorative justice has continued to play a role in criminal Justice practice in England and Wales, particularly the Youth Justice arena. This paper aims to explore the difficulties associated with understanding desistance (if any) from criminal activity and the extent to which attribution to restorative justice can be demonstrated, in the context of first time entrants to the CJS under the supervision of Youth offending Teams (YOT) by focusing upon the introduction of 'triage'. The paper draws upon a twelve month study with one YOT (2009/10) and explores the value of restorative justice. Specifically the research examines the use of restorative justice as an early intervention tool, which initially appeared to have a successful recidivism rate of only 8%, by following up one cohort of young offenders two years after their restorative experience with the CJS (2012/3).

**Keywords:** *First time entrants / traige/ youth offending*

**COMMUNITY SANCTIONS AND MEASURES WORKING GROUP: PROBATION SUPERVISION AND TECHNOLOGY ERA**

**504**

**PROBATION, MEDIA AND INCIDENT-BASED PROBATION VISIBILITY: A COMPARATIVE STUDY OF BELGIUM AND ENGLAND AND WALES**

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There is a clear lack of media representation with regard to probation, whether this involves newspapers, television or films; the probation service, probation work and probation staff are notable by their absence – and especially when compared to the police, courts or prisons. Using as a benchmark Jewkes' (2004) key news values that are prominent in the construction of crime news, this paper examines the contemporary probation-media relationship. We further explore the importance of incident-based probation cases (e.g. recent murder cases by offenders out on conditional release, and under probation supervision) in the media. The findings will be discussed in a comparative perspective (Belgium versus England and Wales) and in relation to the wider context of an increasingly punitive culture in both jurisdictions.

**Keywords:** *Probation, media, comparative research*

**505**
**RISK ASSESSMENT IN PRACTICE: EXAMINATION OF RISK ASSESSMENT IN LATVIAN PROBATION**

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Risk and needs assessment and offenders classification with regard to their risks and needs has become a widespread and significant element of the contemporary probation practice. In Latvia, risk and needs assessment instruments for assessing offenders' risk of re-offending and guiding risk management and rehabilitation practices were implemented by State Probation Service during the last decade.

This presentation gives an overview of the development of risk and needs assessment in Latvia. It draws on original research that has been done as part of my PhD project to examine risk assessment practice in probation in Latvia and to explore a range of issues that probation agency is likely to face during implementation of these instruments, as well as further on in maintenance of risk assessment practices already implemented.

I examine risk assessment practices using qualitative and quantitative methods. My main findings relate to the complexity of circumstances in which risk assessments practices are performed. Efficiency of risk assessment practice depends on availability of appropriate tools which demonstrate reasonable accuracy. At the same time risk assessment practices, including assessor's decisions about offenders' risks and needs are related to assessors' knowledge, values, past experience and perception of offender's supposed behaviour in the future. Finally, the risk assessment practice needs to be understood within the social, cultural, political and historical context of this practice.

**506**
# PROBATION PRACTICE IN AN AGE OF INFORMATION

Jake Phillips
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This paper reports on an ethnographic study of probation practice in England Wales which explore the impact of Garland's (2001) 'culture of control'. In concurrence with other recent studies it is found that the theoretical debates around punitivism have not translated neatly into practice and practitioners' practice ideals. Rather these ideals can be seen to be rooted in a 'welfarist ethos'. The paper goes on to explore probation practice in the 'information age', a term used to describe the way in which knowledge and information, particularly electronic, have become defining features of our society. Whilst there have been explicit attempts to explore the impact of the 'information age' on sentencing (for example, Franko Aas 2005), such a theoretical framework has rarely been applied to the world of probation practice. This, I argue, has had important implications on the way in which probation practitioners go about their work. Thus I take a broad perspective to rethink some of what we already know about recent changes in probation practice and argue that the ways in which practitioners receive information, and the importance placed on that knowledge, marks a change from past forms of practice. In turn I argue that this has had important implications for the relationships that are formed between practitioner and offender.I argue, therefore, that whilst punitive changes at the level of policy have been mitigated by probation officer's *habitus*, there are other sources of punitivism which add to this complex debate.

# FROM PRINCIPLE TO PRACTICE: INTRODUCING THE CORRECTIONAL PROGRAM ASSESSMENT INVENTORY TO UK CRIMINAL JUSTICE INTERVENTIONS.

Bridget Kerr

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There is now a vast body of consistent, rigorously tested statistical evidence that supports the importance of the risk, need and responsivity (RNR) principles in delivering effective interventions (Andrews & Bonta, 2010). However, the principles are often misunderstood and misapplied in practice, resulting in deficits in programme delivery and in many cases a professional resistance to the RNR framework. The Correctional Program Assessment Inventory (CPAI) (Gendreau & Andrews, 2010) has the potential to address the discrepancy between intent and implementation. Through a detailed evaluation of the extent to which interventions adhere to principles developed within the RNR framework, the CPAI enables practitioners to articulate the work they do in terms of effective practice, identify the strengths and weaknesses of programmes and develop strategies to improve their service. Where implementation has been a weakness in the roll-out of promising innovations in offender management in the UK in the past, a crucial strength of the CPAI is that it addresses the quality of implementation, including management issues and organisational culture.

North American studies have found a strong relationship between programme integrity as measured by the CPAI and outcomes relating to recidivism, where programmes with the highest CPAI scores have greater measured effect in terms of reducing re-offending (Lowenkamp, 2004).

This current project piloting the use of the CPAI to evaluate criminal justice interventions in the United Kingdom seeks to support the development of dynamic, innovative and effective intervention programmes within the proven RNR framework to engage service users in a positive and proactive way and reduce reoffending.

The CPAI project team at Swansea University has conducted the first evaluation in England and Wales (Ugwudike & Raynor, 2012) and is now keen to expand the project by conducting further evaluations. All enquiries are welcomed by Prof. Peter Raynor and Dr. Pamela Ugwudike at the Centre for Criminal Justice and Criminology, School of Law, Swansea University:

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**508**
**WHY DOES HEALTH MATTER: QUALITATIVE INSIGHTS INTO INTEGRATED COMMUNITY HEALTH CARE WITH PROBATION POPULATIONS**

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The literature indicates that offenders constitute a seldom heard population who experience a disproportionate burden of physical and mental ill-health when compared to the general population. These problems are compounded by issues associated with access to services, experiences of them and outcomes. As part of a national NHS review led by Lord Ara Darzi (DH,2008)an area of Merseyside was required to establish a more 'equitable' delivery of health care to identified hard to reach populations.This paper will report on an evaluation of this service intended to provide integrated, equitable and equity in primary health care and social care provision for this population group. A qualitative study using semi-structured interviews was undertaken to elicit a rich understanding of the impact of the service on the health and wellbeing of a probation population within the Merseyside area and integrated working with partner agencies. The interviews conducted were with service users and stakeholders. This elememnt formed part of a broader research project with other seldom heard populations.

Prompter access to primary health and social care, addressing health and wellbeing needs, and faster onward signposting/referral were identified as key features of the service. Respondents reported that experience of care was high and generally exceeded care under mainstream provision. Professional stakeholders reported that working in partnership with the integrated service supported their own management of clients' health and wellbeing. Yet, integration between primary health care with Criminal Justice could be strengthened further. Improving access and processes related to health and wellbeing as well as experiences in populations with a story of neglected health and social needs remains a public health priority however it became clear that there was an inherent link with offender engagement and desistence and sohealth and social needs should be a criminal justice priority too. Health really does matter.

# EUROC 5: CONTROLLING ECONOMIC CRIMES

**509**
## ECONOMIC CRIME IN GERMANY: PREVALENCE, DEVELOPMENT AND PREVENTING STRATEGIES. A RETROSPECTIVE VIEW OF THE EMPIRICAL RESEARCH OF THE ECONOMY & CRIME RESEARCH CENTER (HALLE).

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Since almost one decade the Economy & Crime Research Center of the Martin-Luther-University of Halle explores in cooperation with institutions in the field of awareness of crime by managers and the approach to crime risks. In the meantime there are data from four surveys, which design a picture of the development of awareness of crime and of the strategies of prevention in German companies. It conveys a rising sensibility in economic crime emanating from the own business and an optimisation of preventing strategies, which are beyond the scope of disclaimer of liability.

**510**
**ORGANIC AND MANUFACTURED SELF-REGULATION IN THE CONTROL LANDSCAPE OF TRANSNATIONAL CORPORATE BRIBERY**

Nicholas Lord
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Transnational corporate bribery is organised at a multi-jurisdictional level. This generates substantial difficulties for responsible enforcement agencies at the national level where the particular characteristics of transnational bribery create substantial structural, legal, procedural, evidential and financial obstacles that render traditional law enforcement mechanisms such as criminal prosecution currently implausible. While some leverage against transnational corporate bribery is gained through enforcement practices, a regulatory landscape is emerging that incorporates a variety of manufactured and organic self-regulatory mechanisms that emanate from three main 'domains' – state, commercial and intergovernmental/nongovernmental organisations. These mechanisms involve both state and non-state 'regulatory' actors, reflect varying levels of formality (e.g. mandatory-voluntary), can be specific or general, and may be direct and/or indirect in their self-regulatory influence. In this sense, self-regulation is an artifact of the domains from which the mechanisms emanate as differing objectives are sought. However, the effectiveness of this emerging self-regulatory landscape remains unclear. While some regulation is possible, the extent and longevity of these practices requires systematic analysis to further understanding of their impact.

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**PUTTING UP BARRIERS AGAINST ORGANIZATIONAL CRIME. THE CASE OF INTERNATIONAL ILLEGAL WASTE FLOWS**

Rudie J.M Neve

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Enforcement agencies in the Netherlands have adopted the *barrier model*, a variant of a 'business logistics' model, in which crime is conceptualised as a business, albeit illegal. A barrier model is a description of the business process of an illegal undertaking, such as human trafficking. Moreover, it specifies persons, agencies and legal businesses that can play a role in obstructing this process, among other things by stopping the (intentional or unintentional) facilitation of crime. In recent years, environmental crime has become a priority for the Dutch police, which is why a barrier model will be developed to combat this type of crime.

A study was conducted into one particular form of environmental crime: the international illegal waste trade. It gives a detailed description of the trade chain of selected waste flows, and the illegal activities of mostly legal players. At several points in the trade chain, leakage from legal into illegal flows occurs. A different approach to the barrier model seems to be required, as the model currently focusses entirely on the illegal business process.

To avoid damage to the environment and public health in destination countries, regulation of the waste trade chain prescribes that exporters must report dangerous waste transports to the authorities. Other transports require documents stating the destination, and the processing or recycling facility. Furthermore, national and third-party regulations, including accreditation and certification practices, are in place. Compliance makes waste disposal expensive. Breaking the rules can generate considerable illegal profits, and competititive advantages. It is therefore attractive to export waste to countries where waste disposal is cheaper, or that pay for recyclable materials, even if heavily polluted.

The study describes criminal opportunities for the players in the waste disposal and recycling chain, such as producers, collectors, traders and exporters, in addition to the opportunities for facilitating parties such as forwarding agencies, analysis and research agencies and consultancy firms. Most players are legal and licensed companies that break the law in part of their activities. Others are unlicensed collectors and traders, such as e-waste tourists. Illegal activities include forgery of documents, e.g. stating false content or final destination, and mixing dangerous chemical waste with legitimate shipments. Each illegal activity requires specific measures to put up barriers. The implications for the further development of the barrier model will be discussed.

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# SECRECY JURISDICTIONS STILL HINDER THE FIGHT AGAINST WHITE-COLLAR CRIME

Jose Cruz
*Faculty of Law of University of Porto, School of Criminology, Porto, Portugal*

There have been several international initiatives aiming the reducing of secrecy and the increasing of transparency, in particular regarding the information exchange on tax and on money laundering matters. Departing from the analysis of several data sources on rankings of jurisdictions in the levels of secrecy (Financial Secrecy Index - FSI) and in the levels of transparency (Corruption Perceptions Index - CPI), and from reports on the implementation by countries of recommendations concerning the exchange of information (recommendations of the "Global Forum on Transparency and Exchange of Information for Tax Purposes" – *Global Forum*) and regarding initiatives to combat white collar crime and organised crime, namely money laundering and the financing of terrorism and proliferation (recommendations of the Financial Action Task Force – FATF), we find that several secrecy jurisdictions with low levels of corruption resist to the reduction of secrecy and to the implementation of recommendations. Hence emanates the question why jurisdictions evidencing reduced levels of corruption are not available to contribute to increased international exchange of information and for the reduction of financial opacity. We move forward with an answer based on how the illegal capital flows across the globe.

**Keywords:** *secrecy jurisdictions; tax heavens; tax fraud; money laundering; corruption; white collar crime*

## SENTENCING AND PENAL DECISION-MAKING III.

**513**
## CRIMINAL JUSTICE SYSTEMS IN EUROPE: A CROSS-NATIONAL ANALYSIS

Jose Becerra, Elisa Garcia-España, Aracelli Aguilar-Conde
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In the last years, the Crime Observatory of the University of Malaga has analysed police records on criminal activity, has also carried out several crime victims surveysin Spain and has worked on a detailed analysis of the prison system and its connection to the prison policy.

This year´s report focuses on the Criminal Justice System, one of the big official data providers, to gather, organize and interpret a great deal of quantitative data from 2000 to 2011. Such longitudinal scrutiny offers data related to public opinion about criminal courts, the quality of criminal justice, its resources, the amount of criminal cases managed on each court, a user´s profile, etc.

On this presentation, we´ll concentrate on a comparison of the European countries that constitutes the first chapter of the Report and aims to offer a proper context to the rest of it. Such comparison will explain the national differences in terms of the public budget allocated to courts, legal aid, court fees, incoming criminal cases, length of procedures, clearance rate, as well as homicide, rape, serious assault and robbery convictions, etc.

Our aim will be to offer an interesting cross-national analysis of such topics that will provide a reference point from which to debate the national policies related to the Criminal Justice System in the European Countries.

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# DOES THE TRANSNATIONAL ENFORCEMENT OF CUSTODIAL SENTENCES ARBITRARILY AFFECTS THE SENTENCE SERVED?

Stefan Schumann

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Once the sentencing decision has been made, the actual length and severity of custodial sentences to be served is still likely to be influenced by a variety of factors. The length of custodial sentences served depend inter alia on the rules for and practice of early release and probation. The severity of sentences is factually influenced by the prison regime and further conditions of imprisonment. Whereas within one and the same domestic criminal justice system the same rules apply, their application might differ from region to region. Alongside with differing factual conditions of imprisonment this differences influence the severity of custodial sentences served.

The transnational enforcement of custodial sanctions as provided for with the EU Framework decision 2008/909/JHA is even more likely to influence the length and conditions of custodial sentences given. In general, sentencing decisions from one EU member state will be transferred to another EU member states and enforced by applying the rules on the prison system and on early release of the latter country. Research already proved that rules on early release differ widely within the EU. The same is true for the conditions of imprisonment. Actually, the case law of the ECtHR demonstrates that both certain prison regimes in European countries and specific conditions of imprisonment even violate human rights of the prisoners.

Based on legal research, data analysis and case law analysis the presentation demonstrates that transnational mutual enforcement of custodial sentences might arbitrarily influence the length and severity of sentences served. It draws conclusions for the application of those rules, for further legislative measures to be taken and for further research needed.

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**PENALTIES FOR HOMICIDES IN LITHUANIA**

Algimantas Čepas
*Law Institute of Lithuania, Criminal Justice Research Department, Vilnius, Lithuania*

The research project of the Research Council of Lithuania "Homicides in Lithuania" is based on analysis of 1000 of court decisions in homicide cases. The presentation will introduce preliminary results of the analysis and concentrate on the issues of penalties in homicide cases. The results reveal inclination of Lithuanian courts to presume existence of intent of culprits in the most of the cases while that leads to a very low number of negligent homicides in official statistics. The high number of qualified homicides is caused by certain specificities of Lithuanian law, i.e. the Penal Code of Lithuania establishes that every homicide of a member of the family of a culprit shall be considered to be qualified while the courts tend to expansive interpretation of this provision, acknowledging victims to be members of families of culprits even in cases a family is non-existent (in cases when victim is a cohabitant of a culprit). The most of the homicides analyzed have been committed by culprits and against victims in the state of drunkenness. Analysis of the court decisions reveal that many culprits state their drunkenness as an explanation for the crime committed and consider it to be a basis for a more lenient penalty while the Penal Code on the opposite establishes drunkenness of the culprit to be an aggravating circumstance. All the aforementioned and other issues allow considering a widening divide between understandings of courts and common-sense taking place.

# BALKAN CRIMINOLOGY

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**BALKAN CRIMINOLOGY**

Anna-Maria Getos
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The Balkans features certain common political, historical, cultural, and structural traits that make it plausible to focus criminological research on the area as a whole. History provided the Balkans with common structures, as well as patterns of perception and behaviour, allowing for differentiation in respect of other parts of Europe. During long periods the Balkans were part of large empires (Roman Empire, Eastern Roman/Byzantine Empire, Ottoman Empire) that were rooted either outside the region or reached far beyond it. This historical setting could explain the specific understanding and perception of state power in the Balkans. Adding to this the violent dissolution of Yugoslavia, a huge part of the region has been and still is affected with the consequences of wide spread ethnic conflict and ongoing state-building, whereby the criminal justice system plays a major role. A regional approach is not only historically and sociologically plausible, but it also takes into account the transnational nature of **organized crime and illegal markets** - the main security challenge in the Balkans (*UNODC*). Since conventional and violent crime seems to play a far less important role in the region than compared to the rest of Europe (*UNODC*), it again seems justified to look at the region as a whole in search of the causes for such findings. Whether and how this relatively high level of security is reflected in the **feelings and perceptions of (in)security and crime** in the Balkans is another challenging research question. In addition the region can be explored in terms of new methodological trends in **violence research** ("phenomenologically thick description of violence") due to the presence of large-scale mass-violence, and the empirical potential this holds for criminological research. A last issue concerning not only the Balkans, but also international criminal justice at a global level deals with **international sentencing**: How should perpetrators of the most heinous crimes be dealt with, what is the purpose of their sentencing, which principles should govern the sentencing, and shouldn't there be a minimal range of sentences for the 'worst of the worst'? The just highlighted issues present the **research focuses of the Max Planck Partner Group for 'Balkan Criminology'** at the Zagreb Faculty of Law and shall be discussed with colleagues fron the region during the 'Balkan Criminology' panel session, which will provide an overview of the state of art in Balkan Criminology through several presentations: 1. "Criminology and Crime in Croatia" by Dr. Anna-Maria Getos; 2. "Criminology and Crime in Bulgaria" by Prof. Dr. Svetla Margaritova; 3. "Criminology and Crime in Hungary" by Dr. Sarik Eszter Katali; 4. "Criminology and Crime in Montenegro" by Ms Jelena Popovic; 5. "Punishment and Sentence Enforcement for Serious Violations of International Humanitarian Law Committed in the Former Yugoslavia" by Mr Filip Vojta; 6. "Comparative lessons: Developing the Balkan Criminology Network" by Prof. Dr. John Winterdyk.

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# CRIMINOLOGY AND CRIME IN CROATIA

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Slightly more than 100 years have passed since the emergence of criminology as an independent scientific discipline. Therefore it isn't surprising that there are currently loads of discussions between 'hostile streams' on criminology's position, role, and subject, as well as its future. These discussions are being dictated predominantly by varying scientific conceptions, although from time to time certain 'stream's' elements of particular and nonscientific interests temporarily resurface in the turbulent sea of arguments. Such tendencies can be found across the globe, as well as currently in Croatia. Therefore the question about criminology's past, current and future position as well as its role in Croatia is not only justified, but long overdue. Serious and systematic academic debate on these issues is almost nonexistent in Croatia. That is why this is merely an attempt to start of such debates, rather than it is the presentation of full-fledged answers, which claim to be correct or even final. Due to the lack of clear and widely accepted classifications of criminology in the worldwide system of scientific fields, a first historical analysis and a detailed overview of the current struggle surrounding criminology's institutionalization, as an independent academic discipline in Croatia, enables a solid and empirically founded determination of its actual position. In such context it is necessary to determine and critically review criminology's past, current and future position in Croatia.

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**CRIMINOLOGY AND CRIME IN BULGARIA**

Svetla Margaritova-Vuchkova
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Historically, criminology took shape as science in Bulgaria at the end of the 19<sup>th</sup> century. In accordance with the process of institutionalization of criminology in Europe and the increased activity of the United Nations in the development of prevention strategies in the late 50s of the 20<sup>th</sup> century, in 1967-1968 the beginnings of the institutionalization of criminology were laid in Bulgaria. In 1967, a Council for criminological research at the Chief Prosecutor's Office was established, and later a Research Institute of Forensic Science and Criminology at the Ministry of Interior was also created. Some criminological problems are dealt with at the Institute for Legal Studies at the Bulgarian Academy of Sciences, at the Faculty of Law of the Sofia University and at the Academy of the Ministry of Interior.

One of the achievements in the promotion of criminology is the fact that it has been lectured at the Law faculties since the end of the 70s of the 20<sup>th</sup> century. Today it is on the curricula of all the 9 Faculties of Law in the country. This is a legal requirement. According to Article 9, &.1of the Unified State requirements for receiving higher education in "Law" and acquiring the professional qualification "lawyer", adopted in 1996 and still in force, the universities must include criminology in the list of optional courses.Various criminological courses are taught in psychological and social sciences.

In 1987 the Bulgarian Association of Criminology was founded. It contributes to the qualifications of its members, coordinates the plans of researchunits and the teaching of criminologyin Law faculties. It has a permanent seminar which is a forum for discussing the results of specific criminological surveys and current problems of criminology and penal policy. The Association offers to the interested institutions opinions on draft laws relating to the fight against crime.

Contemporary crimein Bulgaria is a consequence of globalization, whose criminogenic effect was manifested most tangibly after 1989 when the division into ideological and military blocks (east-west) was abolished as well as national and regional isolation was eliminated, and crime went out of control.

The main characteristics of contemporary crime in Bulgariaare: increased participation of minors in the commission of criminal offences and decrease in the age of early criminal activity; intellectualization of crime, especially in the area of economic and computer crime; dangerously increased criminal activity of Roma in street crime, especially offences against property, which becomes an acute social problem; development of organized crime.

At the same time it appears that penal policy is more and more reduced to severer repression by means of criminal law. Society is inculcated with the belief that the only effective way to fight crime is to increase the amount of sanction and the severity of punishments for criminal offences.

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# CRIMINOLOGY AND CRIME IN HUNGARY

Eszter Sárik
*National Institute of Criminology, Hungary, Criminal Law, Budapest, Hungary*

The discipline of criminology has unique history in Hungary. At the beginning of the 20th century the quality standard of education in criminal sciences was at a very high level in our country. The legal regulation and the scientific development followed the mainstraim tendencies in Western Europe. In 1908 the Hungarian Parliament has enacted a modern Criminal Novel, in which special regulation for juvenile cases was accepted, which was a breakthrough in criminal thinking.

The economic and social decline after the two world wars has lead to deterotation in the educational and scientific development. After 1945 the communist regime was quite suspocious towards the "burgois" science of criminology, and in the 50ties the main focus was on severe punishment considering the topic of criminality. The science – by definition – was dismissed from the universities, and was treated as useless because of the lack of criminality in the socialist society.

The scientific breakthrough began in 1960, by establishing the National Institute of Criminology (OKRI) as the scientific, research office of the Prosecution Office in Hungary. The changes in the name of the Institute in the course of history indicate changing times and changing perspectives for research. In 1960 the institute was grounded as the National Institute of Criminalistics (OkrI) and in 1971 it took up the name of National Institute of Criminology and Criminalistics (OKKrI), which shows that the prevailing ideology did not regard criminology as a "bourgeois pseudo-science" any more.

Criminology became "a compulsary subject" at universities in 1965. From the mid60ies we can follow up an intensive and continious development in the science of criminology. And by the end of the 70ies and the beginning of 80ies Hungarian science started to get involved again in the mainstraim tendencies of Western European research tendencies.

Regarding the question of education in criminology we can state that in Hungary criminology always had strong a relationship with legal studies, and the discipline was basicly taught at the law faculties. After the change of the regime criminology has become very important in the law enforcment education, and within the frame of special courses criminology also became part of psychological and social sciences. In the 2010es the most significant and also symbolic action was the establishment of MA-education in criminology.

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## CRIMINOLOGY AND CRIME IN MONTENEGRO

Jelena Popovic
*Faculty of Law, UDG, Kotor Dobrota, Montenegro*

The analysis will include the positive legal acts in the area of criminal legislation in Montenegro, new legal solutions, their implementation in the context of national legislation and the achieved results in the practice. This analysis will also indicate the directions of the potential future amendments to existing laws concerning this field.

The normative expansionism is a negative trend, which is becoming increasingly visible phenomenon in the area of crime and legal reaction. It is necessary to point out the problem of the increasing adoption of legal norms and acts. The upgrowing implementation of foreign legal norms into the national legislation is not followed by the expected results. Instead of this negative trend which leads to the weakening of the legal system in the mentioned aria as well as in the system as a whole, there is an increasing need for resolving a numerous existing issues concerning legal means of reaction in Montenegro.

Also, the criminal legal protection of human rights in this area is a multidimensional and a complex issue. Due to the specific nature that criminal laws shows in the area of the legal safety, this issue is of special importance.

It will be necessary to protect the criminal legislation from the normative expansionism as a negative trend which could endanger the respect for human rights and liberties in a society by turning into something totally different from its real nature. Instead of this, it is indispensable to aim to a criminal laws which, within the necessary limits of criminal legal protection, would effectively protect the society of the state of law from all forms of criminality. At the end, we conclude the statement that there is a lot of space particularly while implementation to be done and that criminal legislation should be by itself protected of its implementation which might mean menacing human rights.

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**PUNISHMENT AND SENTENCE ENFORCEMENT FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE FORMER YUGOSLAVIA**

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In the context of the significance which the implementation of punishments for international crimes has for the assessment of the overall international criminal justice system's legitimacy, the presentation will give a prominent role to the analysis of various aspects of the mechanism for enforcement of the ICTY sentences. Acknowledging the relevance of the mechanism not only with regard to the outcomes of the Tribunal's sentencing practice, tied closely to the developing relations among the countries in the Balkan region, but its influence on the framework and practice of other international courts as well, the presentation will first provide a focus on underlying penological issues associated to the enforcement of international sentences. Special attention will be given to the assessment of their correlation with the wide agenda of international criminal justice. Secondly, the issues will be analyzed within the framework of preceding developments of international imprisonment, as to compare them to the model developed by the ICTY. Finally, the presentation will conclude by addressing the challenges of the established model, in the context of which recent empirical findings should be introduced.

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**COMPARATIVE LESSONS: DEVELOPING THE BALKAN CRIMINOLOGY NETWORK**

John Winterdyk
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Comparative criminology has gained considerable traction in recent decades. This is evidenced by the growing number of specific courses on comparative/international criminology, the expanding number of textbooks, the rapdily expanding number of journals with the term 'international' and/or comparative' in their title. Arguably, the growing body of knowledge and interest in this approach to the study of crime speaks to the changing face of crime and criminality as well as the need for increased regional specialization. Having worked with a number of colleagues in the Balkan region and being engaged in a wide range of comparative and international research, the author will speak about the value and merit of establishing, maintaining, and sustaining a Balkan Criminology Network. In doing so, the author will draw on some of the collaborative research he has done in the region and speak about the importance of regionalized criminological networking on a long-term basis (for details consult www.pravo.hr/criminologia-balcanica/en/bc_network). He will also draw on his experience with similar networks in Pakistan, Canada, and Namibia.

**Keywords:** *Balkan, comparative criminology, research*

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# CRIMINOLOGY AND CRIME IN ROMANIA

Andra Roxana Ilie
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As worldwide, crime control in Romania is nowadays a major preoccupation for all State authorities. To this aim, there is a constant collaboration between these authorities, which often require the participation of other institution and professionals. As a part of the European Union integration, Romania has created over the past years some specialized institutions having a major role in crime control, such as the Romanian Direction for Investigating Organized Crime or the National Anticorruption Directorate, especially taking into consideration the problems created due to its geographical position (the eastern border of the European Union).

Unfortunately and despite some great personalities in this field, the study of criminology is not very developed in Romania. There are only few law faculties where it is being taught and usually as an optional discipline. However, the professionals in this field as well as the employees of the public authorities involved in crime control elaborate many theories and studies on the criminal phenomenon and keep a constant lien with foreign organizations activating in this field, which are very important for the Romanian system. Therefore, it can be asserted that we assist nowadays at an emergence of criminological theories aiming to prevent crime and criminality, which aligns Romania together with the other European Union member States.

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# TREATMENT OF OFFENDERS: APPROACHES AND EXPERIENCES OF REDUCING RECIDIVISM I.

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## TREATMENT OF OFFENDERS: APPROACHES AND EXPERIENCES OF REDUCING RECIDIVISM I.

Katalin Parti
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**Chair:**
Astrid Hirschelmann
**Presenters:**
Presentation 1
Astrid Hirschelmann (Lecturer in Psychology, University Rennes 2, Director of the Criminology and Human Sciences Institute and GIS CrimSo, Co-director of the CIAPHS, University Rennes 2; astrid.hirschelmann@univ-rennes2.fr), Anne Winter (Psychologist, Doctor in Psychology, research engineer at the Criminology and Human Sciences Institute and GIS CrimSo, member of the CIAPHS, University Rennes 2; anne.winter@univ-rennes2.fr), Aude Ventéjoux (Psychologist, Ph.D. candidate, studies engineer at the Criminology and Human Sciences Institute and GIS CrimSo, member of the CIAPHS, University Rennes 2; aude.ventejoux@univ-rennes2.fr):
**Assessment of dangerousness in France: controversies, hazards and needs**
Presentation 2
Anne Winter (PhD in psychology, Engineer of researches, ICSH – GIS CrimSo, CIAPHS, University Rennes 2, France), Loďck M. Villerbu (Professor Emeritus in psychopathology and criminology, ICSH - GIS CrimSo, Paris7 et Rennes 2, France), Christelle Laurent (Clinical psychologist, ICSH – GIS CrimSo, University Rennes 2, France), Valérie Moulin (Senior lecturer in psychology, detached to Unity of researches of Forensic institute of Lausanne, Switzerland), Astrid Hirschelmann (Senior lecturer in psychology, ICSH - GIS CrimSo, CIAPHS, University Rennes 2, France):
**The effects of gender on the treatment of teenage girls presenting risk behaviour. Prespectives for intervention and prevention**
Presentation 3
Aude Ventéjoux (Psychologist, Ph.D. candidate, studies engineer at the Criminology and Human Sciences Institute and GIS CrimSo, member of the CIAPHS, University Rennes 2; aude.ventejoux@univ-rennes2.fr), Astrid Hirschelmann (Lecturer in Psychology, University Rennes 2, Director of the Criminology and Human Sciences Institute and GIS CrimSo, Co-director of the CIAPHS, University Rennes 2; astrid.hirschelmann@univ-rennes2.fr), Anna Winter (Psychologist, Doctor in Psychology, research engineer at the Criminology and Human Sciences Institute and GIS CrimSo, member of the CIAPHS, University Rennes 2; anne.winter@univ-rennes2.fr), Erwan Dieu (Criminologist, Ph.D. candidate, member of the Criminology and Human Sciences Institute and GIS CrimSo, member of the CIAPHS, University Rennes 2; dieu.erwan@gmail.com)
**Penally ordered care in France: psychiatric and psychological care as a crime control and recidivism prevention device?**
Presentation 4
Astrid Hirschelmann; Erwan Dieu; Anne Winter
**The psychological dilemmas before and after the crime**

**Keywords:** *assessing dangerousness and risk, criminal path, socio-educative and judicial treatment, recidivism prevention*

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# ASSESSMENT OF DANGEROUSNESS IN FRANCE: CONTROVERSIES, HAZARDS AND NEEDS

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*Université Rennes 2, GIS CrimSo - Institut de Criminologie et Sciences Humaines, Rennes, France*

Today's imperative to assess dangerousness federates willingly or unwillingly professionals working for the criminal justice but specialized in distinct areas of expertise and exercising very different tasks. This research analyzes the difficult pooling of different point of views of what "dangerousness" means and defines, performed by different actors and policymakers in the field of criminal justice. The study of 260 criminal records, observation of expert settings and analyzes of interviews with various professionals highlighted the many controversies in the joint use of the concepts of dangerousness and risk of recidivism. The identification of personality factors is dominant, but produces heterogeneities within expertises and by inference seems to be fundamentally dependent on the subjective view of the evaluator. For policy makers, the advices of the experts are not always clear or intelligibly motivated and often involve over- or underestimation of risks and vulnerabilities in the future. The lack of coordination in monitoring the criminal path completely displaces the temporal aspect and the possibility of assessing psychological changes or involutions of the convicted person in relation to the act, the victim, his entourage or more wide organization of its living conditions. This study, despite its inevitable limitations, allows us to understand clearly what a person can endure in France, from the time of his/her conviction until the probable liberation. The results show that unfortunately interdisciplinary work concerns only the handling of the concept of dangerousness but not the necessary underlying methods. However, it is easy to see that as soon as you touch it, it shatters disciplines, constraints, business realities and worse lives that may incur perpetually the uncertain and hazardous practices generated by our criminal Policy system.

**Keywords:** *assessment methods, dangerousness, criminal path, interdisciplinary work*

**THE EFFECTS OF GENDER ON THE TREATMENT OF TEENAGE GIRLS PRESENTING RISK BEHAVIOUR. PRESPECTIVES FOR INTERVENTION AND PREVENTION**

Anne Winter, Loďck M. Villerbu, Christelle Laurent, Valérie Moulin, Astrid Hirschelmann
*Université Rennes 2, GIS CrimSo - Institut de Criminologie et Sciences Humaines, Rennes, France*

The goal of this communication is to present some results of a recent exploratory research conducted in France, on the effects the construction of gender may have on educative and judicial care for minors. For an identical deviant behaviour, social, educational and judicial responses are different depending on the sex of the young person. According to researches conducted in France during the sixties and currently in North America, a socio-moral stamp guides, more or less strongly, the educative methods of treatment for girls. Boys are more regularly oriented to judicial services, girls are more oriented to child welfare services. From a practical point of view, the question for the professionals is to know how to welcome this population of girls and how to intervene with them, when the gender diversity in these structures is problematic or impossible to achieve. One of the questions of this research was the following: do the differences in the caregivers' representations, tied to gender, create an identifiable difference in practices? The semi-structured interviews realized with the professionals and analysed using the bioscopic method (Villerbu, 2009), showed that several anthropological and clinical axes organize the implicit dynamic layout of professional postures and the personal positions. Gender is not a major dimension in the implemented system of reference. Even if the professional's difficulties are justified in this way at first, the interpretive and normative postures have other origins. The ways of treatment and regulation of the problematic presented by girls give, for example, priority to questions of transmission and subtraction on an interpretive level, and questions of the relation to the problem or the assignment, on a normative level. Willing to disclose the implemented systems of reference, this research aims to optimize methods of care for minor girls. It is addressed to professionals responsible for children's protection and more widely to people in charge of national, regional and departmental policy working towards this goal.

**Keywords:** *gender, risk, minors, socio-educative treatment, judicial treatment, professional representation*

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**PENALLY ORDERED CARE IN FRANCE: PSYCHIATRIC AND PSYCHOLOGICAL CARE AS A CRIME CONTROL AND RECIDIVISM PREVENTION DEVICE?**

Aude Ventéjoux, Astrid Hirschelmann, Anne Winter, Erwan Dieu
*Université Rennes 2, GIS CrimSo - Institut de Criminologie et Sciences Humaines, Rennes, France*

This presentation will focus on penally ordered care as a crime control device in community sentences. In France, "penally ordered care" means that an offender is coerced to treatment by a judge. These offenders have either been sentenced to a community sentence or are released on parole. Some prescription criteria of penally ordered care can be identified, such as violence towards people and the presence of psychoactive substances. The very high number of cases where an offender is coerced to treatment (often regardless a medical prescription) lead us to consider it like a measure of social control, more than a therapeutic measure. The goal of this presentation will be to discuss the role of penal ordered care in a recidivism prevention process. To this end, we will question the practices and relations between professionals from various fields (probation officers, judges, psychologists). With data gathered from interviews with professionals and field observations, we will discuss the various positions professionals can endorse, focusing on the relations between the professionals, the knowledge of each other's missions, the practices of each worker and the way they think these practices may or may not take place in a recidivism prevention process. The analysis of the data show that recidivism prevention appears to be the goal of penally ordered care for the probation officers and the judges whereas it is not for the psychologists, who refuse any kind of "crime control" dimension in their work. Those results will lead us to consider a split between Justice and Health, the Penal system expressing high and unfounded expectations towards the medical and paramedical practitioners, asking them to prevent recidivism by working on the offender's acting out. From this point forward, we will ponder about the required redefinition of this "care", as well as the necessary clarification of every worker's position regarding that specific kind of treatment.

**Keywords:** *penally ordered care, coerced offender treatment, recidivism prevention*

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## THE PSYCHOLOGICAL DILEMMAS BEFORE AND AFTER THE CRIME

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The criminal act itself, whatever its nature, is generally considered from two different viewpoints: either we analyze the effects of the modalities and circumstances of the crime on the personality of the author, or we investigate the forces and conscious or unconscious finalities of the perpetrator to increase our understanding of the act. Because the source is internal, the acts are often incomprehensible to the entourage, at least on a preliminary analysis; this is particularly true when the act and its perpetrator are analyzed separately, giving only a diminished and pejorative view of reality. Because the act must necessarily be related to its author, reflection must concern pathobiographical aspects and their particular relationship to underlying personal imperatives. We will discuss the different dilemmas and defensive narrative arrangements of 21 prisoners who were visited in mental health sector of French prisons. They had committed murder or attempted murder and had subsequently been judged criminally responsible. The second group was composed of 18 psychotic patients who had committed the same types of acts but who had been judged not penally responsible and were visited in forensic units. In both groups there remains a void utterance which not only releases them from the act they have committed but also hinders the act's subsequent re-humanization. In most cases, the subject comes to externalize the cause as if it did not emanate from him; he thus disclaims his act or admits only partial responsibility. This split promotes regression and depersonalization to the detriment of psychic reorganization or reconstruction. But these defensive mechanisms lead us to investigate also the prevalent mechanisms in operation in practitioners confronted with the dynamics of crime.

**Keywords:** *crime, dilemma, pathology, psychodynamic process*

## POLICING WORKING GROUP: COMPARATIVE PERSPECTIVES ON THE POLICING? SCIENCE NEXUS

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### COMPARATIVE PERSPECTIVES ON THE POLICING – SCIENCE NEXUS

Marleen Easton
*Ghent University Association, Business and Public Administration, Ghent, Belgium*

In a nutshell, this panel is about the tension inherent to the production and use of knowledge on policing. What kind of knowledge is produced, who produces, how is it produced, who pays, who translates and distributes knowledge, how is it used and what's in for whom? Rosenbaum (2010) states that practitioners and academics are living in two separate professional worlds, separate because they are using a different logic in relation to the production and use of knowledge. This panel aims to map this separation and the initiatives to bridge this gap.

This panel pulls together three presentations by experts in the field who are engaged in networks that are specifically aimed at closing the gap between academics and practitioners in relation to policing. The panel is the follow-up of a roundtable (organised in Ghent in December 2012) on this issue by members of the Australian Research Council Centre of Excellence in Policing & Security (www.ceps.edu.au); the Scottish Institute for Policing Research (www.sipr.ac.uk), the British Police Foundation (www.police-foundation.org.uk), the Dutch Foundation for Society & Safety (www.smvp.nl) and the Flemish Centre for Police Studies CPS (www.politiestudies.be).

The presenters and abstract titles are:

· 'The challenge of knowledge exchange: developing strategies for making police science 'part of the conversation' about policy and practice' (Nick Fyfe)

· 'Farewell to a stepfather. Or how to redefine the relation between social science and police in Belgium' (Paul Ponsaers)

· 'Management of Innovation in Public Policing' (Marleen Easton)

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**530**
**THE CHALLENGE OF KNOWLEDGE EXCHANGE: DEVELOPING STRATEGIES FOR MAKING POLICE SCIENCE 'PART OF THE CONVERSATION' ABOUT POLICY AND PRACTICE**

Nick Fyfe
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Although the last ten years have seen significant progress in Europe in our understanding of the nature of police science and its role in the development of police policy and practice , there remains a paradox that police science is viewed by many as a 'successful failure'. Police science has been successful' in the sense that the production of knowledge about policing in Europe and elsewhere has never been greater but can also be viewed as a 'failure' in the sense that the application of knowledge to improve police policy and practice remains limited. According to Weisburd and Neyroud (2011) for example, 'there is still a fundamental disconnect between science and policing' with policing innovations rarely science-based and science still viewed as a luxury rather than a necessity by the police (contrast with medicine and public health).

Against this background, I want to explore the challenges of knowledge exchange between researchers and practitioners in policing and thus address the issue of how to increase evidence use in both police policy and practice settings. In particular, I draw on the experience of the Scottish Institute for Policing Research as an example of a police-academic partnership where three different models are being employed to support evidence-base practice: the organisational excellence model; the research-based practitioner model; and the embedded research model. The paper concludes by drawing attention to a growing body of work on transferring knowledge into action from the fields of health and education which will be of interest to policing scholars.

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**FAREWELL TO A STEPFATHER - OR HOW TO REDEFINE THE RELATION BETWEEN SOCIAL SCIENCE AND POLICE IN BELGIUM**

Paul Ponsaers
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This presentation starts from the experiences as a academic in Belgium and as an active member of the Centre for Police Studies (CPS, Flanders).
Last ten years we can observe a few important tendencies in this nexus:
- A degradation in the conditions for empirical research (timing, methodology, object)
- A limited use of research results in policy making
- A search for an equilibrium between pluralism and pragmatism

More and more we observe a weakening of the relative independence of social science research in relation to political power and a strengthening of confidentiality of research results.

The development and maintenance of independent and high-quality research on policing are in our view intimately linked to opportunity structures. Classically access and resources are important, but also the space into which research can fit and control its progress, are dependent on:
- The distance between the state and policing (conditioning the political "sensitiveness" of the subject of policing, in its various senses: substantive (organisation, function), adjective, etc.)
- The multiplicity of police organisations
- The degree of internalisation of powers and skills by police apparatus

To this are added circumstances that are particular to university-level research and teaching environment strengthening (or expressing in another way) the impact of the state as regards the production of scientific knowledge on policing. In the same way these circumstances fit into an international context characterised by imbalances, meanings indicated in the mutual influences of countries, of their doctrines, models and scientific productions.

In this context, the various institutional fields can participate in an exercise of respective strengthening vis-à-vis other countries through international exchanges particular to each field, even when they have a relationship of distrust, perhaps even of mutual contempt at the national level.

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# MANAGING INNOVATION IN PUBLIC POLICING

Marleen Easton
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Managing the innovation of public policing is a challenge for police leaders around the world. These innovations are driven by evolutions in our contemporary society and chance events are often related to the upsurge of reforms in this field. There is significant diversity in the content of innovations taking place. Furthermore these innovations are conceptualized, studied and measured in different ways. It is unclear what the effects of most innovations are on public police performance. Nevertheless, they are disseminated and mimicked all over the world. Police leaders have no choice but to get up to date. Knowledge on the content of the innovations is required to get ready for the process of adoption and diffusion. Unfortunately concepts and ideas of innovation often lack a translation to practices. There is little coherence in broader understandings of what works, in which specific context, based on which implementation strategies or how it was supposed to work but actually failed. This hampers fundamental changes in the functioning of the police and requires more research in the field of innovation in public policing. In this contribution the argument is developed that strengthening the policing-science nexus is necessary to put a step forward in managing innovations in public policing.

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# TACKLING THE INFORMAL ECONOMY
Matthew Bacon
*University of Sheffield, School of Law, Sheffield, United Kingdom*

A threat to some, an opportunity for others, and a potential source of income for those facing financial hardship, the informal economy is a subterranean world of work and often an important aspect of social and economic life in urban and rural settings throughout the world. Examples include cash-in-hand work, street trading, cigarette bootlegging, drug dealing, waste management, the sex industry, and human trafficking. It is now widely recognised that such economic activities are not minority practices that only exist in the hidden interstices of contemporary society. What needs to be done about the informal economy is becoming a priority issue for many governments, policy makers and practitioners. At the national and city levels of governance and policing, certain economic activities are transformed into social problems to be regulated, controlled or fought. The global economic crisis of recent years, with its attendant rise in unemployment and the cost of living, has made the examination of the informal economy a matter of contemporary relevance and significant importance.

This panel session will pull together three empirical research papers by experts in the field and will thereby explore different manifestations of the informal economy and the ways in which it is and could be tackled.

The presenters and abstract titles are:
- 'The informal regulation of an illegal trade: the hidden politics of drug detective work in England' (Matthew Bacon)
- 'Engaged in informal economy and victim to externalised harm? A comparative analysis of Accra (Ghana) and Porto Alegre (Brazil)' (Lieselot Bisschop, Diego Coletto and Gudrun Vande Walle)
- 'The nuances in policing Brussels' informal street trade' (Dominique Boels)

Professor Joanna Shapland (University of Sheffield) will act as discussant for the panel session.

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# THE INFORMAL REGULATION OF AN ILLEGAL TRADE: THE HIDDEN POLITICS OF DRUG DETECTIVE WORK IN ENGLAND

Matthew Bacon
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A cosmic array of drugs are produced, sold and used by the people of the world for profit and their pharmacological effects. Although their contributions to cultural practices and social life should not be overlooked or undervalued, certain drugs are widely acknowledged to be the direct and indirect cause and consequence of a great many problems and are without doubt a seriously harmful threat to society. Drug control policies define the confines of illegality and describe the course of action adopted or proposed by the government of any given nation. Whilst such policies inarguably have a profound effect on the structure, composition and operations of the drug trade, in this paper I will demonstrate that they actually tell us very little about how and why laws and programmes designed to deal with drugs are rolled out or put into practice on the frontline. More specifically, I will argue that police enforcement strategies and tactics are central to the moulding of policy as it moves from its written form to action in the everyday work of officers involved in the policing of drugs and the investigatory process. Despite the apparent failure of policy initiatives and policing interventions to adequately regulate the illegal drug trade, remarkably few social scientists have endeavoured to examine the drug control activities of the police and so the subject area is under-researched and therefore under-theorised. Drawing on the findings of an ethnographic study of specialist detective units that are licensed to police drug markets and drug-related crime, this paper explores the dynamic interaction between the formal and informal aspects of police organisations and offers an insight into the world of police detectives and the policing of drugs. It explores the idea that officers do not always follow organisational rules and guidelines defined in policies by examining the role of informal norms, values and beliefs in shaping their decisions and behaviours. Furthermore, it suggests that the work of drug detectives should be perceived as an informal activity that results in the informal regulation of an illegal trade.

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**ENGAGED IN INFORMAL ECONOMY AND VICTIM TO EXTERNALIZED HARM? A COMPARATIVE ANALYSIS OF ACCRA (GHANA) AND PORTO ALEGRE (BRAZIL) CASES**

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Given the increasing world population and our increasing consumption, waste is an issue that has great impact on the livability of urban areas. A massive industry deals with recycling and disposal of all that is discarded. These actors can work at local level, but waste is also traded on the global market. Waste became a true commodity in contemporary society. Besides formal actors also informal actors play a role. For these informal workers, economic profits, social recognition and working conditions can be very different. The general result is that waste has changed from a useless residue to an economic resource. At the same time, it causes problems to environmental and human health. The difference is often linked to the dismantling and recycling policies and practices. Particularly the disposal of hazardous waste has been referred to as problematic. This is illustrated by the illegal trade in hazardous waste (e.g. electronic waste) in which industrialized countries externalize the harm to developing regions of the world. In these developing countries there is often a multitude of workers who operate in the informal economy, transforming the management of waste in an important source of livelihood. A reaction to dealing with the illegal trade in waste and with the informal management of waste is traditionally one of a government reaction through regulation and enforcement. This risks neglecting the potential for empowered solutions to deal with waste management that have arisen in developing countries. In this paper, we focus on these informal actors in the global South, who have made waste management their source of income. They develop their economic activities on a local level, often with limited means, but nevertheless with a degree of organization. These actors are however part of the economic globalization as well, inherently connected to global trade. This paper brings together findings from case studies in two big cities in the global South: the trading, dismantling, recycling and refurbishing of generic waste and e-goods in the cities of Accra (Ghana) and Porto Alegre (Brazil). On the one hand, these workers can be considered victims (socially, economically and environmentally). On the other hand, there is also potential for creative solutions despite these unfavourable living and working conditions. This comparative case study analyses both of these aspects and explores the potential for engagement of these workers through grassroots organizations.

**Keywords:** *Informal economy; waste management; E-waste; victimology; grassroots organizations*
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# THE NUANCES IN POLICING BRUSSELS' INFORMAL STREET TRADE

Dominique Boels
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Nothwithstanding the relevance and importance of the informal economy, the literature is characterised by a striking lack on empirical research on this topic. More specifically, there is limited qualitative research on the Belgian informal economy, resulting in little in-depth knowledge on this phenomenon. We try to contribute to the literature (criminological knowledge) on the informal economy by reporting the results of our empirical research on the informal economy related to street selling in Brussels. We opted for a qualitative case study, making use of observation (50 hours), document analyses and semi-structured interviews (30 recorded and 10 not recorded) with street sellers, policymakers, enforcers and intermediates (e.g. social workers). Our results point to the existence of different types of informal street selling, whether or not related to formal street selling. For street sellers residing illegally in the country, informal street selling is a survival strategy which is opted for in view of limited formal and informal income alternatives. Their situation is characterised by a high degree of precariousness given their migration status and labour situation. Remarkable is the low public enforcement priority which is given to these types of informal selling, which is mainly based on two factors: (1) neutralisation of the phenomenon (by the government, enforcers and some intermediates) and (2) high workload at the level of the public prosecutor. Private enforcement actors seem to give more priority to the phenomenon, albeit experiencing difficulties in controlling the street level. In conclusion, we argue the need to monitor the activities in view of the precarious situation of many of its participants.

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# GROUP OFFENDING - CHANGING RESEARCH PERSPECTIVES

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## THE SEXUAL ABUSE OF GIRLS AND YOUNG WOMEN IN A STREET CONTEXT - TOWARD A PROCESS MODEL

Tara Young
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Recent years have witnessed a resurgence of media and political interest in sexual violence directed at women particularly as this unfolds among young people in a street context. Of considerable concern is the 'gang rape' of young women by members of known and named groups. Research confronting the issue of sexual violence against girls and women has confirmed the role of the gang as a key perpetrator and identified rape as 'a weapon of choice' utilized by gang members (Firmin, 2010). A key implication that follows from this interpretation is that gangs are behind the sexual abuse of girls and young women. Whilst not disputing that 'gang' members sexually abuse girls and young women this paper argues that to understand sexual abuse and violence against girls and young women in a street context we need to look 'beyond the gang' and develop instead a framework for thinking through the processes that might help to understand why it occurs. Utilizing and developing on from Cohen and Felson's Routine Activity Approach (1979), this paper suggests that sexual abuse and violence against girls and young women in street context can be better understood as the outcome of four interlocking factors: contradictions within the sexual culture of young people, the presence of motivated offenders, presence of a suitable target, and the withdrawal of support or absence of a capable guardian. This paper argues that sexual violence/MPR is more likely to occur if all these conditions are met. This paper develops the Cohen and Felson model by providing an explanation of how individuals come to be likely offenders, suitable targets and absent guardians.

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# NEW THINKING ABOUT GANGS AND GROUP OFFENDING: INTENTIONALITY NOT TYPOLOGY

Anthony Amatrudo, Tony Goodman
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This paper will set out recent published research and work undertaken at Osgoode Hall Law School, Toronto about how to conceive of gangs in practical terms. Social ontology and existential status have typically been neglected by criminologists who have tended to classify gangs using a sociological typology. However, this paper argues for a more existentially aware treatment of gangs and group offending (for example. those criminal groups with loose bonds but a high sense of intentionality as with professional thieves and street gangs who typically exhibit a low sense of intentionality but tight bonds). The paper will draw upon recent philosphical work by List & Pettit (2006 & 2011); Tuomela (2005) and Gilbert (2001) in order to set up a clear notion of agent intentionality and group membership criteria. The paper will show how when this is done that a clearer picture emerges and action and intentional states are demarcated. It will furthermore say something practical about the responsibility of individual and groups involved in group criminality as in the case of secondary liability where issues of parity of culpability and determining joint criminal venture. The paper is aimed at developing a better notion of the roles of responsibility, individual compliicity and agency within criminological theory and is designed as a critique of current work on gang and group affiliation, which is centred around membership more than it is, crime.

**Keywords:** *Gangs: Existentialism; Intentionality; Group Offending; Intentionality*

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**THE TENDENCY OF ARMED CRIMES IN HUNGARY**

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Armed crimes are one of the most frequent crimes committed in Hungary as number of several robberies, breaches of domicile and other crimes by armed offenders has been growing rapidly in recent years. This situation is further exacerbated by the fact that public security has greatly deteriorated and, as a consequence, armed self-defense has been becoming a common practice. In other words, more and more people are committing crimes using guns, explosives or replicas of these. A major problem, in this connection, however, is the fact that society seems to be unaware of this and it seems to be unclear even for the lawyers what the exact meaning of "armed, armed crimes" is.

In my presentation, therefore, my aim is threefold: 1. to render a brief introduction into the history of the definition of the armed crimes, 2. to give an overview of these definitons and of the above mentioned crimes, 3. to interpret them in the light of the latest legislation.

I am fully convinced that understanding the definitions of armed crimes as well as their regulation is not sufficient. Judicial custom and the relevant statistics should also be examined in order to see the tendency of these crimes starting from the early regulations to the latest ones (f.e. the new Criminal Codex). By relying on the statistics, I intend to represent frequency, motivation, punishment of armed crimes in a systematically drawn chart. On the basis of this chart, I will point out the exact reasons why when committing crimes offenders use guns or explosives of the replicas of these.

In the concluding part of the presentation, I will demonstrate the development of armed crimes as a special institution of criminal law and criminology while emphasizing the changes in the regulations. I truly believe that pointing out major anomalies in the regulations will serve as great help to criminal lawyers and criminologists in their effort to make regulations that can eventually lead to the decrease of armed crimes.

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**NEW DIRECTIONS, NEW GENERATION: BENDING THE RACE, ETHNICITY AND CRIME PARADIGM**

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Due to social, cultural and demographic change over the last two decades, the boundaries of the race and crime debate as originally conceived are reconfigured. The wider scope and deeper analytical reach of the debate are predicated on the wider range of groups and situations to take into account and the changed meaning of racialization processes. This requires a reassessment of concepts, theories and evidence beyond reiterating a narrower focus about police and criminal justice effectiveness, efficiency and fairness, important as this is.

Here we offer examples of how this reassessment may proceed using sociological evidence about identity and difference; the experiences of a new and diverse generation of migrants and minority ethnic groups; and the work of a new generation of scholars. We conclude asking whether racism and discrimination has declined or entered a new, more subtle phase in relation to race, crime and justice.

# CRIME PREVENTION

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**THE EFFECT OF BUSINESSES AND FACILITIES ON CRIME AT URBAN MICRO-PLACES IN THE NETHERLANDS**

Wouter Steenbeek
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Businesses and facilities are crime 'attractors' and 'generators': they attract (different mixtures of) offenders, guardians and targets to their location, and thus (indirectly) cause crime and disorder. However, most previous studies investigating crime attractors and generators have relied on cross-sectional data with which only correlations between businesses and crime rates can be established. I improve on previous research by investigating the effect of businesses and facilities on crime using longitudinal data on a detailed spatial level. I first desribe the spatio-temporal patterns of crime, and then investigate to what extent the presence of businesses and facilities affect these spatio-temporal patterns. To test hypotheses, I combine data spanning 10 years on the locations of about 50,000 business establishments and facilities with police-reported crime events in 9 Dutch municipalities. By taking the 'street segment' as the unit of analysis, I am able to show not only inter- but also intra-variation in about 430 neighborhoods. I employ recently developed spatio-temporal methods which can simultaneously analyze spatial data and panel data.

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**THE EFFECT OF CCTV IMPLEMENTATION ON CRIME AND FEAR OF CRIME IN 7 BELGIAN CITIES.**

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The maintenance of public order, protection of property, increasing surveillance and reducing fear of crime are often used as arguments for the implementation of cameras in public and private spaces. Existing evidence on the effectiveness of CCTV implementation, however, is mixed and it has been argued that the effect may be context dependent. Within the methodological framework of Welsh and Ferrington, we analysed the effect of camera implementation on crime and fear of crime, based on data from 7 Belgian cities. The evolution in the incidence of crime (official crime statistics and statistics on police interventions) was assessed in three sites: (i) a camera implementation site, (ii) the surrounding site, (iii) a control site. Additionaly, in 3 cities a retrospective questionnaire was distrubuted among the inhabitants of these sites to allow the study of changes in fear of crime related to CCTV implementation. Analyses showed a pattern that, in general, is consistent with a small preventive effect of camera implementation. However, this effect varied strongly depending on the context and the type of crime. We found some evidence that camera implementation and the perception of camera implementation contributed to lower fear of crime, however, the effect was small (compared to effect of control variables like social cohesion). Results and policy implications will be discussed.

**Keywords:** *CCTV, prevention, crime, fear of crime*
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## COMMUNITY SUPPORT FOR SITUTAIONAL CRIME PREVENTION - INSIGHTS FROM SOUTH WALES

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As the drive for more and more crime prevention initiatives is urged by Police and Crime Commissioners and official bodies such as the HMIC in England and Wales, the question regarding their effectiveness is one that police and other agencies will need to address. This is more so given the current vogue in the United Kingdom for evidence based policy decision making, Whilst reductions in recorded crimes and disorder will no doubt be a main priority, questions regarding on-going community support for such schemes, appear to remain unanswered.

This presentation considers a current longitudinal research programme being conducted in an urban community in the town of Barry in South Wales. Situational crime prevention initiatives involving the erection of steel gates known as Alley Gates took place here during 2004/5. The aims were to reduce instances of domestic burglary and anti-social behaviour which was seen as prevalent at this time, and much previously open and public space became 'privatised' quickly, with blocked access being enforced in may areas.

This research, however, concentrates upon community member's perceptions of the utility of such a scheme, its impact upon everyday life and whether or not the scheme is perceived to have contributed to solving what are considered to be community problems. Based upon data accumulated over the past seven years by annual surveys and interviews, this longitudinal study provides invaluable insights into the perceived effectiveness of such schemes from within communities over time, rather than reliance upon official crime figures.

It further considers what the policy implications are for agencies involved in the introduction, maintenance and furtherance of this and similar situational crime prevention initiatives, and will have resonance for other countries who are engaging in situational crime prevention initiatives.

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**UNDERSTANDING AND PREVENTING INTENTIONAL BURNS OF WOMEN IN INDIA**

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Using hospital records (N=768) and interviews with 60 women patientsin the burns ward of a large city hospital in India, this exploratory study found that: 1. the opportunity structures that facilitate intentional and accidental burns are similar, but intentional burns also involve other contributory factors, including husband's alcohol abuse, verbal abuse and  physical abuse, all common factors associated with domestic violence at home;  2. kerosene is the main agent because of its easy availability and accessibility in countries such as India where it is commonly used as fuel for stoves and lamps; 3. most intentional burns are self-inflicted though some appear to be attempted homicide; 4. most patients with intentional burns are young women in domestic situations; 5. there is a higher mortality and morbidity for women whose upper body is often deeply affected by the burns; 6. because of family pressure to avoid police inquiries, patients sometime report intentional burns as accidents. The findings suggest that a program of research integrating public health and criminological (situational) prevention approaches is needed to deal with this serious problem.

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## WILLINGNESS TO PAY FOR CRIME PREVENTION AND CONTROL

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The social cost of crime can be divided into two categories: tangible and intangible costs. Tangible costs (cost of the criminal justice system, medical expenses, loss of income, property losses) are rather easy to measure and valuate. However, it has been estimated that intangible costs make up the largest part of the burden, especially in the case of violent crimes such as homicide and sexual assault.

Previous attempts to valuate the Finnish intangible aggregate burden of crime have been based on court awards (ex-post) and value transfer (VSL from road traffic accidents). Ideally the cost of crime should be valued based on people's revealed preferences. However, the lack of markets makes it difficult to achieve valid results. The next best method is contingent valuation based on stated preferences.

Willingness to pay (WTP) for crime prevention and control in Finland was estimated with a contingent valuation survey. We present preliminary results from a pilot survey with a nationally representative sample. The respondents (n=128) were asked what they would be willing to pay to reduce the number of intentional homicides, fatal accidents caused by drunken driving and cases of rape or attempted rape by 10 percent. The survey was conducted by post using a payment card (PC) method. The payment vehicle was taxation. The card was followed by a question about the certainty of the response. Warm glow responses and protest zeros were discerned with further follow-up questions.

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# NEIGHBOURHOODS AND FEAR OF CRIME

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## GHETTOS PERCEPTION AND FEAR OF CRIME IN THE CENTER OF ATHENS

Christina Zarafonitou, Eleni Chrysochoou, Christina Tatsi
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The important socio-cultural changes that took place during the last 20 years have affected the environmental profile of the Greek Capital by substantial changes in the distribution of inner-city activities. The most important changes are the massive entry of illegal immigrants and the financial crisis. The majority of immigrants, initially coming from the Balkans and later from Asia and Africa, are mainly settled in the center of Athens, changing its population's composition as well as the distribution of its land uses. On the other hand, the economic crisis has aggravated the social problems and affected the quality of life. The criminality has also increased and aggravated during the last two decades. The correlation between the fear of crime and the environmental degradation was derived from our research on the existence of ghettos in the center of Athens, carried out in 2011 in the area of 5 central squares of Athens. Our research findings confirmed that the residents of these areas are convinced about the degradation of their neighborhoods and their transformation to ghettos and this perception is correlated with their high level of insecurity. These findings are examined again in the context of a follow-up study carried out nowadays with focus in the impact of the intense policing measures applied during 2012-2013 with the name "*Hospitable Zeus*" aiming in the control of illegal immigration in the center of Athens.

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# EMOTIONAL AND INSECURITY REACTIONS TO DIFFERENT URBAN CONTEXTS: AN EXPERIMENTAL STUDY IN LABORATORY CONTEXT

Inês Guedes, Carla Cardoso, Cândido Da Agra
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Since the sixties fear of crime has emerged as a significant topic. Studies have been attempted not only to measure the level and extent of fear of crime but also to develop theoretical models to explain it. These models include individual, social and contextual variables. This presentation illustrates a study in which the main goal was exploring emotional and insecurity reactions to different urban contexts represented by images (night, day, rehabilitated and non-rehabilitated neighborhoods). To measure the impact of emotional and insecurity reactions a questionnaire was constructed and administered to a sample of 99 individuals. The questionnaire included measures of emotional reactions - *Self-Assessment Manikin* (SAM; Lang, 1980) and the *Positive and Negative Affect Schedule* (PANAS; Watson & Tellegen, 1985), insecurity reactions, and the importance of contextual features to the level of insecurity and ease of reaction in each urban context. Subjects responded to the questionnaire after watching the images in a dimly light room. The results showed that both night and non-rehabilitated contexts triggered higher levels of insecurity and negative emotional reactions compared to day and rehabilitated settings. Also, lighting (or lack of it) seemed to be an important contextual cue to perceptions of (in) security in day and night settings. In the non-rehabilitated context the most important spatial cue was the state of conservation of the building. These results will be discussed and some recommendations to future investigation will be made.

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# NEIGHBORHOOD STRUCTURE AND FEAR OF CRIME IN URBAN CHINA

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Fear of crime has always been a major topic in the popular media and for public policy. Consequences of fear of crime are salient for citizens' and the community's quality of life. Since the late 1970s, there has been a much scholarly attention paid to the role of disorder in producing fear of crime and further producing adverse community consequences. Particularly influential works were Wilson and Kelling's paper (1982) and Skogan's work (1990); these works greatly influenced public policy in the late 1980s and early 1990s (Greene and Taylor 1988; Ferraro 1994). The salient feature of this research is its emphasis on the role of community context, analyzing how disorder generates fear of crime and leads to community decline at the street block and neighborhood level. The impact of fear of crime extends beyond the victims of the crimes, and indicates the salience of the social aspect of fear of crime. Therefore, neighborhood effects are highly relevant to the understanding of fear of crime. Scholars have recognized that individuals' fear is better understood within a neighborhood or community context. The purpose of the present study is to build upon prior work to address critical questions of neighborhood effects on fear of crime under context of contemporary urban China. Using multilevel analyses of data from Tianjing, China, this paper found that neighborhood context variables have effect on fear of crime independent of individual characteristics.

**Keywords:** *Fear of Crime; Disorder, China*

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# LIVING ENVIRONMENTS AND NEIGHBOURHOOD IN SOCIAL HOUSING. NEW PERSPECTIVES ON NEIGHBOURHOOD INCIVILITIES AND THEIR TREATMENT

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The matter of incivilities emerged in the seventies in north-american studies, to denote neighbourhood disturbances in urban environments that led to a feeling of insecurity. From the request of an action research initiated by a social housing company, we used that term to talk about the various disturbances of the "living environment" of people living in social housing: soiling, misuse of collective equipment, blockage of shared spaces, noise or smell pollution, defacement…

These damages consist of everyday violence but not all of them are offences and they do not always require a security and judicial treatment. Moreover, they often are anonymous, hence difficult to sanction and particularly resistant to solely technical answers given by housing managers, who are in charge of the residents' quality of life.

During the first part of the research, an inventory was made of the "incivilities" spotted by the professionals of the social housing company, in order to identify these disorders daily, to know how these professionals interpreted and understood them, and to have some knowledge of their adjusted practices. Workshops with voluntary residents were set up and run by the researchers, in four buildings, in order to collect the occupants' point of view, their experiences of the incivilities that disturb the social living environment, and the answers they are looking for from the social housing company, or the ones they can think of and offer themselves.

The collected data made possible the creation of a device for the diagnosis of the incivilities phenomena in social housing, taking in consideration four kinds of parameters: 1) how the residents perceive the disturbances of their living environment; 2) how involved they are in neighbourly relations in social housing; 3) the intent and the degree of responsibility allocated to the perpetrators of the incivilities, whether or not they are known; 4) the different types of power and social regulations to remedy and prevent the incivilities from happening again. The device allows housing managers to analyse the incivilities from the point of view of the residents and to organise their own interpretation of these situations, regarding human and social characteristics (and not merely material and practical), in order to develop intervention and/or prevention answers more finely fitted and in better accordance with a social policy project for this type of housing.

# BEYOND PUNITIVENESS: THE THERAPEUTIC EFFECTS OF CRIMINAL LAW ON VICTIMS

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## BEYOND PUNITIVENESS: THE THERAPEUTIC EFFECTS OF CRIMINAL LAW ON VICTIMS

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The focus of criminal law is on guilt and punishment. However, beyond puniteveness, criminal law may serve many different functions for victims. Therapeutic jurisprudence looks at various aspects of the law to determine whether or the extent to which substantive rules of law, legal procedures and the roles or actions of legal actors are therapeutic. Traditionally, therapeutic jurisprudence has focused on the effects of the law on the accused, however, in recent years there has been a shift and therapeutic jurisprudence is increasingly recognized as an approach that is useful in victimology. The publication of *Therapeutic Jurisprudence and Victim Participation in Justice* (Carolina Academic Press, 2011) is evidence of this shift. This is the first book to systematically view victims through the lens of therapeutic jurisprudence. Criminal justice can either be therapeutic and contribute to the victim's healing or be anti-therapeutic and thus be a source of secondary victimization. In this panel we will present the findings of different studies which use the lens of therapeutic jurisprudence to study criminal justice reform regarding victims of crime.

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# THERAPEUTIC JURISPRUDENCE AND THE INTERNATIONAL CRIMINAL COURT: ON DOING JUSTICE FOR VICTIMS

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Concern for the healing or therapeutic effects of judicial measures is central to *Therapeutic Jurisprudence*. It looks at various aspects of the law to determine whether or the extent to which substantive rules of law, legal procedures, and the roles or actions of legal actors are therapeutic. Following victimization, victims will often seek the restoration of justice, which they consider to be important in regard to how well they deal with the aftermath of the crime. But what is justice? What factors contribute to victims' justice judgements? How do you restore justice for victims who have experienced the worst crimes namely, crimes against humanity, genocide and war crimes? In this panel, I will present research analysing the different types of justice available to the International Criminal Court with respect to reparation for victims. This research shows that the Court is limited in terms of what it can do to provide victims with a sense of justice. It therefore needs to maximize use of procedural justice in order ensure that victims view the Court as just. The paper closes with recommendations on how the Court can enhance victims' sense of justice.

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**UNPACKING THE EFFECTS OF VICTIM PARTICIPATORY REFORMS**

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# VICTIM PARTICIPATION IN CRIMINAL JUSTICE: CONCEPT, PRACTICE AND VICTIM PERCEPTION OF ACCESSORY PROSECUTION IN GERMANY

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Criminal justice systems provide different options for victims of crime to participate in trial. Whereas in common law systems the victim impact statement model is widespread which defines the role of the victim rather passively, civil law jurisdictions have developed concepts that give space for more active participation and interactive intervention by the victim. The first part of the paper will provide a comparative analysis of such models, its advantages and deficits.

The German Nebenklage (accessory prosecution) offers victims of serious crime a variety of options for active participation in the proceedings. In their role as a quasi third party victims can attend, participate and intervene. The second part of the paper will present selected findings from an explorative comparative study (Erez/Kilchling/Wemmers 2011) on the perception of victims who were participating as accessory prosecutors in their cases at court. Particular emphasis will be put on the impact of the specific trial setting. One significant finding is that the enhanced formal status of the victim as a respected participant in the courtroom can provide a feeling of relative security and protection. Under such circumstances victims can also better cope with a trial outcome that frustrates their initial expectations.

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## OBJECT OF SUSPICION? POLICING, POWER AND PROCEDURAL JUSTICE

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The dominant explanation for why people cooperate with legal authorities centres upon procedural justice and institutional legitimacy. When people are treated fairly, and when people believe that the police (and other legal authorities) are fair in their interpersonal treatment and decision-making, they are more likely to recognise and justify police power and authority, and more likely to cooperate with the justice system, comply with police directives, and accept the state's monopoly over violence. A national probability sample survey of US citizens explores whether some people believe that they are treated as an object of suspicion by the police (seeing the police as a potential source of social control and intrusive regulation) while other people do not (seeing the police as a public service and source of order maintenance). Probing these two groups, we find that procedural justice and legitimacy explains a greater amount of variance in willingness to cooperate among those who feel an object of suspicion than those who do not feel an object of suspicion. We also explore the idea that the mechanisms linking procedural justice to cooperation are more complex for these individuals. We conclude with the idea that procedural justice is an important lever in crime-control, even among those groups that have a more antagonistic relationship with the police. Procedural justice is not a luxury to be wielded out only to the law-abiding majority – to the contrary, it is especially important among those who the police have a more tense relationship to.

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**LEGITIMACY AND THE SOCIAL FIELD OF POLICING**

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The legitimacy of the police finds practical expression in people's consent to officer's authority and beliefs that the police act according to an appropriate normative and ethical framework. When a justice system commands legitimacy, its power is recognised and normatively justified by citizens. In this paper we contribute to a growing interdisciplinary literature concerned with public understandings of police power and authority. Turning empirical and theoretical attention to a wider understanding of *policing* as a field of human activity, we argue that the legitimacy of the police is associated with social control activity in local areas. Connecting public perceptions of legitimacy not only to assessmentsof the fairness of police action but also to neighbourhood and individual concerns about crime, disorder and social cohesion, we conclude with the idea that the socio-structural position of the police in the wider field of policing means that its legitimacy is partly shaped by its dominance of this field, and, in particular, by the (perceived and actual) strength of informal social control. The police gain legitimacy, it seems, not only when officers treat people fairly and make fair decisions, but also when, and to the extent that, people live in neighbourhoods that are effectively policed, and are seen to be effectively policed, by residents as well as the uniformed police.

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# TRUST IN THE POLICE – CORRELATES AT INDIVIDUAL AND COUNTRY LEVEL

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**Purpose**: The paper explores trust in the police analysed, first, at individual level (by gender, age, family status, years of education and employment), and then at country level (by GDPppp, income inequality measured by Gini index, and unemployment) in the European countries that participated in the European Social Survey 5 in 2011. In the third step, the simple two-level model is used. In the background of the exploration of empirical data there are theoretical perspectives of Bailey's social entropy theory, constituting an explicit theoretical approach to assessing security in contemporary societies.

**Design/methods/approach:** The paper explores the relationship between trust in police and the selected correlates at individual and country levels. The data on trust in the police for twenty countries are taken from the European Social Survey Round 5 – Module: Trust in Police and the Criminal Courts - A Comparative European Analysis (2011), while the data on wealth, income inequality, and unemployment rates are taken from the Human Development Report (2010, 2011) and other sources.

**Findings:** It is clearly shown that trust in the police and its dimensions (effectiveness, distributive fairness, procedural fairness, and police values and priorities) are significantly correlated with the selected characteristcs of individuals (gender, age, education, family status, years of employment), as well as with the selected characteristics of the countries (GDPppp, income inequality, unemployment). The use of the simple two-level model shows that the social context characteristics (variables at country level) are important in explaining variability of trust in police in different European countries.

**Research limitations/implications:** The paper is based on a secondary analysis of data of ESS5, so the options available to any exploration of additional hypotheses are limited. Further, only a few possible concepts and their dimensions are explored, while many questions still remain unanswered (e.g., different characteristics of work of police and criminal justice in different countries). The paper represents the first step in our exploration of societal conditions and trust in the police.

**Originality/value:** The theoretical starting point of the paper is Bailey's social entropy theory. It enables one to see the relationships among various social phenomena at different levels (spanning individuals, groups, communities, organisations, and the like).

**Keywords:** *trust in police, European countries, socio-demographic correlates, European Social Survey 5*

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# PUBLIC TRUST AND LEGAL PLURALISM

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The paper addresses the consequences of plural legal orders for our understanding of public trust in criminal justice institutions. Every criminal justice system has to enforce the rule of law and has to be responsive to the public and its particularities. Only by doing both can it hope to ensure a system that is meaningful, legitimate, and trustworthy. In this paper, I seek to get a better understanding of the role of public trust in criminal justice institutions under conditions of legal pluralism. I use the criminal justice system(s) in Ethiopia as a practical case. Ethiopia has had unwritten, informal, local and regional systems of rules and sanctions for centuries. It is only during the last two centuries, and in particular since the birth of a modern formal court system in 1942, that formal modernisation has made its impact on the handling of criminal justice. In line with the legal optimism of the post-war years, the government strategy has been one of substituting existing informal systems with a new, modern and formal one, based on a single rule of law. Nevertheless, current surveys suggest that more than 70 % of all conflicts, including serious violent and sexual crimes, are handled by informal, non-state dispute resolution institutions. Taking point of departure in the descriptions of public trust by Tyler and Huo (2002), Jackson and Sunshine (2007), and Jackson et al (2013), the paper compares public trust in the formal criminal justice system of Ethiopia with public trust in the informal, non-state dispute resolution institutions in Ethiopia. The aim is to a) show the different understandings of trust that flow from different formal and informal criminal justice settings, and b) to discuss the consequences of a plural legal setting for the dominant understanding of trust. On this background, the paper c) tries to draw the consequences for the typical strategies to address deficits in public trust in criminal justice institutions.The research is based on literature research and the first phase of on-going field research in Ethiopia between 2012 and 2013.

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## TRUST BASED MODEL AND IT'S LIMITATIONS IN CRIMINAL JUSTICE SYSTEM

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The aim of this presentation is to present findings of project "New European Crimes and Trust-based Policy" – FIDUCIA (FP7). The FIDUCIA project concept is based on the idea that public trust in justice is critically important for social regulation. Trust in justice leads to public acceptance of the legitimacy of institutions of justice and thus compliance with the law. In other words, the project is testing how this trust-based model works. Four crime categories were selected for analysis: a) trafficking of human beings; b) trafficking of goods; c) the criminalisation of migration and ethnic minorities; and d) cyber-crimes. A comparative study was conducted in number of European Union countries with different levels of trust in criminal justice system. Research was based on European Social Survey data and national surveys data considering contextual background of countries. The presentation shows findings of study on variation of public attitudes towards different crime categories and relation between trust in justice and compliance with the law. Study suggests existence of non-linear dependency between public trust and compliance, and reveals different attitudes towards selected categories of crimes in different countries.

# CYBERCRIMES: HACKERS

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## HACKER OR CRACKER? A LIFE COURSE STUDY OF THE ASSOCIATION BETWEEN COMPUTER HACKING AND OTHER CRIMES

Stijn Ruiter
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Like many other categories of crime, cyber crime has many faces. This empirical paper focuses on a specific group of cyber crime offenders, namely computer hackers. These offenders commit offences that have ICT both as their means as well as their target. The study addresses the question to what extent computer hackers are also involved in other types of crime? The paper answers this question by examining longitudinal police data for the Netherlands on suspects of crime for the period of 1996 to 2009. The data allow for the study of criminal careers of all suspects of the Dutch police from 1996 onward, including sufficient computer hacking suspects allowing for statistical comparisons. Criminal careers of individual suspects who were at least once a suspect of computer hacking are compared to those suspected of other types of crime. Differences or similarities in gender and ethnic background distributions as well as their respective age-crime curves are explored. Results show that computer hackers are not all that different from individuals who are suspected of other types of crime.

# LAW-ENFORCEMENT OPERATIONS AND THE WAREZ SCENE: AN ANALYSIS OF THE IMPACT OF INTERNATIONAL POLICE OPERATIONS ON INTELLECTUAL PROPERTY FRAUD

David Décary-Hétu
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The advent of the Internet has transformed society in many ways. It is now possible to communicate with anyone on Earth as long as they have access to a WiFi signal; it is also possible to check a bank account balance or to transfer money around the globe at virtually any hour of day or night. While it is easy to focus on the benefits of Internet, intellectual property right owners are quick to remind us that the Internet is also the source of much of the infringement of movies, books, software and games which are freely and easily accessible online. According to the associations that represent them, this type of fraud is costing these industries billions of dollars each year. In order to fight these infringements, law-enforcement agencies have launched massive operations which have led to the arrest of some of the most influential hackers who have illegally distributed intellectual property online. This paper seeks to evaluate the impact of these police operations by looking at the number of copyright infringements that have occured over the past decade. Interrupted time series will be used to determine the impact, if any, of these law-enforcement operations and to determine whether it is possible to prevent this type of crime.

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# GREEK PENAL PROVISIONS ON HACKING – ARE THEY NEEDED AND/OR EFFICIENT IN 2013? THE OPINION OF HACKERS AND JURISTS.

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The penal provision for punishing hacking as a crime (art. 370Γ par. 2 of Greek Penal Code) was introduced in 1988, when the use of the Internet and the Internet itself was in its infancy. It is true that the wording of this article was attending the future so much that was used for many years and can be used even in 2013 with efficacity. However, the modus operandi of hackers and the use and the nature of the Internet is so changed and broadened that we have to examine if this provision should be expanded or restrained. According to that, the results of a pilot survey on jurists and hackers will be presented. The survey tries to find out the modern penal and criminological aspects of hacking and the appropriate crime policy which should be adopted. In particular, hackers express their opinions on their modus operandi, on the free speech in the Internet and on legal provisions – on the other hand, jurists seek out the golden section on freedom and safety/security on the Internet in trying to reword the provision. This pilot survey is conducted so as for the author to find out the methodological problems of his main survey.

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## THE EFFECTS OF COMMUNITY SENTENCE ON EMPLOYMENT

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Community sentence in Norway is meant as an alternative to prison sentences up to one year. A key motivation for creating such alternatives is to minimize harm caused by a prison stay. In particular, community sentences make it possible for the offender to not loose contact with the labour market when serving their sentence. This is regarded as beneficial as an ordinary labour is seen as a key crime preventive factor. In this paper, we discuss some key characteristics of those who serve community sentences in Norway, and to what extent their labour and economic situation changes in response to serving community sentence. The data are extracted from several administrative records of everybody serving a community sentence in 2009 (N=2,893). We construct a reasonable comparison group of persons serving an unconditional prison sentence using genetic matching. We follow these two samples month by month in the 24 months preceding serving their sentence and 24 months after ending their sentence, assessing the changes in employment rates and rates of receiving social benefits. We find that community sentence have an intended beneficial effect, of modest size.

# PRECURSORS AND OUTCOMES OF IMPRISONMENT FOR MALES OF DIFFERENT ETHNIC BACKGROUNDS IN THE NETHERLANDS

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Introduction: In this paper we study differences and similarities in the effects of imprisonment for men of different cultural backgrounds with respect to four different life course domains (employment, parenthood, romantic relationships, and living situation) and recidivism rates. Men of Moroccan, Turkish, Surinamese, and Dutch Antillean descent (four groups with the largest overrepresentation in Prison Project Population) are compared with men from Dutch descent.

Method: Data were derived from the Prison Project, a large-scale, nationwide, prospective longitudinal study among Dutch males who entered pretrial detention between October 2010 and March 2011. Participants were interviewed, and filled out questionnaires about their life before prison and their experiences in prison three weeks after entering pretrial detention. In addition, they were again interviewed 6 months after release from prison. Also, official crime records were used to measure the prevalence of criminal involvement before and after the detention period.

Analyses: Men from different ethnic backgrounds are compared with respect to 1) their under – or overrepresentation in pretrial detention 2) their criminal career characteristics before entering pretrial detention, and recidivism rates after release from prison 3) scores on different life course domains before and after prison (employment, romantic relationship, parenthood, living situation).

**Keywords:** *imprisonment; cultural background; life course criminology*
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**COMPARING REINCARCERATION RATES AFTER ELECTRONIC MONITORING AND REGULAR DETENTION: APPLYING PROPENSITY SCORE MATCHING TO BELGIAN INCARCERATION DATA**

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The current study uses nationally representative incarceration data (SIDIS-griffie) on all convicted offenders that were released from detention in Belgium in the years 2003-2005 (n = 14,754). For the 5-8 years between release in 2003-2005 and the end of the follow-up in august 2011, we compare reincarceration rates for those released from electronic monitoring and those released from regular detention. Propensity score matching was used to control for a wide range of pre-existing differences between groups that potentially might influence both the type of sentence imposed, as well as the likelihood of reincarceration, including sex, age, type of current offence and number and length of previous incarceration spells. The findings suggest that reincarceration rates are lower among those released from electronic monitoring compared to those released from regular detention. Strengths and limitations of the matching framework to assess effects of criminal justice interventions, as well as implications of the current findings are discussed.

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**EFFECTS OF LENGTH OF DETENTION ON REOFFENDING**

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In the criminological literature there is a discussion on the extent to which imprisonment reduces or increases (re)offending. Although there is a large literature on the effects of imprisonment, methodologically rigorous studies are the exception due to problematic study designs. This paper assesses the effect of length of imprisonment on reoffending in the Netherlands. The present study used data from a longitudinal nationwide study on the effects of imprisonment in the Netherlands (Prison Project). Adult male inmates aged 18-65 who entered one of the Dutch remand centres between October 2010 and April 2011 (N = 1,909) were interviewed two times: three weeks after arrival in pre-trail detention and six months after release from prison. The effect of imprisonment on recidivism in this paper is thus examined within a 6 month follow-up period. Propensity Score Matching methods are used to control for selection effects. Reoffending patterns are measured by self-report data and official conviction registrations. Findings indicate that imprisonment exerts a criminogenic effect and that this substantive conclusion holds across various measures and types of reoffending. This study supports overall conclusions of prior literature that longer imprisonment has a criminogenic effect on reoffending. Limitations and directions for future research are noted.

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## CULTURALLY SENSITIVE CONFLICT MANAGEMENT INVOLVING ROMA

Dr. Erika Váradi-Csema
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The aim of the panel to give an overview on culturally sensitive forms of conflict resolution involving Roma. Presentations are based on the core findings of a Leonardo da Vinci-project, including partners from four European countries, various examples of good practice of mediation and conflict resolution including Roma in Central and Eastern European countries is given. The presentations inform about the traditional form of conflict resolution of Roma, the practice of Romani Kris, a way of resolving conflicts in Roma communities in different countries such as Hungary and Romania. Moreover some characteristics of Romani Kris are similar to the features of the "new" forms of conflict resolution, like conference or circle models. Finally, new perspectives for cross-cultural conflict resolution in Europe will be shown.
Panel speakers:
Dr. Erika Váradi-Csema, University of Miskolc, Hungary
Dr. Judit Jacsó, University of Miskolc, Hungary
Dr. Andrea Păroşanu, Steinbeis Beratungszentrum Wirtschaftsmediation/University of Greifswald, Germany

**Keywords:** *conflict resolution - Romani Kris - cross-cultural conflict*
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**THE TRADITIONAL FORMS OF CONFLICTS-SOLUTION IN THE ROMA COMMUNITY**

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The presentation describes the types of the conflicts concerning Roma community. The most typical forms of these conflicts are the followings: (1) conflicts between the majority and minority; (2) conflicts among Roma people. The general experiences of the earlier researches show the mistrust of Roma people against the official state institutions and that they do not accept the majority authority so readily. The presentation informs us about the traditional form of self-governance, which is ordinary amongst them. This procedure has three phases. If the direct discussion is inefficient, in the second informal phase (so called divano or swato) an agreement could be conclude with the help of a "third person". The Kris is the trial part of this proceeding leading by the elder members of the community. They are chosen by the "clients" to lead and handle their disputes. The judges are always male persons and chosen by their peers (the other members of the community). The most important criteria of their selection are rich life experience and impartiality. The oldest judge's word is the last and he has a high degree of respect. Only in extraordinary cases are women or "gadjo" outsiders allowed to evidence or otherwise participate in Romani Kris proceedings. The Kris not only has the right to decide in a case but also entitled to judge reimbursement in case of financial damages. In conflicts between Roma and non-Roma community the "vajda" can help.

**Keywords:** *Romani Kris, Divano, Swato, traditional form of conflict solution, culturally sensitive conflict management*
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**CROSS CULTURAL CONFLICT MANAGEMENT - GOOD PRACTICES INVOLVING ROMA IN EUROPE**

Judit Dr. Jacsó
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The presentation gives a few examples for culturally sensitive forms of conflict resolution involving Roma in Europe. As an example, the lecture describes a good practice involving Roma in Czech Republic, in Romania and in Germany, known through an exchange within a Leonardo da Vinci Partnership project *('Kultursensible Konfliktvermittlung unter Einbeziehung von Roma'/'Culturally sensitive conflict management involving Roma'),* supported by the European Commission.

The Roma mentoring project is implemented and provided by the NGO RUBIKON Centrum, which was a partner within the Leonardo da Vinci-project. The mentoring project is applied in co-operation with the Czech Probation and Mediation Service. Roma mentoring is intended for members of the Roma minority who have received and serve alternative sentences or measures and are therefore clients of the Czech Probation and Mediation Service. The aim of the scheme is to encourage clients to fulfill obligations related to serving the alternative sentence (measure) and to lower risks of re-offending and social exclusion. The presentation describes the preconditions for being a Roma mentor as well as role and responsibilities.

**Keywords:** *conflict management, culturally sensitive conflict*
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## CONFLICT RESOLUTION IN A CULTURALLY SENSITIVE CONTEXT - THE EXAMPLE OF CANADA

Andrea Parosanu
*University of Greifswald, Criminology, Greifswald, Germany*

The presentation aims at highlighting two examples of culturally sensitive conflict resolution, namely Family Group Conferencing and Sentencing Circles in Canada. Since the 1990s, these practices regained importance in Canada, New Zealand, Australia and throughout other countries, in the context of Restorative Justice. In recent years, also at European level conferences and circles were implemented in a few countries, inspired by the past experience. The models, which are based on Aboriginal practices of conflict resolution, aim at providing alternative ways of doing justice in a culturally sensitive context. Taking into account Aboriginal experiences, the practices contribute to enhance cross cultural relations and can be considered as good examples in this field. The purpose of the presentation is to share an overview on the development of the initiatives of Family Group Conferencing and Sentencing Circles and implementation in Canada. Hereby, the historical context, aims and underlying ideas of the models will be taken into consideration. Furthermore, the presentation gives an insight into the practice by pointing out the procedures and participants in these ways of dispute resolution.

# ANALYSING AND MODELLING EXTORTION RACKET SYSTEMS IN EUROPE I.

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**ANALYSING AND MODELLING EXTORTION RACKET SYSTEMS IN EUROPE**

Lu Yang
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Extortion Racket Systems (ERS), of which the Mafia is but one example, are spreading globally and causing massive disruption to economies. Yet there is no good understanding of their dynamics and thus how they may be countered. ERS are not only powerful criminal organisations, but also prosperous economic enterprises and highly dynamic systems, likely to invest in new markets, for instance spreading internationally, or becoming involved in new sectors. The objective of this Panel is to review current understanding of ERS, present current research and document specific examples of ERS.

The Panel is sponsored by GLODERS, a European Commission supported project on the Global Dynamics of Extortion Racket Systems. Papers will address the features of ERS in European countries, new methods of examining ERS, including text mining and agent-based modelling, and theoretical work on ERS, such as the role of norms.

Proposed contributions:

- Giulia Andrighetto, Daniela Grieco & Rosaria Conte, Interactions in mafia-like organizations: an experimental investigation of extortion behaviour. Institute of Cognitive Science and Technology, Italian National Research Council. Italy.
- Corinna Elsenbroich, Norm, Identity and Group Dynamics of Perpetrators, Complicits, Acquiscents and Resistants. University of Surrey, UK
- Nigel Fielding, The shaping of covert social networks: isolating the effects of secrecy. University of Surrey, UK
- Giovanni Frazzica, Valentina Punzo and Attilio Scaglione, Dynamics and interaction mechanisms of extortion racket systems: an introduction. University of Palermo, Italy
- Oliver Krukow, Michael Moehring, Martin Neumann, The process of mining exortion data. University of Koblenz-Landau, Germany
- Luis Gustavo Nardin, Giulia Andrighetto, Rosaria Conte & Mario Paolucci, Evolving Racketeering Policies Through Competition. Institute of Cognitive Science and Technology, Italian National Research Council. Italy.
- Martin Neumann, An ontology of extortion racket systems. University of Koblenz-Landau, Germany
- Attilio Scaglione, The network structure of an extortion racket systems. University of Palermo, Italy

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# TRANSNATIONAL ORGANISED CRIME AND EUROPEAN UNION: ASPECTS AND PROBLEMS

Vincenzo Militello
*University of Palermo, Department of Law, Society and Sport, Palermo, Italy*

The fight against criminal organisations and their ability to carry out illegal activities beyond national systems has long signalled the need to go beyond a European integration confined to merely economic aspects.  After identifying the role that the harmonisation of criminal laws plays in the current European Union Treaties, the paper points out that the difficulty in defining the concept of transnational organised crime could lead to the EU diversifying its areas of intervention beyond the limits of "reasonableness". In order to avoid such a risk, it is useful to refer to other relevant international sources, such as the 2000 Palermo UN Convention. Nevertheless, recent European decisions on the matter (in particular, a Resolution by the European Parliament of the 25th October 2011) seem to have reached a remarkable degree of attention towards the main problems that have long been discussed. The final part of the paper will be dedicated to the European Court of Human Rights and the European Charter of Fundamental Rights as counterweights to avoiding an unbalanced European intervention against organised crime.

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# 'THE SHAPING OF COVERT SOCIAL NETWORKS: ISOLATING THE EFFECTS OF SECRECY'

Nigel Fielding
*University of Surrey, Department of Sociology, Guildford, United Kingdom*

The field of social network analysis and its associated methodologies has been the site of much research activity in recent years, and has featured considerable attention to the operation of covert social networks. The dominant premise in the field is that covert social networks have distinctive characteristics relative to overt social networks. It is generally assumed that the social networks associated with long-term involvement in sanctionable social behaviour such as crime and deviance are importantly shaped by their covert nature. However, the elevation of covertness above other conditioning variables may be as much a mark of the methodological challenge of researching such networks as it is a distinct and governing feature of how covert networks are actually shaped. Reliable and relevant empirical knowledge of covert networks is hard to come by, conceptualisations of the effects of covertness on how networks form and are organised are contradictory, and systematic comparative analysis of covert and overt networks is lacking. The paper will focus on the limitations of understanding covert social networks solely on their own terms.

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# THE PROCESS OF MINING EXTORTION DATA

Oliver Krukow, <u>Michael Moehring</u>, Martin Neumann
*University of Koblenz, Institute for Information Systems in Business and Public Administration, Koblenz, Germany*

This talk presents a methodological analysis of the process of knowledge extraction from court files of extortion cases. The FP 7 project GLODERS aims at a comprehension of the global dynamics of extortion racket systems (ERS). This need to take into account different levels of analysis such as social norms within different environments, organisational strategies and capacities as well as goals and aspirations of individual actors. However, data on criminal organisations is inherently covert. The prime source are court files from several European countries. Analysing such unstructured data provides a challenge for scientific analysis. Techniques of natural language processing (NLP) enable a knowledge extraction from unstructured and cover data. At one example an evaluation of the process will be presented. The process integrates different tools that had been developed for different purposes, such as quantitative oriented content analysis, qualitative oriented annotation aids, and social and semantic network extraction. This mixed-methods approach facilitates the investigation of questions of different levels such as the organisational structure of specific ERS, e.g. its network structure. Examining its division of labour requires techniques such as semantic network analysis and co-occurance of concepts. A different level of analysis concerns the question of how an ERS is nested in the social environment. This requires the integration of theories of social norms and mental models with qualitative approaches. Utilising different tools originating from different disciplines such as ethnography, cognitive science, linguistics, and artificial intelligence provides a challenge for data management and analysis. Therefore the process is not strictly linear, but will rather involve iterating through it and falling back to previous phases until satisfactory results are achieved. Different research stages include data collection, text pre-processing, automatic entity extraction, manual coding and automatic coding. These are inherently intertwined insofar as each stage poses new questions to previous ones. This provides a challenge of how data generated at different stages can be transferred among different tools. Each data transfer is in need of a definition of an interface. Likewise, it is also important to identify what questions cannot be answered by text mining tools.

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# NORM, IDENTITY AND GROUP DYNAMICS OF PERPETRATORS, COMPLICITS, ACQUISCENTS AND RESISTANTS

Corinna Elsenbroich
*University of Surrey, Sociology, Guildford, United Kingdom*

Any crime involves (a) perpetrator(s) and victim(s). The long term, repeat nature of extortion rackets (ER) makes this distinction a little more complicated. Some of those targeted might be happy to pay for the services received, making it difficult to see them as victims of extortion, e.g. they are themselves involved in illegal activity and the extortion organization (EO) protects them from the police or other criminals. This victim group is called *complicits*. Then there are those that pay the extorter although there is no positive payoff for them from this interaction, we call these victims *acquiescents*. Finally, there are those that do not pay the EO, often at great risk to themselves, the *resistants*.

Given the relationship between the perpetrator and the victim, which often includes negotiation and is highly parasitic, an extortion can be analysed as an *interdependent choice situation* and thus analysed within a generalized version of game theory (Schelling, 2006, p. 3). Perpetrators make a choice to punish or not while victims make a choice to pay or not, informed by the expected payoffs resulting from each combined action. Whilst the payoffs of *complicits* and the other victim types are different, with complicits actually having an advantage from the ER, the difference between *resistants* and *acquiescents* is less clear.

In this paper we propose to stay within the framework of game theory but change the perspective on the game played in an ER. The interaction between the EO and the victim is not the only interdependent choice situation. An ER is a situation not just affecting single actors but whole communities, i.e. streets or areas of shops and restaurants or whole employments sectors. Looking at it from the community perspective, for each single agent it is better to pay the EO and avoid punishment, hoping that everyone around them does not pay, thus either making the area or industry unattractive to the EO or destroying the EO by taking away their livelihood. This makes an ER structurally a public goods dilemma (Hardin, 1968). We use this new view to make sense of the different behaviours of *acquiescents* and *resistants*, with the former interpreting the ER individually while the latter interpreting it collectively. Using an agent based model we look at different mechanisms for changing between individual and collective interpretations of situations, of population level outcomes of different social structures (networks etc.) and the influence of non-payment on the viability of ER.

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# ALTERNATIVE WAYS OF LOOKING AT JUSTICE AND SECURITY

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## ALTERNATIVE: LOOKING AT JUSTICE AND SECURITY THROUGH RESTORATIVE JUSTICE APPROACHES

Ivo Aertsen, Inge Vanfraechem
*University of Leuven, Criminology, Leuven, Belgium*

General description: This panel presents a European research project on developing alternative understandings of security and justice through restorative justice approaches to conflicts in intercultural settings. The first presentation describes the set-up of the project and some of the main theoretical concepts. The following presentations describe the research in action within three different settings: social housing in Vienna, a Roma community in Hungary and inter-ethnic conflicts in Serbia. Concrete challenges in setting up the research, approaching the field and starting the action will be addressed.
Chair: Ivo Aertsen
Presenters:
Ivo Aertsen and Inge Vanfraechem: 'Alternative ways of looking at justice and security'
Katrin Kremmel and Christa Pelikan: 'Doing action research in Vienna' social housing estates: on methods and on problems of validity'
Gabriella Benedek: 'In case of disagreement, it is important that parties discuss their problems openly - a problematic 'problem analysis''
Vesna Nikolic-Ristanovic and Sanja Copic: 'Dealing with inter-ethnic conflicts in Serbia and the place of restorative justice in it'

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**ALTERNATIVE WAYS OF LOOKING AT JUSTICE AND SECURITY**

Ivo Aertsen, Inge Vanfraechem
*University of Leuven, Criminology, Leuven, Belgium*

This presentation discusses a European FP7-project on alternative understanding of justice and security through restorative justice approaches to conflicts in intercultural settings (2012-2016). First it presents the general framework and set-up of the project. It further outlines the structure: three theoretical work packages focus on epistemological approaches to both justice and security, and restorative justice; on conflict and conflict transformation; and the possibilities of applying restorative justice to conflicts in intercultural settings. Four action research sites will implement restorative justice approaches in different intercultural contexts and the meaning of their participatory processes will be evaluated in the perspective of alternative understanding of security and justice: social housing in Vienna, Austria, a Roma community in Hungary, interethnic conflicts in Serbia and conflicts at different levels in Northern Ireland. The comparative research will feed the theory into practice and the other way around: the project as a whole is set up as an action research. In the second part, the presentation focuses on some of the main concepts and clarifies the theorising and conceptualisation on justice and security, and how these concepts can be broadened up to get a larger view on conflicts in intercultural settings.

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**GETTING CLOSE AND KEEPING DISTANT OR TACKLING THE PROBLEM OF VALIDITY IN ACTION RESEARCH - THE ALTERNATIVE RESEARCH SITE IN VIENNA**

Katrin Kremmel, <u>Christa Pelikan</u>
*Institute for the Sociology of Law and Criminology, Vienna, Austria*

*Considerations* concerning the understanding of security and insecurity of people living in the intercultural setting of social housing estates in Vienna

When developing interview guidelines and observation grids we have focussed on the emic use of those concepts. We intend to provide stimuli that make the interviewees think in a more differentiated way, going beyond and beneath merely dichotomising security/insecurity, e.g. by projecting the image of 'transitional spaces'.

*Experiences* concerning the understanding of security and insecurity of people living in the intercultural setting of social housing estates in Vienna

At the step of analysis we are dealing with the etic use of the concepts of security/insecurity. There we will use the conceptual pair of relationships as resources and relationships as conflict lines: We consider relationships between individual neighbours or wider social networks a valuable resource to be found in these neighbourhoods. At the same time we aim for an understanding of relationships, which manages to take their dynamic and flexibly changing nature into account. Hence, at the other end of the scale, relationships might be perceived as lines of conflict. Building on the understanding that both relationships AND conflicts are important resources shaping social life, the question we ask at this point is: How can conflictual relationships be handled in a constructive way, ideally making use of their potential for social change?

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# "IN CASE OF DISAGREEMENT, IT IS IMPORTANT THAT PARTIES DISCUSS THEIR PROBLEMS OPENLY" - A PROBLEMATIC 'PROBLEM ANALYSIS'

Gabriella Benedek, <u>Borbala Fellegi</u>
*Foresee Research Group, Budapest, Hungary*

The presenteter briefly describes and interprets the process and findings of the first phase of the action research in the Hungarian Case Study within the frame of the ALTERNATIVE project. In the 'diagnosis' phase, formerly known as the 'problem analysis', researchers mapped the local context of the upcoming restorative interventions and reflected on the local force of the main concepts in the project like 'intercultural context', 'safety-security', 'justice', 'conflicts' and 'conflict transformation'. As a fundamental working method, throughout the months of diagnosis, a locally based support group was built, who facilitated and evaluated the plans and the work of the researchers. Also, a series of workshops was set up for the representatives of the main local stakeholders and even beyond that, to discuss the insights of the diagnosis together, both on the level concrete and the conceptual levels. After evaluation, these forms of cooperation are meant to be developed into a joint team of 'locally committed' researchers and 'distant' researchers working together for better understanding how restorative approaches have/would influence or recreate the local understanding of justice and security in the local reality and narratives about that reality.

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# DEALING WITH INTERETHNIC CONFLICTS IN SERBIA AND THE PLACE OF RESTORATIVE JUSTICE IN IT

Vesna Nikolic-Ristanovic, Sanja Copic
*Victimology Society of Serbia, Belgrade, Serbia*

Within the project on the alternative ways of looking at crime and insecurity – ALTERNATIVE, Victimology Society of Serbia-VDS is implementing a work package *Fostering victim oriented dialogue in a multiethnic society*. It aims at development of alternative models of solving the existing and preventing future interethnic conflicts in Serbia, which may contribute to closing of circle of violence and the increase of the overall security of citizens. This is done through the research, the aim of which is to identify both problems and positive experiences in solving interethnic conflicts in Serbia, particularly focusing on the potential for the use of restorative justice, the way victims are treated and the role they play in existing ways of dealing with interethnic conflicts. The objective is to arrive at the ideas of how to involve citizens from multiethnic communities, particularly victims, in democratic processes for peace-building and conflict resolution, as well as how to engage the cooperation of citizens and state institutions in order to develop long term civil security and justice solutions for multiethnic communities. We started our research with a literature review and qualitative research of civil society's and state's dealing with interethnic and related political and intercultural conflicts in Serbia in the period 1990-2012. In the presentation, we will first give a short overview of the VDS work package. This will be followed by the presentation of the key findings of the qualitative research on the way state institutions and civil society organisations are dealing with interethnic conflicts in Serbia, which was done in the first year of the project implementation. We will particularly focus on the place restorative justice has in the existing ways of dealing with interethnic conflicts by the state and civil society organisations in Serbia and the potentials for its broader use.

# SECURITY MONITORING IN GERMANY - GAUGING THE IMPACT OF CRIME, TERRORISM, NATURAL AND TECHNICAL DISASTERS ON SOCIETY

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**SECURITY MONITORING IN GERMANY - GAUGING THE IMPACT OF CRIME, TERRORISM, NATURAL AND TECHNICAL DISASTERS ON SOCIETY**

Rita Haverkamp
*Max Planck Institute for Foreign and International Criminal Law, Freiburg, Department of Criminology, Freiburg, Germany*

Consisting of different empirical studies, an interdisciplinary consortium of six university institutes and led by the Max Planck Institute's criminological department aimed at a comprehensive description (monitoring) of the current state of security in Germany with respect to major areas of crime and terrorism as well as natural and technical disasters. A broad mixed-mode approach was used combining quantitative and qualitative methods (CATI, face-to-face interviews, focus groups, media content analysis, etc.). Data collection was based on representative (random) samples as well as non-probability samples depending on the research problems and interests. A central feature of this complex project was the combination of objective and subjective indicators of security focusing on crime, such as official crime statistics, survey data on self-reported victimization, perceptions of crime and feelings of insecurity (fear of crime), crime related media content data, etc., thus allowing a broad and at the same time differentiated appraisal of the security situation in the country.
The panel members will describe their respective research questions and approaches and present first results. Finally, an integrated evaluation of the general output which can be expected from this project will be outlined. One focal point will be the presentation of the German Victimization Survey 2012. Findings with respect to correlates of victimization experiences, fear of crime, and attitudes towards the police originating from this part of the project will be presented.
Panel chair: Rita Haverkamp, Max Planck Institute Freiburg
Session 1: Perceptions of (In)Securities
Presenter: Judith Eckert, University Freiburg, Subjective Theories of Crime – Findings from a Mixed Methods Study of Subjective Perceptions of (In)Security
Presenter: Dina Hummelsheim, Max Planck Institute Freiburg, The perception of insecurities and its impact on life satisfaction. Empirical results from a representative German survey study
Presenter: Rita Haverkamp & Harald Arnold, Max Planck Institute Freiburg, The Security Quadrate as a Means to Gauge Securities
Session 2: The German Victimization Survey 2012
Presenter: Dina Hummelsheim, What actually is fear of crime? Measurement and explanation of fear of crime in the German Victimization Survey 2012
Presenter: Julian Pritsch & Dietrich Oberwittler, Max Planck Institute Freiburg, Community effects on fear of crime in Germany – results from multilevel analyses
Presenter: Christoph Birkel, Bundeskriminalamt Germany, Victimization Experiences in Germany and their Correlates. Results of a Large-Scale Survey
Presenter: Nathalie Guzy, Bundeskriminalamt Germany, Experiences with and Attitudes toward Police

# SUBJECTIVE THEORIES OF CRIME – FINDINGS FROM A MIXED METHODS STUDY OF SUBJECTIVE PERCEPTIONS OF (IN)SECURITY

Judith Eckert
*University of Freiburg, Institute of Sociology, Freiburg, Germany*

Subjective theories – a concept and research program introduced mainly by Groeben and Scheele and similar to the concepts of lay and implicit theories to name only a few – are considered to have several important functions for people's everyday life, ranging from explaining particular phenomena to acting by applying this knowledge. This paper examines subjective theories of causes of crime and is empirically based on the exploratory study "subjective perceptions and assessments of (in)security" (Subjektive Wahrnehmungen und Einschätzungen zu (Un-)Sicherheiten). This research project aims by adopting both quantitative and qualitative methods of data collection (403 face-to-face interviews) and analysis at a deeper understanding of what people are afraid of and how they deal with respectively how can be dealt with. While the statistical approach gives an overview of the empirical frequency distribution of different types of subjective explanations of crime which were reported in the qualitative part of the interview, the qualitative analysis retraces their diversity and (potential) complexity. Thus, some dimensions of relationships between various actors and/or factors and crime not yet having been taken into consideration adequately in research could be identified. Furthermore, by studying these subjective theories some motives of and while speaking about fear of crime could be reconstructed and will be presented finally.

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**PERCEPTIONS OF INSECURITIES AND THEIR IMPACT ON LIFE SATISFACTION: EMPIRICAL RESULTS FROM A REPRESENTATIVE GERMAN SURVEY**

Dina Hummelsheim

*Max Planck Institute for Foreign and International Criminal Law, Freiburg, Criminology, Freiburg, Germany*

The feeling of safety is a basic need (Maslow) and a substantial part of individual well-being. Within the framework of the joint research project "Barometer of Security in Germany" (BaSiD), we explore worries concerning personal and societal insecurities among the German population. Based on criminological, sociological and psychological theories, feelings of insecurity are analyzed in a broad context. Safety-related areas addressed in this survey not only include threats and risks like crime, terrorism, natural disasters and nuclear power but also issues such as income, employment, health, family and social networks, housing and living environments. The presentation highlights first empirical results from the study and deals with the questions: Who perceives which kinds of threats or risks? Which insecurities are interrelated to a greater or lesser extent? How do different feelings of insecurity and fear affect the life satisfaction of people in Germany?

**Keywords:** *Insecurity, Fear of Crime*

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**THE SECURITY QUADRATE AS A MEANS TO GAUGE SECURITIES**

Rita Haverkamp, Harald Arnold
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Over the last century, securitization has become an important term to grasp the advent of different security topics (e.g., the assessment of offenders as dangerous). In this context, the concept of 'subjective security' has emerged and gained significant traction in the social sciences. Attention has also turned to differences between the objective situation and the subjective feelings of individuals, because *being secure* and *feeling secure* do not necessarily correspond with each other. Moreover, security incorporates several paradoxes and conflicts: On the one hand, a higher level of security may arouse greater feelings of insecurity; on the other hand, the need for the security of an individual or group might collide with the security interests of another person or group. The ambivalence that exists between objective and subjective security will be explained by the so-called 'security quadrate'. The security quadrate will offer a means to illustrate upcoming differences and commonalities concerning diverse security issues. It should also help to ascertain 'real risks and hazards', and 'fears and worries', as well as their mutual relationship. Measures will be developed to classify levels of security, using the example of crime as a modern risk.

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# DEMOCRATISATION AND PUNISHMENT IN LATIN AMERICA AND SOUTH AFRICA

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**DEMOCRATISATION AND PUNISHMENT IN LATIN AMERICA AND SOUTH AFRICA (SESSION SPONSORED BY PUNISHMENT & SOCIETY: THE INTERNATIONAL JOURNAL OF PENOLOGY)**

Leonidas Cheliotis[1], Maximo Sozzo[2]
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[2]*Universidad Nacional del Litoral, Argentina, School of Law, Buenos Aires, Argentina*

This session will address the multifarious relationship between the transition from authoritarian to democratic regimes, on the one hand, and penal policies and practices, on the other hand, in Argentina, Brazil and South Africa. Some of the specific questions that will be explored include the following: In which particular fields, to what extent, and in what ways do processes of socio-political democratisation influence levels and patterns of punishment in disparate jurisdictions? Which are the factors that facilitate or prevent such influence? And how does or should criminological inquiry explore these questions? The session is sponsored by *Punishment & Society: The International Journal of Penology*.

Papers:

Democratisation and punitiveness in Argentina - Maximo Sozzo, Universidad Nacional del Litoral, Argentina

The complex relationship between elections and security: The case of the state of Rio de Janeiro in Brazil's democracy - Emilio E. Dellasoppa, Universidade do Estado do Rio de Janeiro, Brazil

Punishment and Democracy in South Africa - Gail Super, University of Cape Town

Discussant: Richard Sparks, University of Edinburgh

**Keywords:** *Democratisation, punishment*

# DEMOCRATIZATION AND PUNITIVENESS IN ARGENTINA

Maximo Sozzo
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Between 1930 –the year a democratic government was overthrown by the Armed Forces in Argentina for the first time– and 1983 –the year Argentina's democracy was restored– six coup d'état occurred, which led to military dictatorships of different duration –between one and a half and seven and a half years–, followed by periods of restricted or limited democracy, with the exception of the periods 1946-1955 and 1973-1976. Military dictatorships governed the country for about 24 years in this period of half a century, and for 14 out of 17 years between 1966 and 1983. In 1983, a complex process of transition to democracy began that, notwithstanding its recurrent and huge obstacles and crisis, did not experience a relapse into an authoritarian political regime. This paper examines how punitiveness evolved during these last 30 years, departing from a very broad definition of it as the level of pain delivered by the penal system. It presents all the available indicators about the mutations of punitiveness in this period. It shows that three moments could be distinguished: one initial phase of containment, another one of huge expansion, and a third one of moderate expansion. The paper explores the affinities between these three moments with some metamorphoses of the relationship between politics and crime control in the general context of democratization and economic and political crises and stabilities: a) elitist, populist and mixed modes of penal policy-making; b) social and political mobilization "from below" about punishment and about other social questions; c) changing political alliances and programs and their orientations regarding punishment; and d) the place of memories about crimes of the state and their punishment during the last military dictatorship in the public debate.

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# THE COMPLEX RELATIONSHIPS BETWEEN ELECTIONS AND SECURITY: THE CASE OF THE STATE OF RIO DE JANEIRO IN BRAZIL'S DEMOCRACY

Emilio Dellasoppa
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The last decades show a distinct increase in the complexity of the Brazilian state, maintaining its contradictory features of a centralized state while being simultaneously influenced by decentralizing and even fragmentary policies. This fragmentation leads to overlapping policies among the powers. Moreover, this situation is also a consequence of the loss by the political system of part of its task and capacity to discuss and implement binding decisions. At the same time it can be observed different measures that are the result of a strategy of the executive to increase its autonomy in relation to other powers. The question that could synthesize the main theme of this paper is: How are related the monopoly of legitimate violence and territorial control by the state, with the new forms of governance, and with the democratic representation of citizens by means of elections held in urban areas with high levels of violence and insecurity? In the political science tradition can be noted the importance of free and legitimate elections as a fundamental institution to characterize a democracy. In this paper we focus on this importance to analyze the context and the specific forms in which the institutions of elections and representation exist in Brazil, with emphasis on the State of Rio de Janeiro. We will also observe a series of side events that influence and may even determine the course of the elections. In our case we will focus facts related to different forms of violence, trafficking organizations, illegal gambling, illegal parallel unions and militias formed by public officers from the safety area, among others. These manifestations of violence are closely related, in many cases, with public officials, with direct influence on the electoral process.

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**PUNISHMENT AND DEMOCRACY IN SOUTH AFRICA**

Gail Super
*University of Cape Town, Center of Criminology, Cape Town, South Africa*

This paper examines the phenomenon of vigilantism in Khayelitsha, a poor black township on the outskirts of Cape Town, South Africa. It is based on preliminary ethnographic research amongst local township dwellers and an analysis of official criminology (what the state says and does about crime) in South Africa. The paper explores the links between the history of 'necklacing' as one of the unofficial techniques of the 1980s liberation movement, the delinking of the post-apartheid criminal from a structural and political context, and the way that grassroots social justice movements play a role in the neo-political turn that characterizes penality in post-apartheid South Africa.On the one hand, the phenomenon of vigilantism is a form of punishment that is arguably not state-sanctioned and as such is unlawful. Yet, it also serves the same Durkheimian purpose as official punishment, insofar as it constitutes an avenue for the 'community' to express its outrage at deviance and criminality, and to establish the moral boundaries of acceptable behavior, aimed at deterring future wrongdoing. Whilst mainstream academic (and political) analyses view vigilantism as a response to a weak state and inefficient criminal justice system, as pointed out by Thomas (2012), the techniques of meting out violence upon the bodies of suspected criminals are in fact distinctive, mimicking the 'necklacing' of suspected collaborators during the 1980s anti-apartheid struggle. During this period, township activists committed criminal offences in the name of the struggle against apartheid and, at the same time, the state labeled all political activity as criminal. What does vigilantism tell us about the mutually constitutive relationship between punishment and society? What does it tell us about the constitution of ethical citizenship? What can we learn about the often violent regulation of crime that occurs in and on multiple forms and levels, and is braided in distinctive ways? These are some of the issues that the paper grapples with.

EUROPEAN HISTORICAL CRIMINOLOGY

**586**
**THE EMERGENCE OF THE CRIME VICTIM IN THE SWEDISH SOCIAL SERVICES ACT**

Carina Gallo
*Lund University, School of Social Work, Lund, Sweden*

Before the 1980s, support for crime victims was not considered an important political issue in Sweden. In fact, the term 'crime victim' did not appear in the Swedish language until 1970. However, over the last three decades, the concern for crime victims has grown dramatically. This study sought to explain how crime victims emerged as a target group in the Swedish Social Services Act. The findings, derived from legislative documents, a literature review, and focus groups with social workers, showed that the 2001 provisions did not change the legal responsibility of the social services, nor did they strengthen the rights of victims. To some degree, the reform can be explained symbolically. Support for victims was a complicated issue for the social democratic government. The economic crisis of the early 1990s ruled out reforms that might bring high increased costs, yet expanding victims' rights by toughening penal law and promoting victim impact statements was not in line with social democratic ideology. By enacting the provisions, the government showed its commitment to providing support to victims. At the same time, the provisions did not increase costs or strengthen victims' rights. In this way, the provisions solved a political dilemma for the government.

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## BEYOND SOCIAL CONTROL? NON-DELINQUENT CHILDREN AND THE JUVENILE COURT (ANTWERP, 1983-2004)

Kevin Goris

*Vrije Universiteit Brussel, Crime & Society Research Group (CRiS), Brussels, Belgium*

Since the 1965 youth protection act, the juvenile judge in Belgium can not only intervene in case of (status) delinquency by minors, but also in every situation deemed dangerous or problematic for the child. This extended reach of the juvenile court, justified in terms of being "for the child's own good", has since then been the subject of criticism inspired by the revisionist social control literature. Herein, it is claimed that the expansion of youth protection should not so much be understood as well-intended benevolence. Rather, following this perspective, it represents an increasing infiltration in and control of the private sphere of the - mostly lower class - family. However inspiring and fruitful this vision has been for criminological critique, in our opinion, it does not render a clear and correct view of power relations within past and contemporary youth protection practices. That is to say, rather than only being passive recipients of social control, families and minors often play a more active role in the problematizing activities preceding juvenile court interventions. In this presentation, we discuss this active role with reference to our analysis of Antwerp juvenile court files concerning non-delinquent children between 1983 and 2004.

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**CRIMINOLOGY IN PORTUGAL: EARLY DEVELOPMENTS IN THE TURN TO THE 20TH CENTURY**

Rita Faria, Cândido Agra
*University of Porto, Faculty of Law & School of Criminology, Porto, Portugal*

This presentation aims to give an account of the origin and early developments of Criminology in Portugal, from the mid-19th to the mid-20th century. During this period, Portugal was deeply researching crime and the criminal, with an underlying curiosity about the most important international influences of the time, but some autonomous strong reasoning on the causes for crime was also created. The apparent decline of these types of studies came with the authoritarian regime that lasted from 1933 to 1974.

Three major lines of enquiry will be outlined for the above-mentioned period (1850-1950):

The first one will summarize knowledge production on the "criminal man", mainly by presenting the work of some authors criticizing the research of Lombroso and his *Scuola*. This stream of studies, while acknowledging the need for a scientific and positivistic approach, is especially interesting because it goes on to falsify some of the main conclusions of the "atavism theory": method, concepts and interpretations are improved by the work of Portuguese scholars.

The second line of inquiry assumes a critical tone on the analysis of the criminal justice system, namely the prison system. A brief outline will be given on reports, studies and research that, for more than a century, demand an improvement of living conditions in Portuguese prisons, a clear choice on the goal of the prison sentence and the prison model to be established in Portugal.

Finally, a brief outline of the *Institutos de Criminologia* will be given. This will allow understanding the work and goals of these specific institutions designed to help the criminal justice system through identification techniques and reports on the detainees, while producing at the same time scientific knowledge about prisons, youth delinquency, causes for crime, criminal public policies, etc. For an insight into this specific apparatus, its scientific journal, the *Boletim dos Institutos de Criminologia*, will be used as an epistemic analyzer.

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# DRUG POLICIES: DIFFERENT ASPECTS

**592**

## THE PREVENTION OF IMPAIRED DRIVING AND THE PENAL SYSTEM

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Canada is part of the international trend vis-à-vis impaired driving, opting for criminal sanctions in this area if the person failed the breathalyzer. Over the last two decades, countries have also begun to address the screening of drugs other than alcohol in terms of impairment, particularly marijuana. To this end, the presence of a drug is confirmed with the analysis of a sample of body fluid. Canada followed the European trends in this area and adopted in February 2008 Bill C-32, included in C-2.

Was this the right way to go?

In considering any bill, we must look at the goal it seeks to achieve before we look at the relevance of the means it proposes. To achieve prevention of impaired driving, C-32 has mandatory physical coordination tests to verify a person's ability to drive a motor vehicle. It also requires drivers to undergo testing for legal and illegal drugs if the police deems necessary.

Because it made physical coordination tests mandatory, the Bill has the merit of no longer focussing police intervention on specific causes of impaired driving. Someone who is in no condition to drive, for whatever reason, and has been intercepted, would be prevented from going on his way if he failed these tests. The important thing here is not to decide on good vs. bad types of impairment, but rather to ensure road safety.

This being said, why try to determine whether a person has consumed alcohol or other drugs? This brings us right back to the traditional problem we have dealing with this issue: the goal of road safety is lost from the perspectives of both prevention and police intervention, by the isolation of certain causes – as though there were good reasons for having impaired faculties while driving and bad ones.

In this presentation, using the parliamentary debates on this Bill, I will explain why it is politically easier to announce harsh punishment against impaired drivers who used alcohol and/or other drugs, than really find means to target prevention of all impaired driving. More interesting ways than the penal system for better prevention of impaired driving will conclude this presentation.

**593**
## LEGISLATIVE FRAMEWORK OF DRUG RELATED CRIME IN SERBIA

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Although Republic of Serbia has regulated main questions concerning drug problems, there are still a lot of conflicting and missing issues. The aim of this paper is to review and analyze legislation in relevance to drug related crime in Serbia. The Criminal Code incriminates several groups of drug related offenses: Illegal production and distribution of narcotics (article 246), Illegal possession of narcotics (article 246a), Facilitating the use of narcotics (article 247). Currently, 2026 offenders were sentenced related to article 246 CC, 1452 to article 246a CC, and 110 involved with article 247 CC in Serbia. Since 2003. in relation to article 246a CC, drug use is incriminated in Serbia, but with monetary sentence or to 3 years of prison. Main conflict in drug related crime regulation in Serbia is disparity between the two laws – Criminal Code and Law related to psychoactive controlled substances involved to the definition of controlled psychoactive substances that separates opiates and psychotropic substances (ecstasy, amphetamines, methamphetamines). Consequently, psychotropic substances are not incorporated in criminal legislation, and many judges are forced to make an acquittal for drug offenders. Based on the good international practice recommendations for possible legal changes in Serbia will be given.

**594**

# OUTCOMES OF THE GHENT DRUG TREATMENT COURT ON SUBSTANCE USE AND DRUG RELATED LIFE DOMAINS

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By means of a retrospective file study on judicial documents the outcomes of the Ghent drug treatment court (DTC) on substance use and drug related life domains of Ghent DTC clients were examined and compared with those of Hasselt drug offending probationers. After a matching procedure the analyses showed that a DTC trajectory was associated with more employment and more financial counseling and that a probation measure was associated with less heroin use. Both judicial measures were associated with additional referrals to drug treatment and more respondents from both study groups only used methadone at posttest. DTC clients had a 4 times higher probability to be employed at the end of their DTC trajectory in comparison with probation clients. Significantly less time passed between the offences committed last and the start of a DTC trajectory when compared to the start of the probation supervision. To conclude, DTCs yield beneficial outcomes regarding drug treatment, single methadone use, employment and financial counseling. The lack of results regarding substance use could be related to the complexity and chronicity of substance use disorders and to the relatively short length of a DTC trajectory. Information on more individually relevant life domains such as family and social relationships, health and leisure time activities was often lacking. DTCs should also target these life domains next to more societal relevant life domains such as employment and financial issues.

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# WHAT ABOUT 'PUBLIC CRIMINOLOGY'? HOW A BETTER UNDERSTANDING OF THE SCIENCE-POLICY NEXUS WITHIN THE DEVELOPMENT OF THE BELGIAN DRUG POLICY (1996-2003) MAY FEED THE DEBATE.

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The notion that research may be carried out expressly to influence policy is still controversial to many researchers. Some feel quite strongly that research should not be limited and directed by the demands of policy makers. However, providing research for the benefit of policy makers and the needs of a society is equally legitimate. The discussion regarding the relationship between policy and the production and uses of knowledge has sparked off late in the criminological domain (Loader & Sparks, 2011). Under the banner 'public criminology', attention has been paid to the roles and influence of academic criminologists as well as to the policy processes and outcomes that they do or do not influence (Tonry, 2010).

Linking knowledge to policy is a complex process (especially in a domain where 'moral panics' may spark off) which is rarely approached from within or exposed to profound observation by criminologists. However, a considerable body of work (called 'knowledge utilization' literature) on those in positions of power in relation to the processes of policy making and the science-policy nexus has accumulated within the political science domain since the 1960s and may act as an important source here (Weiss, 2005).

Using the development of Belgian drug policy between 1996-2003 as a case study, we aim to uncover and understand which (f)actors may play a role in the complex relationship between policy and science (Tieberghien & Decorte, 2013). Given the intense media and public scrutiny and the large number of competing political parties and their divergent interests in drug policy, scientific research may be just one of the many sources of knowledge used by policy makers. Our methodology consists of a document analysis (policy documents and newspaper articles) and semi-structured interviews with various stakeholders (MP's, members of the government, scientists, journalists, etc).

Based on international (political and, to a lesser extent, criminological) literature as well as on some preliminary results from our own study, this presentation will provide critical reflections on what is done with (criminological) knowledge in the (drug) policy making process. We found instrumental, political/symbolic and conceptual (mis)uses of scientific knowledge and noted dynamic processes between science, policy and media. Each of these issues will be described and discussed as they are prerequisite to a proper appreciation of the influence of (criminological) research.

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# POLICE AND CRIME

## POLICE COMMUNITY SUPPORT OFFICERS AND SOCIAL CAPITAL

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Police Community Support Officers (PCSOs) have been a part of policing in England and Wales since 2002. They were developed on the model of the 'police patroller' in the Netherlands, although they do not hold the power of arrest. Initially derided in the media and by the Police Federation as 'policing on the cheap' and 'plastic cops', PCSOs have since become an integral element of community policing. This paper draws on 350 hours of observations and 32 interviews with PCSOs and their police colleagues from two northern English police forces in 2012/2013. It will be argued that social capital plays a key role in the work of PCSOs. While PCSOs often use social capital for the purposes of bridging and linking in their beat areas, PCSOs also use their social capital in a punitive way. Knowledge of local people and their connections with each other was harnessed to build intelligence data bases for the purposes of control and surveillance. This problematises the role of PCSOs in neighbourhoods in that some members of the community are 'policed' more than others. Those who came most often under the gaze of punitive social capital were the socially marginal: the working class, the unemployed or the underclass.

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# IS THERE A CHANGE IN POLICE OFFICERS ATTITUDES TOWARD COMMUNITY AND COMMUNITY POLICING IN THE POST REFORM PERIOD – COMPARING SLOVENIAN POLICE OFFICERS' PERCEPTIONS IN 2006 AND 2011

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A key element of all police work is not only how officers perceive supervisory support but also how police officers perceive the community and the extent to which they believe citizens cooperate with the officers. These views are primarily influenced by police organizational culture and shaped by the leadership. In 2008, there was new leadership in the police organization who promoted the importance of citizen police relationships and community policing. The goal of this study is to examine if police officers' views of citizen police relationships and community policing have changed since the new ideas and mission statement of the police have been introduced in 2008. We compare findings from the 2006 data which suggested that police officers were dissatisfied and at best ambiguous about supervisory support and citizens' participation in crime prevention activities or support for the police. Such perceptions have serious implications for police to succeed in implementing effective community policing. The purpose of this research is to examine Slovenian police officers attitudes toward community and citizens and if their views have changed in the last 5 years since the introduction of new goals and vision for the Slovenian police. Findings and policy implications will be discussed.

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**POLICE CULTURE AND COMMUNITY POLICING REFORM FROM THE 'BOTTOM-UP' IN SARAJEVO CANTON**

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This article reflects on the implementation of a Swiss community policing project in Sarajevo Canton, Bosnia-Herzegovina in 2011. The case study explores how police practitioners might support the development of partnership-based policing models in the context of a developing and transitional society. It uses the concept of 'policy translation' to illustrate the potential benefits and challenges of enrolling the situated agency of low ranking police officers to support international reforms by contrasting the approaches of two 'specialist' units to implementing this model in different sectors. Motivated officers from RPZ1 made important progress towards nurturing the idea of partnership and promoting an enhanced public image for the Sarajevo Canton Police while their counterparts in RPZ2 struggled to match their successes due to contextual obstacles and limited enthusiasm. Drawing from these examples, the author theorises the ability of motivated officers to renegotiate police culture and support the development of democratically responsive policing models 'from the bottom up'.

**599**
# INSTITUTIONAL RACISM AND POLICE REFORM: AN EMPIRICAL CRITIQUE

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The concept of 'institutional racism' became a potent mobilising concept in police reform in the UK following the publication of the Stephen Lawrence Inquiry in 1999. Yet while recent urban disorders in England illustrated its continuing resonance as a lever for reform, little attention has been paid to whether it actually works as a conceptual instrument for change. While theoretical analyses have highlighted the inherent ambiguities of the concept, there is a widely noted lack of empirical research on the dynamics of the concept and the effects of its application.

Drawing on research of policing in England and Wales in the aftermath of the Stephen Lawrence inquiry, this paper argues that the concept is of limited value as a lever for reform. Its mobilising potential is powerful, though may be decreasing as it becomes adopted into mainstream discourse. However, although it may provoke an urgent reaction, the term's central ambiguities confront police services with a series of profound difficulties in responding. As a result, the concept not only fails to direct attention to the dynamics of discrimination it is attempting to capture but, through the patterns of activity it elicits, in fact sustains them. However, the mobilising force of the concept and the efforts it generates – even if misdirected - may have the potential to instigate a more subtle and pervasive series of shifts in organisational norms. A new terminology grounded in practice and conceptual accuracy is now needed.

**600**
# EXPLORING STOP AND SEARCH

Jean Hine
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The police argue that the power to stop and search individuals is a vital tool in their fight against crime, yet their use of this power in England & Wales is the subject of much controversy. Monitoring of the use of these powers since 1995 reveals that Black and Asian people are much more likely to be subject to the use of these powers than white people and several high profile inquiries (Scarman,1981; Macpherson, 1999) have highlighted police stop and search procedures as significant factors in the issues being addressed. In 2010 the Equality & Human Rights Commission published a critical review of the use of stop and search powers in England and Wales entitled 'Stop & Think' which argued that "Despite years of debate and several initiatives aimed at tackling the problem, these ratios have stayed stubbornly high." (EHRC 2010, p5).

This paper will present the results of a piece of research commissioned by one police force to help them understand this issue.  The research consisted of a detailed statistical analysis of the recording of stop and search together with interviews with police officers and managers in the force.

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**601**
## WHY DO POLICE COMMIT CRIME: A CRIMINOLOGICAL AND ADMINISTRATIVE PERSPECTIVE

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Even though crime is generally a cause of concern for any society, it especially agitates when the perpetrators are civil servants, particularly police. In this sense, current study examines this very problem through a conceptualization as "police crimes" in the Turkish National Police context. The concept of "police crimes" is a combination of corruption-type criminal behaviors which includes abuse of authority and material gain, and violations of disciplinary codes. This study assess the general appearance, causes and prevention strategies of the problem. The research was conducted between 2011 and 2012 in Ankara and 10 other provinces of Turkey. Following a mixed methods of data collection, content analysis of personnel files, in-depth and group interviews and a survey have provided data for the analyses. These data were analyzed through qualitative and quantitative strategies. These analyses indicate that the problem of police crimes in the Turkish context constitutes a multidimensional complicated structure. This problem, first, is assessed to be in close connection with the elements of organization structure and procedures. Assessing the organization as just and fair increases the likelihood of obeying its rules and regulations. In addition, lack of training, personal problems that are not solved, a vague, undetermined and ineffective disciplinary system are found to be in close relation to the problem of police crimes among the Turkish police personnel. In order to prevent police crimes; certain, just and a fairly implemented disciplinary system, an effective personnel selection and basic training process, relaying on restorative rather than punitive approaches in the primary cases of police criminality, and, finally, maintaining an effective sanctioning system for those who insist on following a criminal career in the police department.

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**PLENARY SESSION V.**

**602**
**THE MISSING LEVEL OF ANALYSIS: THE INTERNATIONAL IN THE STUDY OF STATE PUNITIVENESS**

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Criminological research into state punitiveness has typically focused either on particular local and national environments or on the international comparison of national trends. Whilst both approaches have contributed important insights to the understanding of levels and patterns of punitiveness in various jurisdictions and regions around the world, there has been relatively little appreciation to date of the ways in which the international environment may itself impact upon national-level penal policies and practices. Drawing on theory from International Relations and Sociology, this talk considers how the international as a level of analysis may further criminological understanding of state punitiveness.

**603**

## RESEARCHING TRANSNATIONAL ORGANIZED CRIME: WHAT DATA, WHAT METHODS?

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Despite shifts in political and research agendas, there is still a sustained interest in old and new forms of transnational organized crime by scholars from many disciplines, policy makers and law enforcement agencies. For the last 25 years, research on TOC has kept growing as reflected in several scientific journals, thick European handbooks, official reports of all sorts, and various best-selling books. But the phenomenon still poses a major challenge for empirical researchers, as it is often hidden, fluid, dangerous or just a rhetorical device. This contribution will critically assess the type of data and methods used by different TOC researchers or publications, showing their flaws, limitations and potential advantages. Some Innovative strategies, mainly by younger researchers, suppose a welcome counterweight in a field still largely dominated by journalists, law enforcement experts and 'quick and dirty' report writers.

**604**
# SURVEILLANCE UNDER THE RULE OF LAW AND THE RULE OF FINANCIAL MARKETS

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Technical forms of surveillance, enabled by developments in microelectronics, databases and computer networks, have *increased* the monitoring of our daily lives and triggered a surge in "surveillance studies". Their central concern has been "digitalised" surveillance that allows agencies to accumulate, preserve and organise data much more efficiently, creating sensitive personal data databases and using tools such as "data mining" for fishing expeditions and "predictive software" to forecast crimes yet to be committed. This has led to legitimate concerns about systematic undermining of the rule of law, but has somehow neglected the role played by the rules imposed by the financial markets. New "pre-emptive" orientation in the security and control domain protect environments characterised by social, political and economic inequalities and reinforce the conditions already at work there, to the detriment of social equality, justice and social cohesion. The paper will focus on the contemporary socio-economic developments in Central and Eastern Europe and show that the post-socialist transition has been a mixed blessing in terms of proportionate and legitimate surveillance.Besides signs of progress, e.g. the submission of the intelligence services to the rule of law and adoption of legislation regulating the access to public information, there have been signs of the opposite, e.g. the systematic undermining of the state's abilities to enforce the rule of law, a failure to modernise the criminal justice system, a failure in establishing strong market regulatory agencies and erosion of public trust in the criminal justice system. The paper will try to show how theEuropean Union itself, which Central and Eastern European countries aspired to join, has moved towards surveillance regimes that stir authoritarian memories in nations whose socialist past is being systematically demonised.

# DOMESTIC ABUSE AND VIOLENCE AGAINST VULNERABLES

**605**
## PARTNER AND DOMESTIC ABUSE IN SCOTLAND

Sarah MacQueen
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The last decade has seen the introduction of a number of legislative measures in Scotland to criminalise and protect against domestic abuse. At the same time, the Scottish Government's Violence Against Women team has developed a national strategy for tackling domestic abuse and guidance for practitioners in the field, and the Scottish Policing Assessment 2011-15 has declared domestic abuse a key priority, with particular focus on under-reporting of abusive behaviour. In spite of this activity, research seeking to explore and understand the issue of domestic abuse and inform the development of the policy and practice response has, to date, been scarce. Developed through a collaborative study with the Police Service for Scotland, this paper presents findings from exploratory, multivariate analyses of the Scottish Crime and Justice Survey data. The prevalence of partner and domestic abuse and the characteristics of victims are examined, and the disparity between key groups of victims in terms of police awareness and attention discussed. Critical gaps highlighted in current national policy and guidance are also addressed.

**Keywords:** *domestic abuse, police reporting*

**606**

## DEALING WITH CASES OF PHYSICAL ABUSE OF YOUNG CHILDREN IN GERMANY

Monika Haug

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Child protection is of high political and legislative interest in many European countries. In the German debate on child protection, political arguments often refer to severe cases of child abuse and neglect as well as the high amount of cases in police crime statistics. This talk will present findings from an empirical analysis of criminal court files, dealing with reported cases of physical abuse of children aged less than 6 years in the years 2004, 2007 and 2010 in Germany. Contrary to crime statistics, this approach offers information about the individual development of the cases. The presentation will illustrate the different subtypes as they appear in the files and focus on the involved persons and specific situations of the offence. Furthermore it will point out the criminal proceeding and examine mechanisms of crime reporting as well as the scope of investigations with a particular focus on the cooperation between the involved institutions. The results will finally be discussed with a view to legislative and political issues within the country, which are always affected by the conflict between parental rights and child protection as well as the right to respect for private and family life.

**Keywords:** *child protection; physical abuse; analysis of court files*

**607**
**FORCED MIGRANT WOMEN AS A VICTIMS OF VIOLENCE**

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In my paper I would like to present three types of violence against forced migrants. First of all, the violence against migrant women inflicted by the representatives of their cultures. This dimension includes domestic violence. The causes of this type of violence may be similar to the general reasons of the domestic violence problem, but may also additionally be caused by migration (cultural stress, not coping with acculturation) or the characteristics of the immigrants' culture of origin (broader consent to such behaviour towards women). Violence may also be inflicted against women by other persons from their culture circles. The reasons for the violent behaviours may be either related to different cultural norms regarding the role of women in the society or may result from the willingness to force the female migrants to follow behaviours in keeping with the culture of the country of origin and reject the cultural norms and behaviours of the host country.

The second type of crime against female migrants is hate crime (i.e. the offence against them caused by their ethnic origin). Last, but not least, the victimisation of the female migrants by the host country, specifically its officials, should be mentioned. In this case, the victimisation may take forms of the lack of adequate protection from the perpetrators or not granting protective rights, therefore increasing the risk of becoming victims of repeat victimisation. This dimension includes behaviours of the official bodies additionally victimizing the female migrants, such as placing them in guarded centres for foreigners (which is the case of the victims of human trafficking, asylum seekers etc.).

Those problems will be based on the empirical study (qualitative research – interviews with female migrants and experts).

**Keywords:** *immigrants, women violence*

# CULTURAL CRIMINOLOGY: SOCIAL CONFLICTS AND DIFFERENCES

**608**

## MARRIAGE, FORCED AND OTHERWISE: INTER-GENERATIONAL CONFLICT OVER MARITAL CHOICE AMONG NORTH AFRICAN, MIDDLE EASTERN, AND SOUTH ASIAN NEW YORKERS

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Over the past two decades, social policy concerns have emerged in varied OECD countries around the problem of "forced marriage" and intergenerational conflict over marital choices within migrant communities. While the United States Department of State defines forced marriage as "one in which one or both parties have not consented to the marriage", for migrants who encounter conflicting kinship norms and beliefs in situations of diaspora, the question of consent is never simple. Interestingly, the Department of State identifies eleven countries where United States citizens have been known to be forced into marriage, but does not include the United States on this list. Some American advocacy organizations now argue that forced marriage is occurring in the United States in substantial numbers, and have begun calling for specific legislation and socio-legal responses. However, there is very little empirical research into the nature and scope of the problem because it involves complex and intimate family matters that are typically hidden from outsiders even when they are not in violation of receiving-country norms. Additionally, government institutions in western countries are sometimes hesitant to act because of the fear of appearing racist or forcing western values upon established cultural norms.

This exploratory study examines the ontology and life experiences of New Yorkers from families that migrated from places where arranged marriages are common in an effort to add to the small body of scientific knowledge on forced marriage in the United States. Using intercept recruitment, 100 CUNY students from these regions were surveyed about their beliefs, attitudes, and opinions concerning marital choices, and their experiences with intergenerational tensions within their family concerning arranged marriage. This study provides a view into what forced marriage may look like to students occupying a difficult space between sending and receiving countries, and how forced marriage may or may not fit the socio-legal categories of its Western advocates.

# INDIVIDUAL RELIGIOSITY AND DELINQUENT BEHAVIOR OF WESTERN AND MUSLIM JUVENILES: WHAT IS THE IMPACT OF THEIR GENDER ROLE ORIENTATIONS?

Stefanie Kemme

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Topic of the following paper is the impact of religious affiliation and individual religiosity of juveniles on delinquency and deviant behavior. Previous national and international research, in particular comparative self-reported delinquency research, examining potential effects of religiosity on deviant behavior has mainly focused on countries from the Western world. Because of the existing difficulties when comparing different cultures, the Islamic world up to now has received little to no attention.

The data base consists of three samples of law students at three universities in Madison (United States), Giessen (Germany) and Izmir (Turkey) (total N=612). Data were collected by the University of Giessen in cooperation with the law school in Madison and the University in Izmir in 2003/2004. The paper-and pencil-questionnaire included, among others, items about delinquency, religiosity and gender role orientations. Individual religiosity is found to have moderate to large effects in reducing juvenile delinquency.

National research analyzed whether religiosity has different effects for young migrants with an Islamic religious affiliation compared to German born Christian juveniles and found a suppressor effect of the gender role orientations of Muslim juveniles (Brettfeld 2009). This suppressor effect was replicated with the present data. It was shown that the effects reducing delinquency within Muslim juveniles can be approved when including the traditional role orientations of Muslim juveniles into the multivariate models. The assumption that the more religious Muslim juveniles are the more violent they behave, couldn't be approved empirically and must be rejected.

**610**
## PERCEPTIONS OF CLASS DIFFERENCES IN CRIME CONTROL POLICIES

Gwen Van Eijk
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Crime control in Western societies is biased against the behaviour of people of lower class positions, such as residents of low-income neighbourhoods and social housing, ethnic minorities and homeless people. Although many criminologists have pointed out this class bias in crime policies, we know little about how criminal justice agents – those who make and execute crime policies – perceive the lower class and class differences more generally. In this study I examine how criminal justice agents perceive and judge class differences, and how those judgements shape crime policies. I build on sociological insights on class (cultural class analysis) and boundary making in order to study how criminal justice agents legitimate the focus of policies on the lower class, and how their ideas about class differences result in both exclusionary and inclusionary policy strategies. Examples of exclusionary strategies are zero-tolerance policing, anti-social behaviour orders, exclusion of the rental housing market and penalties for social security recipients; examples of inclusionary strategies are programs aimed at altering problem behaviour and risk factors, resocialization, education and support. The study is based on the analysis of policy documents on crime control policies in deprived neighbourhoods in Rotterdam, the second largest city in the Netherlands.

# BOOK LAUNCH: PUNISHMENT IN EUROPE

**611**
**BOOK LAUNCH: PUNISHMENT IN EUROPE, EDITED BY VINCENZO RUGGIERO AND MICK RYAN, LONDON: PALGRAVE (PUBLISHED IN AUGUST 2013)**
Vincenzo Ruggiero, Mick Ryan, Leonidas Cheliotis, Anthony Amatrudo, Tara Lai Quinlan


About the book:
 'Punishment in Europe' brings together contributions from twelve countries from West as well as East Europe. The countries are The Netherlands, Sweden, England and Wales, Ireland, France, Germany, Russia, Poland, Bulgaria, Italy, Spain and Greece. All chapters provide a critical anatomy of penal systems in the respective countries. Although the editors make no attempt to produce a 'comparative' study of penal systems in Europe, they identify some variables and general normative values which may explain differences and similarities between the national contexts under scrutiny.

# CRIME AND SECURITY COUNTRY BY COUNTRY

**612**
**CRIME IN POLAND ACCORDING TO POLICE, VICTIMISATION AND MACROECONOMIC DATA**

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[2]*University of Warsaw, Institute of Justice, Warsaw, Poland*

The paper presents the main trends, structure and regional differences of crime in Poland. Official statistics, victimization survey results and macro-level demographic indicators are taken into account. The analysis is focused on violent crime such as homicide, assault, robbery and also on crime against property: burglary, motor theft, etc. The relationships between different sources of crime data and other variables are elaborated to identify the best micro and macro-level indicators of regional diversity of crime. The paper also includes a comparison between trends in police-recorded crime and results of victimization survey to demonstrate the possibilities of integrated data and to better explain crime level and crime determinants. In general there is a large discrepancy between the numbers recorded by police (e.g. robberies or car thefts) and numbers estimated from victimization surveys (the latter are significantly higher), however the key trends are often consistent. The authors consider advantages and disadvantages of the two approaches.

**613**

**PUBLIC OPINION OF IMMIGRANT INVOLVEMENT IN CRIME AND IMMIGRATION POLICY ISSUES OVER TIME (2006 and 2013) IN NORTHERN ITALY, AND DATA COMPARISON WITH SOUTHERN ITALY (2012-2013)**

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In a previous study in Northeast Italy, a systematic random sample telephonic survey (n=1088) was conducted in 2006 in order to provide data for analysis of public perceptions of immigrant's involvement in crime and possible impacts on immigration policy. Public perception of immigrant policy issues examined were opinions regarding; perceived positive and/or negative cultural impacts, immigrant controls, immigrant quota's, immigrant right to vote, and public perception of immigrant presence as it relates to possible increased crime and terrorism. The results revealed a cautious optimism regarding greater tolerance of immigrant groups in Northeast Italy when compared to previous data collected over the previous 10 years by Iniziative e Studi Sulla Multietnicita'( IMSU). The present study includes data collected more recently during 2012-2013 (n=562) in the prosperous Vicenza Province of Northern Italy and expands the research scope to include data also collected during 2012-2013 (n=463) in the economically depressed Province of Reggio Calabria in Southern Italy to be used for comparative analysis. The overarching research objective is to measure public opinion trends regarding immigrants and crime, immigration policy, as well as examine diverse environments that may or may not be oriented favorably toward social integration and cultural assimilation.

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## CRIMINAL LAW POLICY IN LATVIA

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In the last years new and innovative approaches in crime prevention have been introduced in Latvia. To a certain extent, the goals of state criminal law policy are not only to punish, but to restore the possible truth as well, to prevent the society, to resocialize and prevent the people from committing of crimes.The investments into people's educational policy is incomparably more important than capturing of the offenders, their punishment and execution of the sentence. One should, therefore, positively consider the fact, that Latvia has developed Preventive coercive concept project, which envisages instructions for preventive monitoring; determination of rehabilitative protection; application of preventive security (bail). The concept envisages the mechanism for the realization of these measures.

On the basis of Preventive coercive concept, a series of draft laws have been prepared for the implementation of preventive measures. Due to the fact, that amendments to the Criminal Law of the Republic of Latvia provide an essential sentence commutation, one can expect to have a sufficiently great number of persons sentenced to imprisonment to be released from prisons. In perspective it is important to see how, and how purposefully and resultatively the political documents and legal acts will be put into life.

No successful criminal law policy can be realized without training of competent specialists for law enforcement institutions. The question on the development and realization of qualified study programmes for lawyers and law enforcement institution specialists (police officers in state police, criminal police, investigating authorities, procurators, prison officers, etc.) has become very topical. In the context mentioned, the attention is paid to the international experience in training of lawyers.

We perceive criminal law policy as the state activity in provision of legal order in individual's protection from crimes, violation of the rights, and implementation of the law enforcement. It is the policy contained in the legal documents, which identifies the fight with violation of the rights (goals, tasks, principles, institutional competence). As to its nature, it is the activity of a special state and municipal institution type directed at strenthening of national legal system. Analyzing the criminal law policy in the state, one can draw a conclusion: in many cases the goals set in policy planning documents are unattainable; the tasks set in the documents are the ones which do not allow to attain the goal set; planned measures and actions are fragmented, deintegrative; planned measures are not directed at identifying of determining factors of violation of the rights; activities to be realized are insufficient for the neutralization of determining factors of the violation of the rights.

# A STUDY ON THE GROUNDS FOR CRIMINALISATION IN THE NETHERLANDS

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On what grounds should the state decide to prohibit unwanted behaviour by means of criminal law? Much has been written on this very classical and normative question, primarily from a national perspective. In the Netherlands, the issue has long been approached from the assumption that criminalising behaviour should be a last resort. In other words: the path of criminalisation should only be followed when other responses (that may be found in other areas of law – e.g. civil law or administrative law – or in non-legal solutions) are regarded as inadequate alternatives. Meanwhile, the general notion of 'criminalisation as a last resort' has been made concrete through the development of so-called criminalisation criteria – factors that should be taken into account by the legislator in order to determine whether or not the criminal law should be invoked (e.g., a degree of harm). Criminal law theorists widely believe that a reserved approach towards turning to the criminal law is desirable from the perspective of limited governmental powers and the interfering character of criminalised conduct, but also from the perspective of enforcement possibilities.

However, if and to what extent the Dutch legislator actually adheres to the notion of 'criminalisation as a last resort', (i.e., which criminalisation criteria are applied in practice and how these criteria are interpreted), remains unclear up until today. It is often suggested that the significant increase of criminalised behaviour in the Netherlands in the past few decades shows this question should be answered in the negative. However, this has never been structurally investigated – until today. On the basis of an elaborate study of all Dutch parliamentary documents (from 1985 onwards) related to acts that (propose to) either criminalise or decriminalise behaviour as well as to acts that (propose to) either expand or reduce the scope of already criminalised behaviour, this paper provides the first preliminary answers to the question on what grounds the Dutch legislator since 1985 has decided to invoke the criminal law in order to prevent or combat unwanted behaviour.

The results of this study will not only be relevant in the national context, but will have transnational value as well. The growing influence of international law on national criminal law raises the question if and how national principles on criminalisation are in harmony with rationalisations on criminalising conduct at the transnational level, for instance at the EU level.

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# CRIMINALIZATION IN DIFFERENT STAGES OF CRIMINAL JUSTICE IN LITHUANIA

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Criminalization manifests itself in various ways in different stages of criminal justice. For example, Lithuania has experienced one of the most dramatic decreases in penal population in Europe due to changes on the legislative stage with the introduction of the new Penal Code in 2004. The new Penal Code has created amplitude of punishments alternative to imprisonment and the same time criminalized a new crime – non-serving of alternative penalties and sanctions. This criminalization has led to decrease in penal rates: the courts have started to apply alternative penalties and sanctions instead of probation and that meant that the breaches of certain obligations imposed upon the sentenced lead to an arrest provided for the aforementioned new crime instead of execution of the deprivation of liberty that is the only result in cases of the breach of probation. Criminalization and decriminalization occur in the jurisprudence of the courts also. There are certain fields in the Penal Code of Lithuania where legislative initiatives after introduction of them into the Penal Code have been significantly restricted (for example penal liability of legal persons) or significantly widened abandoning the initial intentions of the legislature (for example although the Penal Code establishes that abuse of office constitutes a crime only in cases "where this incurs major damage", the courts keep to a position that every abuse of office significantly infringes prestige of the State and therefore causes "major damage" always). Finally, activities of institutions of law and order can also lead to actual criminalization and decriminalization of certain acts. For example, the numbers of serious crimes are going down in Lithuania for several years already, while at the same time there is a rapid increase in numbers of crimes, registration of which depend on proactive initiatives of the law and order (drug offences, unlawful production of strong home-made alcoholic beverages and certain other crimes). All the aforementioned examples provide an opportunity to conceptualize criminalization as an ongoing process instead of as a set of decisions on constructing crimes.

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## PUNITIVENESS AND CRIMINAL LAW-MAKING POLICY IN SPAIN. FOUR HOMOGENEOUS LEGISLATIVE TERMS (1998-2011).

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A new Spanish criminal code came into force in 1995. It substituted an old, through decades much modified, criminal code dating from 1848. The new legislation should take into account the new social, juridical and criminological facts concerning crime prevention and prosecution in modern Spain. Since then, 24 reforms of the code have taken place, almost an average of two reforms a year. Most of them match closely to majoritarian criminal justice policy trends in Western World: They intend, either to enlarge or set new criminal behavior provisions, or to expand or harden prison penalties for already or newly established crimes and felonies. This presentation aims to analyze the evolution of the Spanish criminal-law making policy throughout the four legislative terms which cover the period from 2008 to 2011, the two former ones under a conservative rule, and the two latter ones under a socialist rule. The different criminal issues tackled by every legal reform along the period are disaggregated in two charts. Then, we proceed to a quantitative and a qualitative analysis of the reforms in accordance to their rigorousness in the sense already mentioned. We also make a comparison between the two contrasting major legislative periods (1998-2004, 2004-2011). Conclusions are discouraging over the existence of a real political alternative to current rigorous criminal justice policy.

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**QUASI TRICHOTOMY OR THE CONSEQUENCES OF A LEGAL POLICY DECISION**
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Society has been carrying on a struggle against crime (in many instances of the nature of Don Quixote's tilting at windmills) since ancient times. In the course of that a wide range of means and methods has been used depending on criminal policy. The preferences of criminal policies may be a clear line of demarcation between them even if their goals are the same: effective action against crime.

It is well-known that criminal policy makers seeking for the appropriate means of combating crime often resort to the use of the punitive power of the state. They consider the criminalization of human behavior not prohibited before and prescribing increasingly graver sanctions for offences to serve the purposes of deterrence. This type of thinking seems to be unaffected by the views that crime-control may not rely only on the use of criminal law and procedure.

The presentation deals with some negative effects produced by the criminal policy putting the emphasis on the use of punitive measures. It demonstrates that the tendency of increasing the severity of sanctions, manifest in criminal law in Hungary, also is clearly present in the law of administrative infractions. As a result, the latter is getting closer to criminal law in terms of the nature of sanctions, particularly because incarceration is gaining ground in the field.

The presenter briefly describes the legal developments leading to the present situation, when the preamble of the new Code of Administrative Infractions declares that all these infractions have a criminal nature. However, they are to be dealt with separate from criminal law and without some of the guarantees of criminal procedure. Thus, the result of abolishing the trichotomic system of criminal law in the 1950s (transforming petty offences partly to administrative infractions, partly keeping them as criminal offences) seems to be dissolving. She comes to the conclusion that since a pseudo trichotomy has come to existence (with the two kinds of criminal offences) it is a step toward the full criminalization of administrative offences.

The restoration of criminal law trichotomy would solve some problems existing since the 1950s. However, the quasi trichotomy creates its own problems without solving the old ones. The presenter demonstrates and discusses some of the issues originating from the "no man's land" position of administrative infractions, such as the difference between the finality of the decisions made in criminal and administrative processes.

**Keywords:** *law of administrative infractions; criminalization; criminal law trichotomy; quasi trichotomy*

**619**
**CRIMINALITY AND SANCTION POLICY IN ELDER AGE IN THE CZECH REPUBLIC**
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The offenders, who commit crimes in elder age is not a common target group of criminological research and criminal policy at the present day in the Czech Republic. In the connection with ageing population this topic seems to be more interesting in the future both in the Czech Republic and other EU Member States. The paper deals with issues of extent, structure and development of registered criminality, criminal policy and sanction policy applied to elder offenders in the Czech Republic. The article is based on official statistics collected by the Ministry of Interior and the Ministry of Justice covering period of 2007-2012. A special attention is paid to changes in sanction policy applied to elderly offenders in comparison with general sanction policy after the new Czech Criminal Code came into force in 2010. It is foreseen that the analysis will be utilized for formulation of a new criminal policy concerning elder delinquent population in the near future. An analysis can result in development of new programs and measures for this age group of offenders.

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# METHODOLOGICAL ISSUES IN LONGITUDINAL RESEARCH

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## PARAMETER HETEROGENEITY IN LIFE COURSE CRIMINOLOGY

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Life course criminological theories suggest that regression parameters are different for different individuals and different age groups. In the current paper we discuss the validity and usefulness of concatenating criminal career data over individuals and/or time periods for the purpose of the simultaneous analysis of the determinants of criminal behavior. We show that ignoring parameter heterogeneity can lead to substantially biased parameter estimates when using standard panel data estimators. Therefore leading to incorrect tests for life course theories. We provide new methodology that is based on random coefficients panel data models which is able to detect and correct for such biases.

The empirical consequences of parameter heterogeneity are investigated in two case studies.. First, using a large sample of 260 high risk males we estimate the effect of employment on offending. We find large differences in the effect of employment for different individuals. Second, using individual-level data from approximately 200 families between 1920 and 2005, we estimate the effect of marriage on the number of serious convictions. Here we find large differences for different time periods.

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## PERSISTENCE OR PESTERING? ETHICS AND INTEGRITY IN QUALITATIVE LONGITUDINAL RESEARCH WITH CRIMINALISED WOMEN

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In this paper we explore issues of power in relation to age and gender in the researcher/researched relationship, drawing on our experiences in two qualitative longitudinal research studies investigating women's desistance from crime. Specifically, we examine three issues: consent, privacy and payment (or 'incentivising'). Although research in community settings generally generates fewer ethical dilemmas than prison-based research, longitudinal studies with finite participant samples present special challenges. The aim of minimising attrition may conflict with maintaining research integrity; individuals may be pressured to undertake repeat interviews, and criminalised women living in poverty may feel under particular pressure to consent to further involvement, not least when payment is offered. In recognition that the line between persistence and pestering in following up sample members is thin, we ask how different methods of contact – including text messaging, social networking, and personal contact via both family members and professional gatekeepers – might increase or undermine research integrity. Finally, we consider how the negotiation of research relationships differs according to age-variant normative expectations regarding propriety and privacy in stranger interactions.

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**ELUCIDATING CRIMINALS' NARRATIVES: A COMPARISON OF OFFENDERS AND NON-OFFENDERS USING THE LAAF TECHNIQUE**

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An innovative formal procedure for exploring offenders' personal life narratives The LAAF (Life as a Film; Canter and Youngs 2013) is presented. This reveals the aetiological significance of offenders' accounts in support of earlier qualitative studies (Presser 2009; Maruna 2001; Canter & Youngs 2012). A standard content analysis framework allows the identification of the implicit and explicit psychological content of the criminal narrative. Differences in the narratives of 70 incarcerated male offenders and 65 males from the general population using the LAAF are presented. These differences have implications for our understanding of the psychological processes that may contribute to the vulnerability to offend as well as for rehabilitation efforts.

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# FIGHTING FOR CHANGE: NARRATIVE ACCOUNTS OF THE ROLE OF BOXING IN PROMOTING MEN'S DESISTANCE FROM VIOLENCE

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My doctoral research involved immersing myself in the world of boxing for a period of a year. Acting as a researcher participant I sought to understand the social world of boxing through an ethnographic lens, thus exploring the meanings that boxing has for men and how this may or may not contribute towards a process of desistance. I was particularly interested in how men viewed and practiced violence both in and outside the ring, and how the sport can act as both incapacitating and reinforcing. I observed the culture and climate of the gym to try and gain some knowledge of the implicit norms and guiding habitus of gym culture, drawing upon the theory of symbolic interactionsim to try and determine the 'meanings' that are assigned to social interaction within the gym culture, whilst being aware of my reflexive position as a white female researcher. I further interviewed men using a narrative approach, and incorporated elements of psychosocial reasoning within my analysis, hence drawing upon disciplines that lie in a critical relationship with mainstream academic psychology-sociology and psychoanalysis.

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# ESC THEMATIC WORKING GROUP ON JUVENILE JUSTICE (TWGJJ) - OPEN MEETING

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## ESC THEMATIC WORKING GROUP ON JUVENILE JUSTICE (TWGJJ) - OPEN MEETING

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The European Society of Criminology Thematic Working Group on Juvenile Justice (TWGJJ) was launched in 2003 and was principally led/co-ordinated by Professor Josine Junger-Tas. Since the sad death of Professor Junger-Tas in January 2011, however, the TWGJJ has not been particularly active. This is especially regretable given the current social and economic conditions in Europe, the impact of such phenomena on children and young people and the potential implications for juvenile justice law, policy and practice. Following consultation with the ESC President, Executive Secretary and key representatives from the Secretariat, this meeting is being co-ordinated by Professor Barry Goldson, Department of Sociology, Social Policy and Criminology, University of Liverpool, UK and Professor Jenneke Christiaens, Law School, Vrije Universiteit Brussel. The meeting is open to all conference delegates with research interests in European youth criminology and juvenile justice. It is designed to provide an informal forum in order to discuss the feasibility of relaunching the TWGJJ and to consider its future direction.

# SENTENCING PANEL 1. STRUCTURING SENTENCING AND EVIDENCE BASED REGULATION

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## WHAT IS INDIVIDUAL ABOUT "INDIVIDUALISED SENTENCING"?

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The concept of "individualised sentencing" has a number of different meanings. Most frequently it is used to refer to the practice of tailoring a sanction to fit the requirements of a particular offender and/or a particular case and this is often taken as a description of how judges go about making their sentencing decisions, i.e. as an accurate empirical description of practice. "Individualised sentencing" can also be considered as a discourse which provides a normative justification for the practice of sentencing. In this sense individualised sentencing is a discourse which generates or performs "just" sentencing.

This paper argues that individualised sentencing exaggerates the role of the individual judge in sentencing and provides an unconvincing empirical account of sentencing practice. However it is a highly effective and resilient justificatory discourse but with one serious flaw, the inability to articulate a definition of consistency, an important value in a liberal conception of justice in sentencing.

Sentencing Guidelines can articulate consistency in sentencing. This does not mean that guidelines produce consistency where it did not exist before nor that guidelines will necessarily cause radical changes to sentencing practices. A more sociologically informed understanding of sentencing shows that guidelines enable an account of consistency to be generated which can exist alongside an individualised definition of justice.

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# STRUCTURING SENTENCING IN INTERNATIONAL TRIBUNALS

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The sentencing decision is one of the most difficult decisions a judge has to make. In many legal systems this decision must be responded to within a relatively open legal context. This open legal context – granting a large amount of freedom in sentencing – has a function: it allows the judge to do justice to the circumstances of each individual case and perpetrator. Judges in special courts, like the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR), also have much freedom in sentencing. It is remarkable – and may be understandable – that their practices in sentencing differ from national sentencing. For example: in the Netherlands the average imprisonment for manslaughter, with one to three victims, is eight to ten years. Following that line, the average imprisonment for those convicted by an international tribunal for war crimes, crimes against humanity, genocide etc., with far more than one to three victims, should be far more than eight to ten years. But it is not.

We were curious about the reasons for that difference and the way this might be explained in the verdicts of these courts. This could tell us something about factors that are important for sentencing in this kind of tribunals. In 2010 we developed a framework – the so-called Grammar of Sentencing – which guides the (Dutch) judge into the sentencing decision making process and offers a way of clarifying the reasoning behind the sanction. It is a simple, analytical method to systematise the complex action of sentencing. This grammar consists of five elements for sentencing, that can be concretized by five questions: <u>what</u> has happened, <u>who</u> did it, <u>how</u> did he do it, <u>which effects</u> occurred and in <u>which context</u> was the crime committed. Since the context of the crimes under international tribunals is given (some kind of (civil) war) and there is no doubt about the severity of the crimes, it is interesting to do research on the question whether this grammar, developed for national practices of sentencing, suits sentencing by international courts as well. And if so, to compare the factors that are important in national sentencing and in international sentencing. This paper present the outcomes of this research.

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## STRUCTURING SENTENCING - PRAGMATIC STYLE

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Regardless of how transnational tendencies to structure sentencing are, any structuring inevitably comes to life through whatever legal and penal arrangements a local jurisdiction has. This paper adds to the comparative sentencing literature and seeks to better understand how sentencing structures are constructed in the interface between transnational developments and local legal arrangements. Like most Anglo-Saxon sentencing systems, Scandinavian ones are characterised by a drive towards increased formal structuring and by a tension between the judiciary and the legislator about who should govern that structuring and what form it should take. Juxtaposing the Danish sentencing arrangements over the last thirty years with those of England and Wales, the paper explains the development and construction of three particular legal technologies to structure sentencing in Denmark. *First*, since 1982, legal amendments to the Penal Code have been followed by travaux préparatoires, containing well-developed narrative as well as numerical sentencing guidance. *Second*, since 1995 the public prosecution service has developed a substantial body of guidelines and sentencing tables, binding prosecutors and guiding judges in a broad range of criminal cases. *Third*, since 2007 the prosecution service has developed a dynamic structured database (4000+ cases) of normal sentencing cases, allowing prosecutors and judges to be governed both horizontally and vertically by earlier case examples. Combined, these three techniques make up significant sources of sentencing decision-making. Describing these newer techniques, the paper discusses how the solution to increase structuring of sentencing in Denmark has avoided new principled institutional frameworks, but instead found pragmatic solutions in the existing authority of the executive power and in the practically central and historically neutral role of the public prosecution service.

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**STRUCTURING SENTENCING: LESSONS FROM ENGLAND AND WALES**
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Sentencing guidelines have been developing in England and Wales for over a decade now. As a result of the creation of the Sentencing Council in 2010, a great deal more is known about the benefits of sentencing guidelines. When sentencing offenders, English courts now have offence-specific as well as "generic" guidelines on which to draw. Thus there are specific guidlines for a range of offences, including assault offences, burglary and other crimes. In addition there are generic guidelines which give guidance on issues such as sentencing multiple offence cases and sentence reductions for a guilty plea. Thanks to a new database derived directly from sentencers, we now also have empirical data on the way that courts follow these guidelines. This presentation reviews developments in England and Wales and draws some lessons for continental European jurisdictions considering the introduction of more detailed guidance for courts. I briefly describe the English guidelines and speculate how guidelines of this kind could prove a useful model for other jurisdictions to follow.

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# CORRECTIONS AND SENTENCING IN AUSTRALIA: A REVIEW OF THE RESEARCH ON EFFECTIVENESS, FOCUSING ON DESISTANCE

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In the following review, we examine and highlight the findings from the full range of *Australia-based* research studies on corrections and sentencing included in the Campbell Collaborative Reviews. The results of this review reveal that only a handful of Australia-focused research studies have been included in these reviews. This suggests that there is a shortage of high quality evaluation research on corrections and sentencing topics for policy makers to review.We then expand our search for research evidence to include other forms of Australia-based desistance research not included in the Campbell Collaborative systematic, evidence-based reviews. When an expanded definition of what constitutes research evidence is employed--one that recognizes the need to review both quantitative and qualitative research in corrections and sentencing-- additional research studies are identified and reviewed.Our findings underscore the need for (1) additional high quality evaluation research on the impact of various corrections and sentencing strategies in Australia, and (2) the importance of expanding the definition of "evidence" used by policymakers to include  the results from other valuable forms of desistance research.

# THE ROUTLEDGE HANDBOOK ON WHITE-COLLAR AND CORPORATE CRIME IN EUROPE

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## THE ROUTLEDGE HANDBOOK ON WHITE-COLLAR AND CORPORATE CRIME IN EUROPE (EUROC)

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Research in white-collar and corporate crime has been dominated by Anglo-American scholars writing about these types of crimes in the United States, the United Kingdom and Australia. Continental Europe has always been lagging a bit behind in this regard. White-collar and corporate crime is, nevertheless, also a well-elaborated topic of scholarship in continental Europe and all European countries have witnessed serious cases of such crimes. The aim of the Routledge Handbook on White-Collar and Corporate Crime in Europe is to present this knowledge and these typically European experiences to an English speaking audience and to include the specificities of white-collar and corporate crime in Europe, such as economic crimes and regulation in Eastern European countries in transition and in Southern European countries, opportunities for fraud in the context of the European Union, testing Anglo-American theories with European data, et cetera. Authors and all others interested are kindly invited to join the round table session and to discuss the content and the progress of the handbook.

**Keywords:** *White-collar crime, corporate crime, handbook*
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**GENDER, CRIME AND CRIMINAL JUSTICE PANEL 1 (ESC WORKING GROUP): PATHWAYS AND POLICY REGARDING FEMALE LAWBREAKERS**

Loraine Gelsthorpe
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The Gender, Crime and Criminal Justice Working Group has been in existence for three years. Interest is growing and these three panels showcase some of the work being carried out by members of the group. We are gradually moving towards the possibility of a special issue of the *European Journal of Criminology* and these three panels will be important to considerations of the shape of such a volume.

The first panel focuses on women and girls' distinctive pathways in to crime and, in Scotland, a missed opportunity to radically reform provision for women and girls following a recent major review of policy. The second panel takes as its theme 'Stories' - looking firstly at the stories of six female prolific and priority offenders - rare in the field on female offending; secondly looking at stories of women whose offending has taken them across national borders, and thirdly, looking at stories of transportation. The third panel looks at women, partner violence, and sexual offences.

There will be four presentations in the first panel and four in the second, but the third panel, with three presentations, also allows a short period of time for open discussion about the Working Group and it future direction.

Panel 1   ESC GENDER, CRIME AND JUSTICE WORKING GROUP: PATHWAYS and POLICY REGARDING FEMALE LAWBREAKERS (Chair:   Loraine Gelsthorpe)

1) An Nytiens and Jenneke Christiaens: Pathways of female offenders. Youth Court girls vs. women in prison
2) Anne-Marie Slotboom (Katharina Joosen, Marije Kuin, Catrien Bijleveld and Candace Kruttschnitt): Romantic Relationships and the onset of offending of incarcerated women
3) Claire Gavray: Gender stereotypes and problematic behaviors amongst teenagers
4) Michele Burman and Gill McIvor: A missed opportunity? Women, crime and penal policy in Scotland

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**PATHWAYS OF FEMALE OFFENDERS. YOUTH COURT GIRLS VS. WOMEN IN PRISON.**

An Nuytiens, Jenneke Christiaens
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Recent scholarly literature on female offenders more and more suggests that females start offending later in life than men, and that an adult-onset pathway is more common for females than it is for males. The results of our PhD study on the life history and criminal career of female prisoners in Belgium support the idea of the adult-onset pathway as important for female offenders. In this research we have argued that this might be explained by the gendered life contexts in which these women live, and more specifically, by abusive romantic relationships with men.

The question remains then whether and how these adult-onset female offenders are different from childhood-onset female offenders. Do they have different backgrounds and life histories? Do they cover different delinquent pathways, and are other risk factors important in their pathways? In order to answer these questions, we are currently conducting a study on pathways of delinquent girls who appeared before the Youth Court during the 1990's. In this paper we will discuss final and preliminary results of both studies, questions and hypotheses for further research and methodological problems we came across.

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# ROMANTIC RELATIONSHIPS AND THE ONSET OF OFFENDING OF INCARCERATED WOMEN

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Increasingly, studies are finding that adult onset offending is particularly common among women (e.g., Blokland & van Os, 2010; Eggleston & Laub 2002; Fontaine et al, 2009; Wong et al., 2010). However, explanations for this adult onset are scarce. There is some evidence that women offenders' intimate relationships are linked to their experiences of victimization and offending (Richie 1996; Mullins & Wright 2003; Moe 2004). It has also been suggested that, relative to childhood and adolescent onset offenders, female adult onset offenders report less offensive violence but more violent victimization (Simpson et al 2008). We explore the possibility that womens' romantic relationships with deviant partners trigger adult onset offending with a sample of Dutch detainees. Our analyses are based on interview and survey data collected from 450 women incarcerated in the Netherlands. These women are imprisoned in three prisons in the Netherlands and are interviewed for about two or three hours. Life history calenders will be used to study their pathways into crime and imprisonment with the focus on relationships over the lifecourse.

**Keywords:** *incarcerated women onset relationships*
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## GENDER STEREOTYPES AND PROBLEMATIC BEHAVIORS AMONGST TEENAGERS

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This paper relates to teenage boys and girls. It discusses the links between on the one hand their problematic attitudes and experiences of violence as actor or victim at school, and on the other hand, their proximity or distance towards stereotypes related to their own gender group. We will see how social capital and origin intervene in those relations.

Two kinds of data are used:

* a quantitative database (850 questionnaires were collected from a representative sample of teenagers in their 3rd year at secondary school).

* interviews of parents and young people attending secondary schools (especially gathering teenagers from the less favored families and studying in the less   prestigious sections).

Results show that gender stereotypes are still present but also that they change and reflect specific forms and stakes for girls and boys in a context where both groups are exposed to different historical opportunities (for instance as far as school and diploma validation are  concerned). We can also verify that, contrary to certain opinions, the girls who can take most distance from female stereotypes do not become more violent than others. On the opposite side, the closeness to gender stereotypes significantly rises the risk of victimisation. In male group, gender stereotypes are more independent from social origin.  At the same time, they are highly linked with the experience of violence as actor and as victim.

**Keywords:** *adolescence-gender stereotypes-attitudes-violent behaviors*

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# A MISSED OPPORTUNITY?: WOMEN, CRIME AND PENAL POLICY IN SCOTLAND

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In 2012, a Commission on Women Offenders, established by the Scottish Government, published a series of recommendations "to reduce reoffending and improve outcomes for women in the criminal justice system". The primary impetus for the establishment of the Commission was the doubling of the female prison population in Scotland over the previous 10 years as a result not of increased numbers of women entering the criminal justice system, but of more punitive judicial responses to a range of female crime (McIvor and Burman, 2011).A key conclusion by the Commission was that more should be done to enable women to have their needs addressed at earlier points in the criminal justice process through the development of services to divert women from prosecution and custodial remand, the establishment of Community Justice Centres and an increased emphasis upon the use of problem-solving approaches to sentencing. However, subsequent developments in policy and practice have centred on structural issues –such as whether community justice services should be centralised – and have continued to foreground the prison as the central response to female criminality, with significant amounts of funding devoted to the development of a new female penal estate and to the development of mentoring services for women (and other offenders) on their release from prison. Drawing on experiences of other jurisdictions, this paper will critically discuss these developments highlighting how, by failing to address directly the sentencing of criminalized women, the Commission has evaded the central issue of why growing numbers of women are imprisoned unnecessarily in Scotland.

# CRIMINAL JUSITCE IN SOCIETY: SOCIAL PERCEPTIONS, PUBLICITY AND MEDIA

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## PERCEPTION OF CRIMINAL JUSTICE IN SOCIETY: PROFESSIONAL VS PUBLIC DISCOURSES

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The thesis that in the democratic society criminal justice issues should be a matter of broad public concern can hardly be challenged. However, theoretical "how it should be" and practical "how it is" are obviously different subjects when criminal justice becomes a matter of public discussion. The problem of a gap between "ought" and "is" lies not in the bad intention to hide or, speaking in N. Christie's terms, "to steal" the inner world of criminal justice from the public eyes. Rather, it is the problem of societal knowledge, problem that is inherited in different epistemological approaches of understanding the role and working principles of contemporary criminal justice in societies.

The results of qualitative and quantitative research obtained in the framework of the project "Reception of Criminal Justice in Society" (VP1-3.1-SMM-07-K-01-049) administrated by the Research Council of Lithuania demonstrate how social epistemological peculiarities of receiving and accepting information about criminal justice issues in Lithuania impact their understanding and evaluation.

Firstly, the results of three focus groups with representatives of different social epistemological groups comprised of criminal justice professionals, policy makers, and public leaders show visible differences in understanding the principles and process of implementation of criminal justice, as well as in evaluating the efficiency of criminal justice institutions.

Secondly, preliminary results of the representative national survey reveal that majority of respondents understand the necessity of criminal justice as the inevitable tool for the protection of basic human rights in society. They also support the role of professionals in forming criminal justice principles and goals, and express a wish for more educational efforts in the dissemination of criminal justice knowledge among the public. At the same time respondents are skeptical about the effectiveness of crime prevention or reintegration of former criminals. Majority of respondents also do not believe in impartiality of criminal justice institution and critically evaluate the implementation of criminal justice in society.

The research results raise practical questions about the ability of criminal justice professionals and institutions to efficiently communicate and productively cooperate with the rest of society.

# THE CRIMINOLOGY OF SCANDAL: SIR JIMMY SAVILE, CHILD SEXUAL ABUSE AND THE AMPLIFICATION OF INSTITUTIONAL FAILURE

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This paper begins to develop a criminology of scandal by exploring the theoretical, methodological and empirical issues that arise from researching contemporary media scandals involving criminal transgressions. The focus is the ongoing multi-institutional scandal that followed the 2012 media exposure of British television icon Sir Jimmy Savile's sexual abuse of hundreds of children over several decades. We use the Savile case to illustrate and analyse a) the evolution, activation and anatomy of contemporary mediatised scandals, b) the political, professional and commercial processes by which activated scandals may be amplified across multiple individuals and institutions, c) the normative and legal questions raised by the commodification of 'scandal' and the rise of 'media justice', and d) the methodological challenges faced by scandal researchers, not least the examination of visually-loaded, multi-media, communicative formats. The paper closes by proposing that, whilst traditionally blind to or disinterested in the phenomenon, criminology can bring much to the study of media scandal.

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# ROLE OF CRIMINAL PROCEDURE'S PUBLICITY IN CRIME CONTROL

Daniel Antal
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Publicity is one of the most important basic principle in the criminal procedure. It means, that the society can follow the criminal procedures from their beginning to their end, it can get information from its main phases, and mostly, it can get knowledge about the outcome of the proceedings, i.e. the judgment. While the principle of publicity does not prevail during the first part of the criminal procedure, namely the investigation, the leading rule is, that the trial is open to the public. The publicity has three different functions: on the one hand, it has positive effect to the participants, because the subjects of the procedure feel prompted to do conscientiousand accurate work in front of the public. On the other hand, it enables the external control over criminal justice for the society. But from the aspect of this topic the most important function is its role in crime prevention.

The publicity means not only the mere opportunity, that anybody can be a spectator at criminal trials, but it also means that the famous cases are covered by the television, by the radio, by the newspapers and by the online media too. This extensive coverage can deter the citizens from committing crimes, because the person for example, who is planning to commit a criminal act, can get information about the criminal proceedings against the already captured criminals and their punishment through the press. The new criminal justice policy of the government which leads to more and more heavy punishments nowadays can also prevent crimes, if the society gets information about the judgments in single criminal cases.

The focus of my research is, to examine how the public disclosure of criminal cases affects criminality in general. The initial hypothesis is, that although the information on the famous criminal cases appear in the media on a daily basis, it has no significant effect in lowering crime rate. The aim of the research is to answer the question raised by the hypothesis: is it true, that publicity has no effect on criminality, or false? And if the hypothesis proves wrong, I will try to determine the scale of publicity's effect on criminality, namely, which type of crimes and by what kind of rates are decreasing after famous criminal cases. Depending on the result of the research, I will make theoretical proposals for the legislative to amend the current law on media and criminal proceedings.

# TREATMENT OF OFFENDERS: APPROACHES AND EXPERIENCES OF REDUCING RECIDIVISM II.

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## TREATMENT OF OFFENDERS: APPROACHES AND EXPERIENCES OF REDUCING RECIDIVISM II.

Katalin Parti
*National Institute of Criminology, Hungary, Department of Crime Research and Analysis, Budapest, Hungary*

Chair of panel session: Dr. Gunda Wößner (Max Planck Institute for Foreign and International Criminal Law, Freiburg i.Br., Germany)
Presentations:
Presentation 1
Gunda Wößner (Max Planck Institute for Foreign and International Criminal Law, Freiburg i.Br., Germany), Elke Wienhausen-Knezevic (Max Planck Institute for Foreign and International Criminal Law, Freiburg i.Br., Germany)
Between treatment and risk management – Evaluation of social therapeutic treatment for sexual offenders in the German prison system
Presentation 2
Gergely Fliegauf (PhD, prison psychologist, National University of Public Service, Faculty of Law Enforcement, Department of Corrections, Budapest, Hungary, gergely.fliegauf@gmail.com)
Sexual deprivation in prison: a contextual analysis of drawings of sexual and non-sexual offenders. Drawing sessions as 'therapy'
Presentation 3
Anna-Maria Getos (PhD, Assistant Professor at the Faculty of Law - University of Zagreb), Dr. Ruza Karlovic (Senior Lecturer at the Police Colleague in Zagreb)
Sexual offender treatment in Croatia -- legal and criminological issues
Presentation 4
Katalin Parti (PhD, senior research fellow, National Institute of Criminology, Hungary, parti@okri.hu), Gunda Wößner (Max Planck Institute for Foreign and International Criminal Law, Freiburg i.Br., Germany)
'Developing sexual offender laws and treatment in Europe': Overview of the MPI-OKRI expert workshop 2013

**Keywords:** *sexual offender treatment, recidivism, risk management, criminal policy*

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# BETWEEN TREATMENT AND RISK MANAGEMENT – EVALUATION OF SOCIAL THERAPEUTIC TREATMENT FOR SEXUAL OFFENDERS IN THE GERMAN PRISON SYSTEM

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With regard to the severe impact of sexual victimization adequate treatment and risk management of sexual offenders are crucial issues for criminal policy. Governing sexual offenders by means of the so called "Social therapeutic treatment", an integrated correctional treatment approach in Germany, has been debated for the last decades since empirical data yielded only limited positive effects on desistance. The implementation of harsh legal regulations that are to be observed in the German criminal justice system can be interpreted in the context of a rash activism as an answer to public pressure and media. Risk management is the prevailing principle, whilst offender rehabilitation, which was once the central aim of law enforcement, has taken a back seat. Recent developments and debates with regard to preventive detention or increasing prison sentences for sexual offenders are just two examples of a punitive trend. In addition, even apparently rehabilitating measures can be interpreted rather as a means of control than a means of risk and need oriented intervention. In 1998, the German legislature enacted a law that requires sex offenders with a prison sentence of at least two years to mandatorily participate in specialized treatment programmes, the so-called "social therapy". Thus, the question of the actual benefit for reducing sexual recidivism of this intervention has been raised. The present paper discusses whether legal regulations of sexual offender management inside and outside the prison actually match the offenders' needs and the reality of social therapeutic institutions. We analyse the discrepancy between the criminal law and treatment guidelines on the one hand and the practice of social therapeutic institutions on the other hand and discus possible negative effects on the treatment ideal. We do so by examining the narratives of former prison inmates on the correctional treatment.

**Keywords:** *sexual offender treatment, recidivism, risk management, criminal policy*

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**SEXUAL DEPRIVATION IN PRISON: A CONTEXTUAL ANALYSIS OF DRAWINGS OF SEXUAL AND NON-SEXUAL OFFENDERS. DRAWING SESSION AS 'THERAPY'**

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Deprivations in prisons are highly developed and well described topics in the field of penology, critical criminology and anthropology. Some prison drawings of serial killers were also published on the internet, and these pictures are also overloaded with sexual content. Since eight years now the Department of Corrections at the National University of Public Service assess prison art, and by the classification procedure we realized that the main issue of the prison drawings was also sexuality. We can find romantic, ethnic, violent and abusing implications on the pictures. Some prisoners are copying printed pictures from magazines or produce sketches for prison tattoo what they can further sell for their safety. Sexual deprivation is often elaborated within replicas of popular paintings, comics or movie flyers. It is also interesting to observe how sexual deprivation is mixed up with other contents on the drawings. Some pictures are funny, disturbing, extremely graphic or even rude. Though special therapy is not an available technique for different kinds of offenders in Hungarian prisons, drawing sessions can be considered as therapeutic programme for offenders. The structure and goal of the drawing sessions are to be discussed in the presentation as well.

**Keywords:** *sexual deprivation, prison art, drawing sessions*

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# 'DEVELOPING SEXUAL OFFENDER LAWS AND TREATMENT IN EUROPE': OVERVIEW OF THE MPI-OKRI EXPERT WORKSHOP 2013

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The presentation aims to give an overview of the goal and the core findings of the expert workshop on sexual offender laws and treatment in Europe, held at the Max Planck Institute for Foreign and International Criminal Law (MPI), Freiburg i. Br., organized by the MPI and the National Institute of Criminology Hungary (OKRI), 2013 spring. 24 experts – lawyers, psychologists, socio-therapists, mediators and researchers – were summoned in order to share the latest results of the applied methods of preventing recidivism, the legal solutions, and psychological and medical tools of treatment. In the course of the last couple of decades, sexual offending became the focal point of interests of the society, the legislation and the criminal justice system. A punitive trend has emerged, and the practice of risk assessment has started to develop, aiming at refining prevention by identifying dangerous offenders. Prioritizing the social protecting role of the penal system nevertheless, raises the issues of appropriateness and compliance: whether criminal law is appropriate to protect citizens from sexual predators; and is it an appropriate tool of preventing special recidivism. The presentation cites the most remarkable legal rules and practical solutions applied by different European countries as there were presented by the participants of the MPI-OKRI workshop. The financial background of the workshop was established by the MPI and the Fritz Thyssen Foundation.

**Keywords:** *expert workshop, overview, sexual offender, laws, treatment*

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**SEXUAL OFFENDER TREATMENT IN CROATIA - LEGAL AND CRIMINOLOGICAL ISSUES**

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[2] *Police College, Zagreb, Croatia*

The presentation will highlight the most recent developments in the field of sexual offender treatment in Croatia. This includes a legal as well as criminological analysis whereby additional focus is put on the changing crime policy in this respect. The legal analysis focuses on the criminal law development in the field of sexual offences in Croatia during the last two decades. In this period the perception of sexual offences has clearly shifted from offences against the public morality into offences against personal sexual freedom, where the protected value is no longer the societal public morality, but the sexual freedom of the individual. The new Croatian Criminal Code that entered into force on January 1st 2013 introduced a whole range of changes and new offences aimed at protecting the sexual freedom of the individual. In contrast to this changes the criminologically relevant data on crime trends of sexual offences and their perpetrators shows no significant in- or decrease, but has been rather constant throughout the last two decades. It will be interesting to see whether and how the legal changes will influence reporting and prosecution as well as sentencing.

**Keywords:** *sexual offences, Croatian Criminal Code*

# POLICING WORKING GROUP: BOOK DISCUSSION EVENT: HANDBOOK ON POLICING IN CENTRAL AND EASTERN EUROPE, GORAZD MESKO (EDITOR)(SPRINGER, 2013) AND GLOBAL POLICING BY BEN BOWLING AND JAMES SHEPTYCKI (SAGE, 2012)

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## HANDBOOK ON POLICING IN CENTRAL AND EASTERN EUROPE, GORAZD MESKO (EDITOR)(SPRINGER, 2013) AND GLOBAL POLICING BY BEN BOWLING AND JAMES SHEPTYCKI (SAGE, 2012)

Gorazd Mesko
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Policing in Central and Eastern Europe has changed greatly since the fall of the Berlin Wall. Some Central and Eastern European countries are constituent Members of the European Union, while others have been trying to harmonize with the EU and international requirements for a more democratic policing and Developments in accordance with Western European and international policing standards, especially in regard to issues of legality and legitimacy. Changes in the police training system (basic and advanced), Internationalization of policing due to transnationalization of crime and deviance, and new Police organizational structures and agencies have impacted new cultures of Policing (from exclusively state to plural policing). This timely volume examines developments in the last two decades to learn the Nature of these changes within Central and Eastern Europe, and their impact on Police culture, as well as on society as a whole.

Global Policing

In the global system policing power has also become global. A complex Policing communications architecture enables surveillance of suspect populations and flows, as well as enabling arrest, detention and rendition worldwide. The accepted rationale for transnational policing is based in a law enforcement discourse that highlights as its prime function the investigation of transnational criminal conspiracies.Global Policing questions this simple functionalism, showing how security risks and threats have been constructed by powerful actors in the transnational-state-system resulting in the creation of a particular kind of policing architecture.

Global Policing presents an integrative interdisciplinary theory which Focuses on the subculture of transnational policing in shaping the world system. It examines the transnational practices of police agencies, making use of analytical disctinctions between 'high' and 'low' policing, 'public' and 'private' security. It provides a descriptive analysis of transnational policing on the ground, the terms of its effectiveness, legitimacy and accountability and the trajectory of its development. The book demonstrates that global policing is central to global governance. In this event the editor of the Handbook on Policing in Central and Eastern Europe and one of the authors of Global Policing, together with some external commentators, will discuss policing in Central and Eastern Europe and the developing trends in transnational policing more generally.

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**STOP AND SEARCH IN EUROPE: DISTRIBUTION, PRACTICE AND PROCESS**

Ben Bradford
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Despite the on-going reduction in crime levels in many countries, the European social and political climate retains a punitive stance toward both criminality and, arguably increasingly, minority and immigrant communities. Significant emphasis is placed on preventive methods thought to reduce the risk of crime, such as *stop and search* and mandatory ID-checks. Given the frequent conflation of crime, race and immigration, profiling based on generalizations about race, ethnicity, religion or nationality by police officials is an on-going and growing risk, and, across Europe, ethnic minority groups have made accusations of disproportionate police attention during stop and search and other law enforcement tactics. This panel draws together new research on the distribution and process of 'stop and search' and cognate practices from different European contexts.

Presenters on this panel will be:

Rebekah Delsol: Title TBC

Ben Bradford & Jonathan Jackson: Stop and search: People, places or people in places?

Balazs Toth: Ethnic Profiling in ID CheckS by the Hungarian Police

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**VIEWED WITH SUSPICION: THE EXPERIENCE AND IMPACT OF STOP AND SEARCH IN THE UNITED KINGDOM AND THE NETHERLANDS**

Rebekah Delsol

*Open Society Justice Initiative, Ethnic Profiling Project, London, United Kingdom*

Across Europe, visible minorities and in particular young men of colour are subjected to discriminatory police stops and searches. Based on in-depth interviews with twenty people from a range of different ethnic minority backgrounds in the United Kingdom and the Netherlands, this paper explores the experience of being subject to stops, ID checks and searches by the police, and the impact this has had on their everyday lives. The reports by the participants describe the experience of often repeat encounters with the police resulting in a lack of confidence in the police and a mistrust of authority resulting in a profound sense of alienation not just from the police, but from society at large.This paper draws out the commonalities and differences in experiences of between the United Kingdom and the Netherlands and explores the impact stop and search has on individuals, communities, policing and society.The findings suggest that there is still much to be done by the police to improve relations with black and other ethnic minority communities in both countries.

**Keywords:** *Policing; Stop and search; Ethnic Profiling; Racism*

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**STOP AND SEARCH: PEOPLE, PLACES OR PEOPLE IN PLACES?**

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The extent of ethnic disproportionality in the experience of police stop/search activity in England and Wales is well known. While there is very little evidence to suggest that this disproportionality is due to differential levels of offending among minority groups, the idea that it is the places where people live, not their personal characteristics, that make some more likely to be stopped than others has gained more traction. Furthermore, research from the United States has suggested that people from various ethnic and racial groups may be more likely to be stopped in areas where they stand out from the dominant social mix (the 'race out of place' thesis). In this paper we examine these ideas using data from the Crime Survey of England and Wales. While stop and search is concentrated in poorer areas, we find little support for the idea that it is where people from certain minority groups live, rather than their personal characteristics, which predicts their greater probability of being stopped. Nor do we find much support for the race out of place thesis. Finally, the level of crime in a particular area is only weakly associated with the prevalence of stop and search. As currently constituted, stop and search practice may be less a way of controlling crime and more a tool for asserting order in places and among populations deemed 'problematic' in someother and perhaps wider sense.

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**ETHNIC PROFILING IN ID CHECKS BY THE HUNGARIAN POLICE**
Balázs Tóth
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The presentation provides an overview of the Hungarian legal norms regulating police identification (ID) checks, briefly elaborating on the legally permitted aims of the measure and on whether the relevant legal provisions restrict officers' decisions on whom to stop for this purpose. It will also explore on the specific case of ID checks carried out under the so-called intense control by the police and argue that the present Hungarian regulation violates the European Convention on Human Rights in light of the Gillan and Quinton v The United Kingdom ECtHR judgement. It also describes the methodology of two major research projects on 'ethnic profiling' of Roma from the past five years and presents their findings. In order to assess the effectiveness of the police practice and the patterns of ethnic profiling in the particular field, the presentation provides an analysis of data based on more than 20,000 ID check forms. The research results show clear ethnic disproportionality and extremely low effectiveness in police ID check practice. The presentation will shortly outline the experience of the first successful ethnic profiling case against the police in Hungary. Finally, the presentation offers some recommendation for the improvement of the present legal framework concerning ID checks.

# DESISTANCE SELF CONTROL AND DECISION INFLUENCING FACTORS

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## CRIMINAL ACHIEVEMENT AND OFFENDER SELF-EFFICACY

Dominique Laferrière, Carlo Morselli
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The idea of success in crime has been primarily restricted to a single objective indicator: earnings. While there is broad cultural agreement that money is a central component of career success, it is unlikely that earnings are the sole factor equated with achievement. Understanding how offenders subjectively define success for themselves might prove informative in understanding criminal career outcomes such as motivation and commitment. Self-efficacy – the belief that one can successfully perform a behavior leading to desired types of performance – has been shown to predict various legitimate occupational outcomes. Drawing from the self-efficacy and social cognitive career theories, this presentation explores how criminal self-efficacy beliefs are formed. It is argued that factors akin to the ones leading to the development of legitimate self-efficacy also serve as a basis for perceptions of success in crime. More specifically, it is hypothesized that criminal self-efficacy is forged as offenders interpret information from four experiential sources: personal performance accomplishments, vicarious learning, social persuasion, and physiological states and reactions. Because cognitive self-appraisals are not formed in a vacuum, it is also argued that individual and environmental characteristics exert a significant impact on the development of criminal self-efficacy. Based on interviews with 212 incarcerated offenders, our results suggest that criminal self-efficacy is complexly built from individual and environmental characteristics, as well as from personal experiences with crime. The potential repercussion of these findings on the understanding of criminal persistence and desistance will be discussed.

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# AGENCY AND THE DESISTANCE PROCESS

Deirdre Healy
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There is widespread agreement among theorists that subjective factors, collectively known as 'agency,' play an important role in desistance from crime. Yet, despite a growing theoretical literature on the subject, the lack of empirical research makes it difficult to establish a clear and consistent picture of the nature and function of agency. As a result, little is known about its impact on offending behaviour. This paper presents the preliminary findings of an exploratory study which aimed to investigate the role of agency in desistance. The study involved in-depth qualitative interviews with a group of men on probation in Dublin, Ireland, who were trying to desist. The paper draws on their narrative accounts to identify the key dimensions of agency and to explore the process by which they acquired this resource during the transition to adulthood. In addition, it examines the ways in which the men utilised agentic strategies to overcome barriers to change and achieve meaningful and productive lives after desistance. Finally, the implications of these findings for theory are discussed.

**Keywords:** *agency, desistance, probation*

# PSYCHOLOGICAL CORRELATES OF SELF-CONTROL AND DEVIANCE IN A SAMPLE OF HUNGARIAN SECONDARY SCHOOL STUDENTS: RESULTS FROM A PILOT STUDY

Judit Szabó[1], Alexander Vazsonyi[2], János Boros[3], Andrea Eisinger[4], Anna Magi[5], Edina Szabó[4], Gábor Varga[4], Attila Galambos[5], Gyöngyi Kökönyei[5]

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Self-control is a widely researched construct both in psychology and criminology, particularly as it relates to deviant or norm-violating behaviours. However, few studies have dealt with the comparison of the different conceptualizations and operationalizations of self-controlfound in psychological and criminological literatures.In the current study, we examine correlates of self-control, relying on conceptual and empirical evidence from the both psychological and the criminological literature; more specifically, we sought to test the extent to which self-control is a psychological versus a criminological construct.

Data were collected from N = 115 tenth grade adolescents during the spring of 2013 across three different types of secondary schools (a grammar, a technical and a vocational school) in Budapest, Hungary. We assessed the relationships between self-control measured by Grasmick et al.'s low self-control measure and deviant behaviours (NDS and CBCL), but also their links to family processes and different psychological variables, including impulsivity, aggression, and callous-unemotional traits. Preliminary findings appear to be consistent with findings from previous work conducted across North America; they also provide evidence of significant overlap between measures of low self-control and impulsivity, and their associations with deviance. Results and implications are discussed in light of their limitations.

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# SOCIAL CRIME PREVENTION

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## A HOLISTIC APPROACH TO REDUCING CRIME: NINE PREVENTIVE MECHANISMS

Tore Bjørgo
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Several models exist for crime prevention. Social crime prevention, situational crime prevention and the criminal justice approach to crime reduction overlap to some extent, but also appear to be competing ways of thinking. Since they have very different theoretical bases and concerns, they can to some extent appear incompatible, both theoretically and practically. These different approaches are all too narrow and do not fit well together. This study aims to disassemble these different (and to some extent competing) prevention models and put the key elements back together again in a way that appears more comprehensive, complementary and logical. This can be done by identifying and systematising the key preventive mechanisms the different prevention models are based on. Based on this approach a general and holistic model for crime prevention could contain the following nine elements:

- **Establishing and maintaining normative barriers** to committing criminal acts
- **Reducing recruitment** to criminal social environments and activities by eliminating or reducing the social and individual root causes and processes that lead to criminality
- **Deterrence:** Getting potential perpetrators to refrain from criminal acts through the threat of punishment.
- **Disruption** by stopping criminal acts before they are carried out
- **Protecting vulnerable targets** against criminal acts by reducing opportunities
- **Reducing the harmful consequences** of criminal acts
- **Reducing the rewards** from criminal acts
- **Incapacitation** (or neutralisation) by denying perpetrators the ability (capacity) to carry out new criminal acts
- **Desistance and rehabilitation:** Making it possible for people who have been involved in (or punished for) crime to end their involvement and settle back into a normal life

Although more mechanisms could be added, these nine mechanisms are sufficiently distinct and relevant to function as good analytical tools in the field of crime prevention in general. To turn this generic model into a strategy for preventing a specific form of crime, each of the mechanisms have to be specified in terms of what kind of measures are needed to activate the mechanism, who possess these measures, and who are the target groups for the measures. Furthermore, it is important to assess the possible advantages and benefits as well as the possible costs and side-effects of the various measures.

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**THE DETERMINANTS OF COMMUNITY WILLINGNESS TO INTERVENE IN CRIMINAL INCIDENTS: A COMPARATIVE ANALYSIS**

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Since the infamous1964 incident where a lack of bystander intervention led to the brutal death of Kitty Genovese in New York City, social scientists have explored the factors influencing bystander intervention. We construct a multi-level conceptual model based upon the literature from developed nations which includes individual, community and nation level variables. This model is then tested using developing nations in a comparative setting.

We examine the effects of community cohesion and citizen empowerment on willingness to intervene as a bystander in three types of criminal incidents. In addition to demographics of the respondent, we control for factors such as personal experience as a victim, confidence in the police and extent of crime in their community. We test this model using data collected from national representative samples in seven Caribbean region nations in 2011. The model is analyzed using structural equation modeling. Preliminary results suggest, as in the developed countries, community cohesion and efficacy play crucial roles in the willingness of bystanders to intervene. However, national characteristics affect the manner in which community effects are manifested. In addition, the model's explanatory power varies by type of criminal incident. Policy implications concerning these findings are presented and discussed.

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**CRIME PREVENTION: A CANADIAN 'EXPERIMENT' OFFERING A GLOBAL LESSON**

John Winterdyk
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Since its establishment in 2008 and using the slogan "Safe Communities. Sound Solutions", the Alberta Ministry of Justice and Solicitor General in Canada, in 2011 began to annually fund innovating crime prevention projects through their Safe Communities Innovations Fund (SCIF) program. The funding period was initially for three years and some $60 million was dedicated to the initiative. Over the past several years, the presenter has been involved in evaluating a number of these programs as is/was required by the agreement between the Ministry and the project operators. Programs evaluated in]cluide a range of primary, secondary and tertiary crime prevention oriented programs. The presentation will begin by first providing a historical overview of this ground-breaking social and political initiative and offer evidence that demonstrates the merit for any State to embrace crime prevention over crime control threough any number of crime prevention models. The presentation will also explore some of the key lessons learned and discuss some of the major pitfalls which have been encountered along the way. Within a broader context, the presentation will conclude critical examination of the economic impact and sustainability issues for many of the programs reviewed.

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# A CRIME PREVENTION AUDIT IN A RESIDENTIAL AREA IN ST. PÖLTEN, AUSTRIA

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The concrete crime prevention audit was conducted by KFV (Austrian Road Safety Board) on commission of the local government of St. Pölten, the capital of the federal state Lower Austria. Objectives of this project were to get information about the feelings of safety and security of the inhabitants and to learn more about possible places of fear in a selected residential area in St. Pölten. To answer these questions, a household survey was carried out among thousand households, with a response rate of more than ten percent (n=113). In addition six expert interviews were conducted and two site visits together with interested residents took place. Further information was collected by analysing the demographic structures, the official crime statistics and by describing the infrastructure such as school sites, shopping facilities and public roadways in the residential area. To get an overview of the problems, the places of fear and causes of fear mentioned by the residents are presented via pictograms in maps of the area. As a result of the project, a catalogue showing problem based actions has been developed. The proposed actions vary from the identification of new public areas which should be specifically designed for each age group to prevent disputes in the neighbourhood, to the provision of better lightning in crucial places in the residential area. All these measures are suitable to help to increase the feelings of safety and security of residents. The active involvement of inhabitants in such a project alone brings them greater satisfaction, since they have the feeling to be taken seriously.

# MEDIA AND FEAR OF CRIME

## 657
## THE POLICE ON TWITTER: DOES IT MAKE CITIZENS FEEL SAFE?

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The concept of safety is wide, complex and has many different aspects and perspectives. A factor often overlooked in research that potentially affects perceived safety is communication. The present research addresses the question whether communication could be one of the determinants of perception of safety and if so, what its exact role is. The main focus is on local police officers using Twitter, since this is a relatively new, easily accessible instrument for communication with citizens. In an intervention study a training has been developed and conducted for local police officers who start using Twitter as a professional tool. To assess the influence of using Twitter on perceived safety, surveys and interviews were held in neighborhoods with twittering local police officers, with citizens who follow their local police officer on Twitter as well as with citizens who do not use this medium at all. To assess the influence of the training, responses from citizens who followed a police officer who has received the training were compared with those from citizens who followed untrained police officers. The paper provides an overview of the research steps taken until now and presents and discusses the preliminary results.

**Keywords:** *Twitter, Police, Perception of Safety, Communication*

**658**
## PREVENTION PROGRAM, FEAR OF CRIME, MEDIA COVERAGE. A SWISS QUANTITATIVE STUDY.

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Since several decades, fear of crime is a prevalent issue. Many people express not only anxiety and fear about crime, but too being victimized. So for reducing crime and its collateral effects, police departments have created numerous programs such as neighborhood watch or crime prevention ones. In 1992, to fight the abnormal increase in burglaries in some areas, a Swiss police department launched a prevention program based originally on the "neighborhood watch" concept. But with the passing of time, this program had lost its appeal among the population concerned. Twenty years later, a new prevention program based on a broad partnership between police and population has been initiated with the particularity that people and police cooperate more efficiently to prevent not only burglaries, but all kinds of crime. The main goals of this new concept are to create a net of solidarity between people, to improve the partnership between police and population, to inform people participating to the program about criminality in their area, to mediatize prevention tips, and finally to alert police about suspected situations. Nowadays as the media extensively and disproportionately cover crime stories, they can influence the level of perceived fear of crime. However, independently of this ambiguous situation, the media can too play a particular role to transmit prevention tips to people. So as people react to fear in different ways, what is the impact of prevention tips to reduce not only the level of crime, but too this of fear of crime, by the victims and the non-victims involved in a dynamic prevention program such as this initiated in Switzerland by the Vaud police department?

# DOES 'SEEING THE FOREST' MAKE THE ANTICIPATION OF VICTIMIZATION LESS SALIENT? A PILOT STUDY INTO PSYCHOLOGICAL DISTANCE AND FEAR OF CRIME

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People's encounters with crime in daily life are rare and mainly indirect, e.g., via crime images circulated through interpersonal communication and the mass media. Despite experiencing crime only rarely, most people are capable of expressing crime-related thoughts, feelings and behaviours, triggered not so much by victimization per se, which is not present in the 'here and now', but by the anticipation of the criminal threat.

But how do people transcend the 'here and now' in order to make judgments about the likelihood and impact of a hypothetical victimization and develop emotions about the possibility, when they discuss with peers or read the news or answer survey questions on public reactions to crime? Construal-level theory of psychological distance (Trope & Liberaman, 2010) posits that people are capable of thinking about the future, the past, remote locations, other people's points of view, and counterfactual alternatives, by *transcending* the 'here and now', i.e. by developing perceptions on *when* (temporal distance), *where* (spatial distance), *to whom* (social distance), and *whether* (hypotheticality) an event occurs. These perceptions account for one's *psychological distance* from or *psychological proximity* to an object or event, and involve mental construals, so that the more abstract the level of an object's construal the more distant the object is perceived and experienced, and vice versa.

Analyzing data from a pilot study conducted on the web-based platform Amazon's Mechanical Turk in March 2013, this paper explores the impact of one's psychological distance from crime and crime construals on their cognitive, affective and behavioural reactions to the anticipation of victimization. The objective is twofold: to test potentially useful measures of 'psychological distance/proximity', using experimental designs and analysis, and to explore these interdisciplinary theoretical insights from a criminological perspective.

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# RISK AND DANGEROUSNESS: CONCEPTUAL AND LEGAL TREATMENT ISSUES

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## DANGEROUS SEX? SEXUALITY, RISK AND THE CRIMINAL JUSTICE SYSTEM.

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Dangerousness and risk have become firmly embedded within Criminal Justice discourse and practice. Within this 'Risk Society' (Beck, 2007) certain behaviours and traits have become associated with dangerous behaviour from which society needs protecting, predominantly through indeterminate sentencing, risk management and coercion. However, when these concepts are applied to cases involving violent women, the risk and dangerousness that they represent is evaluated through a lens of sexuality. As such, rather than being deemed dangerous based on the acquisition of certain identified criminogenic risk factors, these women, through the use of narratives such as 'whore', are assessed as posing a threat based on their subversion of traditional femininity. This is actively used to demonstrate both guilt and culpability, increasing the seriousness of their actions and the risks that are attached to them.

Paradoxically, accounts of women's violence at once deny women's capacity to commit violent crimes, whilst simultaneously demonizing them for their violent actions (Sjoberg, 2007). With regards to the 'whore' narrative - which reduces women's violence to their sexuality – this involves the dual process of removing/denying women's agency for their violent actions whilst simultaneously condemning their femininity, or lack thereof.

In a review of the literature on gender, violence and sentencing, it has been argued that although, overall, female offenders may receive more lenient punishment than males, this does not rule out the possibility that individual women may receive extraordinarily harsh treatment by the Criminal Justice System (Carlen, 2002). Drawing upon recent case studies, this paper will demonstrate how risk and dangerousness are applied to individual violent women through narratives of sexualization and demonization. In this process we see the removal of any real agency these women may have possessed. As succinctly put by Sjoberg and Gentry (2007,45): 'Women's integration into spheres of power and violence threatens patriarchy, until those women are dehumanized through sexualization'.

**Keywords:** *Dangerousness, Risk, Violent Women, Agency, Sexuality, Criminal Justice System*

# PREVENTIVE DETENTION IN BELGIUM AGAINST DANGEROUS OFFENDERS: A "SOCIAL DEFENSE" PROJECT BETWEEN CHANGES AND CONTINUITIES

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As other European countries, Belgium is characterised at the end of the XIXe century by a strong socio-political crisis. In such a context of pauperization, different types of "dangerous individuals" are identified, who circulate at the edges of society. Vagrants, beggars, juvenile criminals, recidivists, habitual and professional offenders and abnormal delinquents are targeted by "dangerousness laws" that complete the Belgian neo-classical penal code of 1867. Such dangerousness laws are supported by a "Social Defense Movement" as promoted in Belgium by Adolphe Prins, one of the founding fathers of the "Union Internationale de droit pénal". In a reaction against the neo-classical penal school, the Social Defense Movement will promote a new penal project aimed at the protection of society against crime and risk of crime (Social Defense).

In this intervention, I intend to explore the sources of the Social Defense Movement at the end of the 19e century in Belgium, under the influence of the Italian positivist school and in a context characterised by the birth of the Welfare State (I). In a second stage, i'll focus on the "1930 Social Defense Act regarding abnormals, recidivists an habitual offenders" which is often described as the illustration of the social defense project. Such an act includes in a same stigma abnormals, recidivists and habitual offenders, even if the situation of those "dangerous offenders" are treated in separated chapters of the law. In both cases, the core of the system is a confinement measure for an indeterminated period wich depends on the evolution of the internee mental state and dangerousness (II). In a third stage, i'll examine the last reform of the law in 2007, in a context dominated by a (re)judicialization of the administrative Social Defense system and a shift in its priorities, from the protection of property to the protection of human life (III).

Through this legislative evolutions, three mains problems will be at the core of the discussion: the legal nature of the "safety measure", between care, elimination and penal sanction. This preventative measure is of undeterminate length and monitored by a Board of Social Defense (Commisison de défense sociale). It is described as a "safety measure" as well as a "social, humanitarian measure"; the dead-ends of the expertise and the power relations between judges, psychiatrists, and psychologists. While expertise on dangerousness has long been the realm of psychiatrists, the latter have new competitors in expertise today, in the form of non clinical psychologists using new assesment instruments; the lack of care for the abnormals in the psychiatric annexes of prison or in the custodial "social defense" institutions. Treatment is indeed of a residual nature in the psychiatric annexes or Social Defense institutions.

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**662**
## PUNITIVENESS AND SEX OFFENDERS: THE CASE OF GREECE

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During the '90s American public opinion experienced the shock caused by horrible sexual homicides against children. Such cases led to introduction of the community notification laws. For instance, Megan's Law requires the publication of personal data of sex offenders when they are release from prison. As far as the Greek law is concerned in particular, since 2007 public prosecutors have the authority to decide whether the data of the people who have been accused or/and convicted as sex offenders will be published. The aforementioned regulation raises many significant legal and ethical questions, such as the respect of presumption of innocence. What happens in case that an accused person for such a heinous crime (i.e. rape, production of child pornography material, incest etc) is in fact innocent? Furthermore, a lot of questions are important even in cases that the offender was found finally guilty; the consequences of their offence last for life, since his/her social environment label them as dangerous. In other words, it is thought that sex offenders do not have any opportunity to reintegrate society. This paper focuses on community notification laws for sex offenders in the USA in comparison with the relative Greek legal framework. The sociological type of "risk society" (Urlich Beck) is used as an explanatory framework for their introduction, and their efficiency is discussed in the light of empirical data, as well as criminological theories (i.e. rational choice theory, reintegrative shaming theory and labeling approach).

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**COMPARATIVE ANALYSIS OF CHARACTERISTICS OF SEX OFFENDERS BY TYPE: A FOCUS ON SUBJECTS OF PRE-PETITION INVESTIGATIONS**

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In the Korean criminal justice system, GPS monitoring devices may be attached to offenders who have served time in prison for committing sexual violence, abduction of minors, homicide or robbery as an additional measure in order to deter recidivism. This paper will introduce the "pre-petition investigation" system (conducted by a prosecutor when deemed necessary to order GPS monitoring) and provide a comparative analysis of characteristics of sex offenders who are subjects of the pre-petition investigation categorized into types of crime such as rape and indecent act by force; types of victims such as children under 13 years of age and adults, relatives and non-relatives; and types of offenders such as juvenile offenders and adult offenders. The analysis studies various characteristics such as the offenders' sociodemographiccharacteristics, their psycho-sexual development and the degree of cognitive distortion of sex, criminal history, characteristics of their victims, and characteristics specific to criminal offence including the modus operandi used as well as the location and time of crime. This study also analyzes various factors that influence the opinion of pre-petition investigators on whether an offender requires a GPS monitoring device. Finally, some preventive measures are suggested based on the results of the comparative analysis.

**Keywords:** *GPS monitoring, sexual violence*

# PUBLIC ATTITUDES TOWARD CRIME AND SECURITY

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## YOUNG PEOPLE AS TARGETS OF PRIVATE SECURITY GUARDS INTERVENTIONS

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Despite the rise of private security in many western countries, there is lack of information on those who are the targets of such control. The study uses the nationally representative youth survey to provide information on the interventions of private security guards. In addition, the paper presents preliminary findings based on the focus group interviews with young people in Finland. The paper assesses young people's views and experiences of the encounters with security guards.

Drawing on the Finnish self-reported delinquency survey of youths aged 15 to 16 (N=5,826) the study explores the extent and nature of security guard interventions. Furthermore, the main objective is to examine which factors are associated with the likelihood of guard contact (control bias hypothesis). The findings suggest that encounters between young people and security guards are common: 40 percent had experienced security guard intervention in their lifetime. Situations often took place in shopping centres, because guards suspected youths of shoplifting, causing nuisance or drinking alcohol. Multivariate analysis indicates that delinquency and alcohol drinking are associated with youths getting caught by security guards. Furthermore, even in the Nordic context, the control of security guards seems not to be totally free of social biases. The paper suggests that what has been a long research tradition concerning biases in police control should be incorporated to study private security.To conclude, it appears that young people's activities are highly regulated by security guards. Thus, it is no longer sufficient to study only the control of the law enforcement agents and research should focus also on the impact of private security.

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**CITIZENS' PERCEPTIONS OF PRIVATE SECURITY AGENTS IN PORTUGAL**

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The employment of private security guards in most European countries, as well as in Portugal, has increased rapidly in the past decade. While private security guards are visible and come in contact with the general public, very little is known about the citizens' perceptions and level of satisfaction with private security agents. The goal of this study is to assess citizens' level of satisfaction with private security agents in Portugal. More specifically, we examine their perceptions about their work; security regulations; image; professionalism and integrity; powers of the private security agents; and, finally, the relationship between private security agents and police officers. Data for this study is drawn from a sample of 163 individuals from the Porto area. Overall, results indicate that respondents expressed satisfaction and a predominantly positive or neutral perception about private security agents. In addition, we found that older individuals and female respondents tend to be more satisfied and to have a more positive perceptions of private security agents. We also found that respondents who contacted directly with private security agents report being more satisfied with them than those who did not contact. Findings and policy implications will be discussed. Given the little knowledge in Portugal about citizens' perceptions of private security agents, this study may provide a basis for the development of other studies in the future in this field.

**Keywords:** *Perceptions of private security agents; satisfaction with private security agents; private security agents; private security.*

**666**
**STUDENT'S ATTITUDES TOWARD CRIMINALITY**

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Public attitudes toward crime and punishment are determined by a multitude of interlocking factors in a society like culture, tradition, political and economic relations, media, system of values. In theory and empirical research especially interesting are the attitudes of student's from the faculties from criminological and criminal law, given the expectation that these students in the future are expected to be professionals who will have to enforce the criminal law and to influence on the criminal policy

Precisely for that reason is carried out research "Student's attitudes toward criminality" in the Republic of Macedonia in 2012.

The subject of this research is the analysis of student's attitudes from different faculties regarding several groups of issues: the feeling of safety and fear of crime, social reaction to certain antisocial and criminal behavior and issues related to attitudes toward death penalty and previous victimization respondents.

The purpose of this research is to determine the differences in student's attitudes from different faculties, different studies and to identify certain factors that are associated with student attitudes regarding crime, criminal policy and the death penalty.

In the research is used survey as a technique and a structured questionnaire as an instrument. The survey was conducted during the month of November/December on a sample of 436 students from the Faculty of Security, Faculty of Law, Faculty of Pedagogy and Faculty of Philosophy (Institute of Social Work and Social Policy).

In the sample 2/3 of the respondents are female students.

The research results show that about responding to certain socially negative actions, most of the students decided for measures of repressive character (fine, conditional sentence, imprisonment). A very small percentage from respondents decided that should react with alternative measures for certain crimes that are not so serious even for some behaviors that are not considered as criminal acts. In the paper will also analyze the differences of attitudes of the respondents regarding their views on punishment, based on gender, Faculty, year of study and their previous victimization.

Particularly interesting are the results which show that despite the abolition of the death penalty in Europe, about 70% of students reported that they justify the death penalty for certain crimes (most percentage for murder, rape, terrorism and sexual abuse of children).We also made an attempt to make a comparison between the views of students on the basis of gender, Faculty, year of study and whether previous victimization is related to their views on the death penalty.

Generally it can be concluded the great repression of respondents that indicate still existing traditional relations and upbringing in Macedonia, which as firmly retains some positive input values, still is so rigid for changes in the attitudes of individuals to replace the repressive way of reacting with restorative.

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**THE 'DAY OF CRIME' PROGRAMME: LESSONS IN PUBLIC EDUCATION AND PUBLIC CRIMINOLOGY FROM THE UK?**

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This paper draws together four key strands of interrelated contemporary criminological discourse; public attitudes, public engagement, public education and public criminology. It is inspired by recent attempts to (re)engage the British public with 'their' criminal justice system and the use of public education as an integral part of this interaction. It is also, however, motivated by a desire to further assess the role of the public criminologist as an active agent in this educative process.

The paper will draw on the preliminary findings of a small scale research study attempting to measure the impact that the 'Day of Crime' (an interactive educational programme of criminology and criminal justice designed and facilitated by academics) has on those who attend. Whilst previous educational programmes have been implemented and evaluated in Britain, these have all centred on adults; this programme focuses on young people aged 12-17 and attempts to explore whether their knowledge and opinions can be influenced / manipulated.

The study promotes commentary around the efficacy, value and ethical implications of such educational enterprises whilst also enabling the more imposing question of what role criminologists can, could or should play within such engagement activities to be further considered.

# ENVIRONMENTAL CRIME

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**ENVIRONMENTAL PARADIGMS THIRD GENERATION: LATIN AMERICA VS EUROPE. IS IT POSSIBLE A COMMON PATH?**

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The new constitutional processes in different Latin American countries such as Ecuadoror Bolivia, which are integrating the currently named emerging human rights (right to the city, theories about the good way of life), opens a controversy on the existence of two opposing views.

There are two approaches about how to protect legal rights on this topic. From the beginning, there is an anthropocentric concept, linked to humans, as a factor of the environmental protection, in developed countries with pioneer and diversified laws. The second approach is an ecocentric notion, conceived globally, and not linked to humans, that is, regarding nature itself, with multiple definitions of nature: -Pachamama- -Gaia- -Sumak Kawsay-, etc. However, the legislative development of this supraconcept is still poor, especially in criminal law areas.

These conceptions, and the rights to use wasting assets, the common property, the public property, the privacy, the health and others, are the basic problems to be solved, because it is extremely difficult to establish parameters to facilitate a minimal homogenization in compared environmental criminal law. While some countries are legislating hard against noise or light pollution, criminal responsibility of legal entities, others, because of their different conditions (economic, social, geographical and structural), are addressing these environmental problems, which were overcome by the first group (water pollution, solid waste, deforestation, uncontrolled town plannings, textiles and agricultural massive productions, etc.)

Due to all these factors, the challenge of environmental crime is not its excessive expansion (category of offence and punishment), but, on the contrary, its real interest should be protecting its basic principles, according to the scientific doctrine: "*minimum intervention*" and "*ultima ratio*", because there are enough tools in others fields, such as commercial, civil or administrative jurisdictions.

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## ENVIRONMENTAL CRIME – A CONTESTED AND SOCIALLY CONSTRUCTED CONCEPT

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Essential elements of an environmental offence in Finland have been defined in the criminal code. Impairment of the environment, aggravated impairment of the environment, environmental infraction, negligent impairment of the environment, nature conservation offence and building protection offence has been criminalized. However, from the green criminology perspective the definition of the concept *environmental crime* itself can be contested.

In order to develop broader and deeper view of the prevention and investigation of environmental offences it is necessary to critically examine the concept of environmental crime. Scholars of green criminology have argued that the legalist definition of the concept gives too narrow view of environmental offences. The legalist approach also ignores that environmental harms are socially constructed. However, the concept has been given different meanings in the discourses of different authorities.

In this research, thirteen environmental inspection authorities and nine police officers in Finland were interviewed. Both authorities comply with the environmental legislation in their activities in preventing and investigating environmental offences. Each of them also socially constructs the content of the environmental crime in their own way. At the same time they execute the environmental legislation and criminal code based on their reading of the law. In the presentation the differences and similarities of the definition given in the criminal code and in the discourses of the inspection authority and police officers are compared and discussed. Therefore, it is possible to get broader view of the challenges in preventing and investigating environmental crimes.

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# IMPACT OF THE ECONOMIC CRISIS ON ENVIRONMENTAL CRIME TRENDS IN SLOVENIA

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As with other forms of criminality the reasons for committing environmental crime differ, and could be classified as intentional acts with the aim of obtaining a financial benefit, acts of negligence or ignorance of the law etc. Profit, the so-called avoidance of costs arising from environmental legislation, or actual incomes from the sale of natural resources, has become the primary reason for committing crimes against the environment and causes severe environmental degradation. The presence of the economic crisis in Slovenia in 2012 and 2013 raised the question whether the lack of financial resources has an impact on the growth of individual environmental crime acts in Slovenia. Analysis of Slovene police crime statistics for the period from 2000 to 2012 and conducted interviews with representatives of social control institutions (police officers and criminal investigators, community wardens, hunting and fishing inspectors) and hunters showed the increase of individual crimes against the environment and natural resources, such as cruelty to animals, poaching and destruction of forests (timber thefts). Furthermore, the increase of the number of detected offenses against the environment, such as illegal dumping of waste and fishing without a license, was detected. If we add cases of the omission of duties by state representatives when they try to sell-off Slovenian national forests or privatize water resources in Slovenia with the aim 'to increase national wealth', the answer to the above-mentioned question seems obvious. However, results of the analysis show a positive (e.g. decrease of the number of environmental crime, such as corporate environmental crime) as well as a negative (e.g. increase of the number of environmental crime such as illegal waste disposal and waste trafficking, poaching and timber trafficking) impact of the economic crisis on the trends of environmental crime.

For the actual assessment of the impact of the economic crisis on environmental crime trends in Slovenia, an extensive study is required and has to include an analysis of various factors. Nevertheless, the acquired findings are sufficient for the preparation of draft measures for formal social control agencies in order to reduce the impact of the economic crisis on the growth of environmental crime in Slovenia.

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## CHANGES IN THE CIRCLE OF ENVIRONMENTAL CRIMINAL LAW

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The preamble of Directive 2008/99/EC on the protection of the environment through criminal law underlined that there was a wrorrying increase in the number and impact of environmental crimes extending over country borders and necessitating response measures. The Directive set forth minimum rules.

However, with regard to the effective protection of the environment through criminal law, member states were free to take or maintain stricter measures.

The practice of the Court of Justice of the European Union reflected in its ruling falling in the scope of environmental criminal law and passed on 13 September, 2005 was institutionalised in the Lisbon Treaty.

In Hungary the legislator recodified the legal states of environmental criminal offences relating to the former council framework decision and for the sake of the adoption of

Directive 2008/99/EC, set as an obligation to elaborate and pass the necessary legal statues by the deadline of 26 December, 2010. Furthermore pursuant to the new Hungarian Criminal Code, effective as of 1 July, 2013, both modifications and new types of crimes against the environment will be introduced.

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## HARNESSING THIRD PARTIES FOR TRANSNATIONAL ENVIRONMENTAL CRIME PREVENTION

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Because transnational environmental crime (TEC) can result in the demise of an environmental resource or irreversible damage to the environment, its prevention is a critical issue. Deterrence through law enforcement can go only a limited distance towards preventingTEC. However, there is a huge potential for third parties to be active participants, alongside governmental authorities, in crafting and implementing strategies for TEC prevention. This paper explores the ways in which the capacities of third parties – non-state non-offending actors - are now, and could be, harnessed by states for this purpose. It draws together concepts and theories from policing studies, criminology and regulatory studies to highlight changing relationships between the state and non-state actors in relation to crime control, and applies them to TEC. A more systematic approach to TEC prevention using third parties needs a whole-of-society approach and requires dedicated strategic analysis and planning on the part of states, working individually and together*.

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# AGEQUAKE IN PRISONS

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## AGEQUAKE IN PRISONS

Wiebke Bretschneider
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Presenters and abstract titles:
1. Wiebke Bretschneider: *"Becoming Old in Prisons: An Overview of the Swiss National Study of Ageing in Prisons"*
2. Tenzin Wangmo: *"Healthcare burden of older male prisoners and its consequences for the society"*
3. Violet Handtke: *"Elderly female prisoners – What does it mean to be old, female, and a prisoner?"*

There are more older prisoners detained and more prisoners ageing in prison today than at any other time in history. The ageing of the population, both in and outside prison, is increasingly affecting all levels of our society. In response to the challenges that the rising number of older prisoners pose, several studies are conducted at the national level to understand the current state of prisoners and also older prisoners in the United States and the United Kingdom. In a similar vein, a Swiss-wide study is currently funded by the Swiss National Science Foundation (SNSF) to explore the state and current health problem of ageing prisoners in Switzerland with a goal to find solutions to possible future challenges. The study began in October 2011 with collection of health information from medical records of prisoners (approx. n = 400) and interviews with ageing prisoners (30 – 40). During this panel, we intend to present the overall study, its design, and how the study results contribute to the current knowledge in the field.

The panel will be composed of three presentations deciphering the current state of ageing prisoners in Switzerland. The first presentation will introduce the project with a special emphasis on the study methods and experiences related to data collection, which is extremely challenging in prisons. This presentation will allow the audience to build a solid base of knowledge about the project and the concerns associated with ageing of prisoners. The second presentation will highlight the results from the quantitative part of the project including information about health burden of older prisoners (disease and medications consumed). Here the health of younger (49 years and younger) and older (50 years and older) prisoners will be compared to see if there is a difference between age groups and whether time served in prison affects prisoners' health burden. The third presentation will report on the problems and conditions of ageing female prisoners. Although a relatively small population among prisoners in general, they represent a unique group demanding special attention. Thus, qualitative and quantitative data will be used to discuss the special needs of this minority in the prison context. The panel will conclude with solutions and recommendations to address not only the health care needs of ageing prisoners but also other special needs that come with ageing such as decreasing physical strength, spiritual needs of older prisoners, end-of-life decisions, and dying in prison.

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## BECOMING OLD IN PRISONS: AN OVERVIEW OF THE SWISS NATIONAL STUDY OF AGEING IN PRISONS

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Population ageing is a global phenomenon affecting all sectors of our society. This phenomenon brings forth ranges of new unaddressed health, economic and legislative issues. Incarcerated individuals who have perpetrated crime, violence or abuse are not only living longer but are also ageing in prison. In spite of the changing prison demography, very little is known about ageing prisoners as research in the prison context is difficult to carry out due to the considerable logistic and ethical issues that must be considered when studying this population. To fill existing gaps in research, a national study of ageing prisoners in Switzerland is underway, which aims to explore existing problems, investigate potential solutions, and provide recommendations in different research areas including (a) health of older prisoners; (b) socio-demographic, criminological and economic issues; and (c) legislative, human rights and ethical guidelines that frame provision of care for older prisoners.

For this study, health data from medical records of prisoners is currently being gathered from prisons situated in the French and German speaking parts of Switzerland. In addition, data collection is also taking place through interviews with older prisoners (50+) living in Switzerland and with national and international Stakeholders working in the field of prison medicine and public policy. Using mixed methods ensures a differentiated approach to analyse the situation in Swiss prisons and gain insight about how the issue is addressed in other countries like France, the UK and the US.

The overview of the national project would be followed by possible implications of the results from this unique national project: (a) contribute towards improving our understanding of health care, socio-economic and legal factors affecting the care of older prisoners; (b) support the development of alternative solutions that would help in the provision of cost-effective but ethical care for older prisoners; and (c) provide crucial new knowledge that can be used by researchers and decision makers dealing with the management of ageing prisoners in other countries and help to stimulate further academic research. We will conclude with the challenges of seeking access to prisons and highlight different concerns that we faced and provide solutions to facilitate research in the prison context.

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# HEALTHCARE BURDEN OF OLDER MALE PRISONERS AND ITS CONSEQUENCES FOR THE SOCIETY

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**Background:** The increasing prison population and more older prisoners either entering prison at old age or ageing there, is stressing the prison system worldwide. The healthcare needs of prisoners pose a challenge to the society as a whole. To understand the scope of medical service needs and its provision to older prisoners, a Swiss wide study was launched. The aim of this presentation is to highlight the results from this on-going national project. Information on the health of older prisoners (50+ years) and that of younger prisoners (49 years and younger) will be presented. The goal is to examine whether there is a difference between age groups and whether time served in prison affects a prisoners' health burden.

**Methods:** In Switzerland, there are 113 prisons. Of these, 29 fulfilled the inclusion criteria of the study and 18 agreed to participate. Data from medical charts are collected, using a structured instrument. So far data from 310 medical records of prisoners have been gathered.

**Results:** Preliminary results indicate that the mean age of older prisoners is 58.2 (SD=6.3) years, whereas younger prisoners are 34.7 (SD=7.7) years old. Older prisoners have been in prison for 4.0 (SD=4.6) years on average, while younger prisoners have been in prison for 2.5 (SD=2.6) years. Older prisoners tend to report more than 4 diseases while younger prisoners suffer from approximately 2 diseases on average. Although both groups complain most about musculoskeletal and connective tissue problems, differences appear when analysing the other types of diseases reported by old and young prisoners. When comparing medications taken, in total, older prisoners take more medication than their younger counterpart (18.1 and 12.4 medications respectively), but these medications belong to 4.4 and 3.6 type of medication group. Additional group analysis will be done to assess whether there is a group difference between the number of medications taken and diseases reported when being imprisoned.

**Conclusion:** The study results indicate thatboth age and years in prison explain the greater number of diseases and medications reported by older prisoners. Therefore, policy makers and health care providers in prison should not only address the greater needs of its ageing members, but also seek to understand how the health of prisoners could be maintained so that time in prison produces fewer changes.

**Keywords:** *Ageing, Prisoners, Health care, disease burden*
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# ELDERLY FEMALE PRISONERS – WHAT DOES IT MEAN TO BE OLD, FEMALE, AND A PRISONER?

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**Background:** Over 9 million people are presently detained worldwide; on average only 2-9% of them are women. They form a growing minority within the prison population and have special needs and distinct characteristics. There are calls for gender specific services but there has been minimal change. Within this group exists another smaller sub-group: elderly female prisoners (EFPs), an under-researched and all too often neglected minority. We will present information on EFPs in Switzerland and discuss the results using a layered model of vulnerability.

**Methods:** In Switzerland two prisons were visited, where female prisoners are detained. Overall 26 medical records were analysed using a structured guide, 13 from EFPs (50+ years) and to compare 13 from young female prisoners (YFPs, less than 49 years). Descriptive statistics was used to analyse the data obtained from the medical records. Additionally, 5 semi-structured interviews were conducted with EFPs and the interview transcripts were evaluated using content analysis.

**Results:** Our data from medical records show the mean age of EFPs and YFPs (56 years and 29.9 years, respectively). Concerning the disease burden: EFPs are diagnosed with a mean of 6.85 diseases, compared to 3.38 in YFPs. EFPs most commonly suffer from diseases of the musculoskeletal system and connective tissue according to ICD-10 and YFPs from endocrine, nutritional and metabolic diseases. In terms of medication intake, EFPs took 30.92 medications over the past 5 years and YFPs 25.54.

The interviews yield a range of themes associated generally with ageing in prison and also particular issues associated with being a female prisoner. General themes included lack of privacy and the deprivation of basic goods and services. Theme pertaining to gender specificity was the negative consequences of the scarcity of correctional facilities for women detainees. Finally, an important concern for EFPs was the adverse effects of the prison system on their health and the lack of age-specific services.

**Conclusion:** Using the model of layers of vulnerability, we distinguish three layers for EFPs each containing a different set of problems identified in the results. The three layers are the "prisoner" layer; followed by the added layer of "woman"; both of which are encompassed by the final layer of "age". These challenges need to be addressed by policy-makers for whom the layer model of vulnerability has the advantage that they are presented with specific target points to solve the issue in a comprehensive manner.

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# SEXUAL VIOLENCE AND RESTORATIVE JUSTICE

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Sexual violence (SV) in all its forms, whether intra-familial, within the church, anonymous or during conflicts, although frequent and widespread as can be seen in all the media reports, is a crime for which anecdotal accounts and scholarly reports seem to suggest that the victims in their great majority do not receive redress. It is a crime with high levels of attition, for which victims may feel discouraged or even punished for coming forward and sometimes re-victimised by criminal justice and other institutional processes. It is a widely recognised fact that the current and traditional approach to 'justice' (that procured in a formalistic way by police authorities, the court system, the prison, etc.) is limited in what it can offer in terms of 'justice' to either victims or offenders of sexual crime, in part because its structure and aims. This part of 'retributive' justice is intended to establish culpability for wrongoing under the law of particular jurisdictions, within a highly adverserial system. This rather 'abstract' approach does not fundamentally address victim's needs nor makes offenders feel more responsible for what they have done. In short, criminal justice, in its classical meaning seems to be rather limited in its potential to contribute alone to effective problem solving.

The theory and practice of Restorative Justice (RJ) is rapidly developing and offering some well-argued new avenues for dealing with crime in general (see e.g. Zinsstag et al. 2011). It has the potential to be extended to offenses of sexual violence and some small scale projects are already underway in this domain internationally. It is the intention of this research project to examine this innovative justice paradigm in more depth in the particular context of sexual trauma and violence in order to establish the empirical realities of restorative justice approaches in cases of sexual crime and to see how they could be developed adequately in the future.

This panel is to present preliminary results on a recently started Daphne funded project (March 2013 and will be running for 2 years). The title of the project is: 'Developing integrated responses to sexual violence: An interdisciplinary research project on the potential of restorative justice'.

We would like with this panel to present some early results on the research and therefore three of the researchers will address different aspects which are being researched and which results may be interesting to a wider audience.

Prof Ivo Aertsen (University of Leuven) will briefly introduce the project.

Dr Gunda Woessner (Max Planck Institute) will set the scene by talking about the crime itself from both an offender and victim point of view.

Dr Estelle Zinsstag (University of Leuven) will introduce and discuss the possibilities and challenges of such an approach.

Niamh Joyce (University College Dublin) will present what is already happening in practice.

**Keywords:** *sexual violence and restorative justice*
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**SEXUAL VIOLENCE AND RESTORATIVE JUSTICE: SETTING THE SCENE FOR ALTERNATIVE RESPONSES TO SEXUAL CRIMES**

Gunda Woessner

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This paper will examine current theories on sexual violence with a specific focus on sexual offending and victimisation. Existing therapeutic approaches to sexual crime, namely sex offender treatment and treatment for victims, will also be critically evaluated. Sex offender treatment includes correctional treatment approaches that are based on a number of risk factors. Various correctional treatment options, such as cognitive-behavioural approaches and empathy development, will be examined with regard to offenders' and victims' needs and its impact on the rehabilitation process for both sides. Treatment for victims, which mostly focuses on trauma and the vulnerability of the victim, will also be discussed. Some of these therapeutic interventions for victims and offenders can be seen as one-sided in their attempts to address the sexually harmful behaviour since they tend to establish the victim as a weak and vulnerable person and the offender as a deficient perpetrator. Furthermore, stakeholders within the adversarial criminal justice system assume responsibility for a case that could – in some cases – be otherwise or additionally resolved by the victim and offender. By comparing therapeutic approaches with relevant theories, this paper will demonstrate that existing therapeutic interventions for sexual violence only partially correspond to psycho-social needs and criminological theories of reducing recidivism and rehabilitation. Considerations on different cases of sexual violence will be included emphasizing the need of a differential and cautious approach to alternative responses to sexual violence.

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## SEXUAL VIOLENCE AND RESTORATIVE JUSTICE: THEORETICAL CONSIDERATIONS

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The use of restorative justice (RJ) for sexual violence has been the subject of on-going debate among RJ advocates and proponents for some time. This paper will examine existing theories on restorative justice with a specific focus on the appropriateness of restorative justice for sexual violence. Theories surrounding the benefits of RJ in cases of sexual violence will be explored and comparisons will be drawn between the approaches taken by restorative justice and the traditional criminal justice system to address sexual violence. Concerns about the use of restorative justice for sexual violence will also be discussed, including concerns about re-victimisation, power imbalances, due process rights of offenders and the relationship between restorative justice and the criminal justice system. Theoretical considerations of practical challenges such as the establishment of appropriate points of referral to restorative justice programmes and decisions regarding the types of sexual offences suitable for RJ will be examined in detail. The paper will conclude with the argument that practice in the area of restorative justice for sexual violence is ahead of theory and on-going research is required to reconcile theory with practice.

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**SEXUAL VIOLENCE AND RESTORATIVE JUSTICE: DEVELOPMENTS IN PRACTICE**
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A review of the literature and existing restorative justice (RJ) programmes suggests that restorative justice practices are ahead of theory in the context of sexual crime. This paper will demonstrate that in addition to RJ programmes that are regularly cited in the literature, there are numerous "under the radar" RJ programmes processing sexual crimes around the world that have not yet been subject to comprehensive evaluation. The lack of research into such programmes is a limitation insofar as it curtails the theoretical development of RJ for sexual violence, particularly from a comparative perspective. The findings from contemporary evaluations of prominent RJ programmes that process sexual offences will be examined in this paper to ascertain the appropriateness of RJ in cases of sexual violence. The outcomes of RJ programmes for victims, offenders, communities and other stakeholders will be critically evaluated, along with key features of programme design including risk assessment, preparation and procedural safeguards. These findings will be located within the context of theories on the benefits of RJ and concerns about its appropriateness in cases of sexual violence. The paper will conclude with some final remarks on the applicability of restorative justice to sexual violence in practice and recommendations as to how practice can be reconciled with theory.

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# ANALYSING AND MODELLING EXTORTION RACKET SYSTEMS IN EUROPE II.

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## AN ONTOLOGY OF MAFIA TYPE ORGANISATIONS

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In this talk an ontology of an ideal-typical extortion racket system (ERS) will be presented. Key terms and relations are based on detailed analysis of the Sicilian Cosa Nostra. Empirical evidence indicates that the Mafia operates differently within different social environments. This begs for an explanation. For this purpose a simulation model will be developed that enables to study the dynamics of ERS. A first step is to integrate existing domain knowledge in a domain ontology that can be implemented in a simulation model. An ontology is defined as an explicit specification of a conceptualisation. A conceptualisation can be defined as an intensional relational structure, consisting of a universe of discourse D, a set of possible worlds W and a set of conceptual relations R on the domain space <D,W. The formulation of an ontology enables *first* a formal precision of the description of domain of study. *Second,* intensional logic is used to achieve a theoretical generalisation of the description.

Key terms are actors, organisations and a social environment, consisting of economic conditions and a set of social norms. The social environment determines the conditions in which organisations operate. However, organisations are enacted by individual actors. While organisations are disjoint classes, actors may be affiliated to different organisations. Relations include the Mafia-Victim relations, corruption and the internal organisation of a Mafia type organisation. The operation of the Mafia is characterised by the fact that factually the Mafia migrated to other territories. However, this changed the structure and the course of action. Extortion remains a local phenomenon. There exist evidence that ERS are territorially based phenomena that are not easy to reproduce in a foreign territory. This can be summarised in the distinction between Mafia in a *traditional* environment, undertaking *systematic* extortion within a territory, and Mafia in a *non-traditional* environment, using opportunities of various types of legal and illegal economic activities and only occasionally undertaking *predatory* extortion. In a traditional environment the Mafia is perceived as a *legitimate* authority. However, recently Anti-Mafia movements emerged. These indicate a cultural change in the traditional environment, challenging the legitimacy of the Mafia as ruling authority.

# DYNAMICS AND INTERACTION MECHANISMS OF EXTORTION RACKET SYSTEMS: AN INTRODUCTION

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Organized crime is the main obstacle to the economic growth of Southern Italy. Our paper aims to analyze the relational dynamics of an Extortion racket system (ERS) managed by Mafia-type organizations in Sicily. An ERS is one of the main illegal activities by mafia type criminal groups. It performs a dual function: from an economic point of view, extortion allows organizations to obtain a huge amount of resources useful to feed the group. From a political point of view, extortion activities allow criminal organizations to maintain their control of the territory and their power. Due to the complexity of the phenomenon, its analysis requires a complex collection of data and information about the properties of criminal organizations on the one hand and socio-economic and cultural aspects of territorial contexts on the other. The analysis of data collected will be both qualitative and quantitative. We will use a database containing 2,300 extortion cases available as a result of the research conducted by the *Fondazione Rocco Chinnici* in 2008, on the basis of the evidence coming from judicial proceedings in different Sicilian provinces. The database is presently being enriched and integrated through the collection of most recent judicial documents and the conduction of interviews to judges and victims. Special attention is devoted to the analysis of entrepreneurs who have been extorted, their internal social networks and relationships, their detailed concrete rules of conduct in the management of extortion, and their social environment. Several new interviews and new judical data will be analyzed. Finally, we will approach the topic of racketeering also by referring to the different styles of leadership in Mafia-type organizations.

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# INTERACTIONS IN MAFIA-LIKE ORGANIZATIONS: AN EXPERIMENTAL INVESTIGATION OF EXTORTION BEHAVIOR

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It is not trivial to identify the key features that are typical of an extortive interaction and that discriminate it with respect, for instance, of a normative interaction or a generic bargaining between two parties with contrasting stakes. However, due to the hidden character of mafia-like organizations, experimental investigations could represent a useful tool for understanding some specific mechanisms of the interaction between offenders and victims. Bringing extortive behavior in the lab means fitting it in a setup that is simple enough to isolate any potential confounding factor but still guarantees a fair level of external validity and good comprehension of such a complex phenomenon. Culture, environmental threats, habits, and emotions cannot be easily reproduced in the lab.

We present a set of lab experiments that aims at capturing some key aspects of extortive behavior, such as the effect of protection, punishment, reputation, legitimacy, long-term fidelization etc. on victims' reactions. In particular, in this work we aim at investigating what are the features in the extorter's conduct responsible for the victim choice of one action (e.g., compliance) instead than another (e.g., resistance or denounce).

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## COMPETING RACKETEERING POLICIES: A SIMULATION

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Extortion Racket Systems (ERSs), and mafia-like organizations in specific, are highly dynamic and complex systems that impact economies in different modes and magnitudes. Heretofore, their dynamics are not very well understood, mainly due to the lack of information which is in part a consequence of their hidden operation. The paper is aimed at investigating whether ERSs are socially and individually sustainable. In other words, we address the question as to what extent social order is compatible with the surviving of such systems. We then put forward and test two hypotheses: (1) the competition among ERSs leads to social order being established after and through the initial warfare; and (2) it gradually allows for the relatively most sustainable systems, among those competing, to be selected. Hence, we propose an agent-based model of extortion racketeering representing a world inhabited by targets and extorters behaving according to different extortion policies. Such policies are classified by the extortion level and the punishment severity dimensions, which refer respectively to the amount of the targets' endowment requested as extortion, and the penalty applied by the extorter to the target in case of non extortion payment. We carried on some simulation experiments that support our test hypotheses and indicates that the level of extortion is critical for the success of a racketeering policy. In particular, low extortion policies are advantageous for extorters sustainability.

**Keywords:** *Mafia-Like Organizations, Extortion Racket Systems, Agent-Based Simulation*

# THE NEW PERSPECTIVE OF RESTORATIVE JUSTICE IN THE CRIMINAL POLICY

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## "THE FACE BEHIND THE FENCE" - ACTION RESEARCH ON IMPLEMENTING RESTORATIVE JUSTICE IN THE PRISON CONTEXT

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Within the framework of the EU-funded MEREPS project ("Mediation and Restorative Justice in the Prison Setting"), coordinated by the Foresee Research Group (Hungary), our aim was to test whether restorative practices could help support victims of crime, raise responsibility-taking in offenders, support the prison staff and inmates in peacefully resolving their internal conflicts, help the restoration of family relations and reintegrate offenders into society after release.

During the action research we supported all kinds of interventions following restorative principles, including restorative conferencing, family group conferencing, mediation and supporting circles. Restorative encounters were led by two facilitators: the MEREPS supervisor and a member of the prison personnel. The long-term objective of the project was to integrate facilitation techniques into the correctional education officers' day-to-day work in a sustainable way.

We found that rules, criminal law procedures, regulatory requirements and routine-mechanisms generally determine the formal and informal management of conflicts in the prison and are one of the main obstacles to putting restorative processes into practice. The institutional response to any type of involvement in conflicts is punishment. Hence, inmates aim to conceal their conflicts and try to solve them behind the scenes to avoid formal punishment. These features of the formal and informal institutional structure determine the frame, and limit the scope of restorative practices. Restorative principles and practices in MEREPS needed to be adapted to these institutional conditions.

However, factors that could be changed were the social-psychological and motivational conditions. We saw that to introduce RJ in certain cases there is a need for an initial basis for trusting and open human relations amongst the actors – far from the everyday life of the prison. Relations beyond the prison, family ties and plans after release often meant an appropriate basis for these kinds of human relations and supported inmates' identification with restorative practices.

The presentation will give an overview of the main supportive and challenging factors that we concluded during this 1 year-long action research.

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## CRIMINOLOGICAL DIAGNOSTIC AND RELATIONAL (RESTORATIVE) JUSTICE: COORDINATION APPLIED TO AGGRIEVED THEFT.

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***Context:*** In Indre-et-Loire, we observe an augmentation of aggrieved theft, which has the particularity to precipitate three victimization areas: material, physical and psychological. Victims are in a culpability pathogen cycle, sometimes with a post-stress traumatic disorder, secondary and multiple victimizations; and perpetrators use to methods of moral conflict neutralization (with a risk to re-aggression). With the collaboration of "Sentence applied Service of Tribunal" (SAST) and "Support victim Service" (SVS), the project "P.A.R.I.S." (Protocole d'Aide Restaurative Individuelle et Sociale) purposes an application and evaluation of a restorative justice process to determinate "effects of a victim-offender relational service with criminological methods after the orientation of SAST".

***Objectives:*** Applied to the aggrieved theft(art. 311-1 to 311-16 CP Fr.), PA.R.I.S. involves that a relational approach could be a reconstructive support for victims and offender (building protective factors, like empathy) in an area less study. P.A.R.I.S. is trying a definition of restorative justice conciliating the minimalist and maximalist approaches. Our relational approach is oriented to two objectives: i) psycho-sociological good life and future perspectives of participants, and ii) the building of protective factors of victim and offender.

***Method and Results:*** SAST (for offenders) and SVS (victims) purpose the P.A.R.I.S., and if they agree, a preliminary meeting is engaged for a criminological-victimological diagnostic, before a second meeting to prepare the victim-offender relational meeting. Two groups of 10 participants are constituted (experimental: participants agreeing the victim-offender relational meeting / control: participants of the criminological-victimological diagnostic without others meetings). The victim-offender relational meetings are "structurated" (limited) for leading participants in their restorative work. Qualitative analysis (note book – participating observation) and quantitative analyses (check-lists for future perspectives, protective factors, and evaluation of motivation to participate to P.A.R.I.S.) are essential to evaluate the program.

**Keywords:** *aggrieved theft; criminological and victimological diagnostic; future perspectives; restorative justice.*

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**MEDATION IN DOMESTIC VIOLENCE CASES**
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In Estonia, mediation was created as an alternative to punishment in criminal justice. It can only be implemented when someone has committed a second degree criminal offence, the circumstances of the crime are clear and there is no doubt about the perpetrator. The ruling about the implementation of the mediation service is issued by the prosecutor or court and it has to be approved by both the victim and perpetrator. Specially trained victim support specialists work as mediators. If mediation is successful, the criminal investigation will be terminated according to principle of opportunity and there will be no criminal record for the perpetrator. Because mediation today is used almost exclusively in criminal proceedings then the formal goal is to reach an agreement of conciliation and compensation of damages. But there are other social aims as well, e.g. peace-making, repairing harm and healing relationships. Mediation can also help in rehabilitation process and prevent reoffending.

The duration of the conciliation agreement is six month during which the perpetrator has to fulfil the agreement and the mediator has the responsibility to monitor the fulfilment of the agreement. In case of failure, the criminal case will be renewed. Approximately 95% of all offences sent to mediation are physical abuse cases, nearly 60% linked to domestic violence. Of all domestic violence cases reaching criminal proceedings, about a fifth ends in mediation. It is believed that with this option, the victim has the most say in which sanctions are put on the perpetrator, i.e. with the conditions set in the conciliation agreement. Analysis on rates of recidivism show that 15% of domestic abusers commit some illegal acts within a year after their conciliation agreement; this, however, is much lower than people punished with incarceration (24%), community sanction (21%) or people on parole (17%).

The paper contemplates the appropriateness of using mediation in domestic violence cases and compares the pros and cons of mediaton in comparison with criminal punishments.

**Keywords:** *medation, domestic violence, alternatives to punishment*
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# RESTORATIVE JUSTICE AND THE POLICING OF ETHNIC MINORITIES IN GERMANY, AUSTRIA AND HUNGARY

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The presentation describes the proceedings and preliminary results of a comparative European Union FP 7 Research (http://corepol.eu/) on the improvement of police-minority conflict resolution and interaction with respect to minority-police relations in Germany, Austria, and Hungary. The principal objective is to establish whether better police - minority relations can be achieved through means of a Restorative Justice (RJ) approach.

Specific minority populations (Turks in Germany, Roma in Hungary, Sub-Saharan Africans in Austria) are examined in regard to the country's contemporary history, social structure and criminal justice system and the involvement of police in RJ programs for minority populations is explored by means of interviews and field studies. With this approach COREPOL will directly address the question of how better police - minority relations can be achieved in the context of European democratic policing. It will determine the extent to which Restorative Justice is presently used and how it can be made suitable to improve police - minority communication and interaction. COREPOL has started January 1st, 2012 and will be continued until December 31st, 2014.

**Keywords:** *restorative justice, ethnic minority, police*

# SPECIAL SESSION ON "EUROPEAN PENOLOGY?"

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**SPECIAL SESSION ON 'EUROPEAN PENOLOGY?' TO MARK THE LAUNCH OF EUROPEAN PENOLOGY? (HART, 2013) (EDS: TOM DAEMS, DIRK VAN ZYL SMIT & SONJA SNACKEN)**

Tom Daems[1], Dirk Van Zyl Smit[2], Sonja Snacken[3], Susanne Karstedt[4], Michael Tonry[5]
[1]*Ghent University, Belgium*
[2]*University of Nottingham, Nottingham, United Kingdom*
[3]*Vrije University, Brussels, Belgium*
[4]*University of Leeds, Leeds, United Kingdom*
[5]*University of Minnesota, Minneapolis, United States*

Is there something distinctive about penology in Europe? Do Europeans think about punishment and penal policy in a different way to people in other parts of the globe? If so, why is this the case and how does it work in practice? In this special session the editors will present the book *European Penology?* (Hart, 2013) and discuss how the book aims to address some major and pressing issues that have been emerging in recent years in the interdisciplinary field of 'European penology', that is, a space where legal scholarship, criminology, sociology and political science meet - or should meet - in order to make sense of punishment in Europe. Susanne Karstedt (University of Leeds) and Michael Tonry (University of Minnesota) will act as discussants.

# SECURITY MONITORING IN GERMANY - GAUGING THE IMPACT OF CRIME, TERRORISM, NATURAL AND TECHNICAL DISASTERS ON SOCIETY II.

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## WHAT IS FEAR OF CRIME? THE MEASUREMENT AND EXPLANATION OF FEAR OF CRIME IN A NEW GERMAN VICTIMIZATION SURVEY 2012

Dina Hummelsheim

*Max Planck Institute for Foreign and International Criminal Law, Freiburg, Criminology, Freiburg, Germany*

The presentation offers insights into different concepts and operationalizations of fear of crime in the German Victimization Survey 2012. Concerning the operationalization of fear of crime in the survey, the presentation looks at the distinction between 'concrete' fears related to particular offences (assault, burglary, robbery, sexual harassment) and 'formless' fears which do not refer to a particular crime (standard item). Furthermore, the presentation discusses a special module on 'fear of crime in the last seven days' which deals with the temporal, spatial and social context of fear-causing situations: the kinds of crime, the intensity and frequency of worries, and their spatial and social circumstances. Empirical results linking these different concepts and operationalizations show the extent to which the reported incidence and determinants of fear of crime depend upon the measurement used.

**Keywords:** *Fear of Crime*

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**COMMUNITY EFFECTS ON FEAR OF CRIME IN GERMANY – RESULTS FROM MULTILEVEL ANALYSES**

Julian Pritsch, <u>Dietrich Oberwittler</u>
*Max Planck Institute for Foreign and International Criminal Law, Freiburg, Criminology, Freiburg, Germany*

For the first time in Germany, ecological context effects of neighborhoods and communities on fear of crime can be assessed using a large national probability sample from a new German victimization survey. This dataset comprises ca. 33.000 respondents in more than 6000 ZIP code areas. Survey data of individual respondents is matched with structural data on neighborhood and community-levels. Preliminary findings show that area deprivation has the strongest contextual effect on fear of crime as measured by the standard item. We also look at other potential structural dimensions influencing fear and investigate cross-level interactions (between individual- and contextual-level predictors.

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**VICTIMIZATION EXPERIENCES IN GERMANY AND THEIR CORRELATES. RESULTS OF A LARGE-SCALE SURVEY**

Christoph Birkel
*Bundeskriminalamt/Federal Criminal Police Office, Police Crime Statistics, Criminology and Criminal Investigation Analysis, Research on Undetected Crime, Wiesbaden, Germany*

As part of the collaborative research project „Objectified and Subjective Securities. Situation Reports, Perceptions, Expectations and the Role of Technologization", a large-scale (sample size over 35.000) nation-wide CATI-survey on victimization experiences, fear of crime and crime-related attitudes was conducted in 2012. It is the first major victim survey in Germany on the national level since the 1990s. Besides that, its design contains some innovative features (i. e. complex sampling design combining a frame with landline-numbers, a frame with mobile phone-numbers, and a sample drawn from the turkish immigrant population using onomastic methods). In the presentation, findings regarding the prevalence and incidence of victimization experiences, as well as their regional distribution will be presented in a first step. The second part of the presentation will be devoted to multivariate analyses of the correlates of victimization experiences, drawing, inter alia, on routine activity theory. Third, analyses regarding the concentration of victimization experiences on "chronic victims" and factors associated with the risk of becoming such a "chronic victim" will be presented. The results are discussed with regard to findings reported in the extant literature as well as with respect to their theoretical implications.

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**696**
**EXPERIENCES WITH AND ATTITUDES TOWARD POLICE**
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As responsible organisation for security and order, the police enjoys particular attention in society. Thereby, theoretical and empirical research results indicate, that several attitudes towards the police (constituting *"trust in the police")* play a central role in enhancing public cooperation and legitimacy. Moreover, recent research has shown that the kind of experiences with the police – primarily whether or not the contact was satisfactory – turns out to be the best predictor for explaining police-related attitudes.

Based on data of a new national victimization survey in Germany, the influence of police-citizen-encounters on attitudes towards police are determined. Using path modelling, the effects of different kinds of police contacts, the satisfaction with it as well as the reasons for dissatisfaction are estimated, taking into account additional effects of exogenous variables like age, sex, education, migration and victimisation experiences.

In this lecture the theoretical assumptions as well as the empirical results of the models (accounting for different measures of police-attitudes and -trust) will be presented.

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# DEMOCRATISATION AND PUNISHMENT IN CENTRAL AND EASTERN EUROPE

**691**
**DEMOCRATISATION AND PUNISHMENT IN CENTRAL AND EASTERN EUROPE (SESSION SPONSORED BY PUNISHMENT & SOCIETY: THE INTERNATIONAL JOURNAL OF PENOLOGY)**

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This session will address the multifarious relationship between the transition from authoritarian to democratic regimes, on the one hand, and penal policies and practices, on the other hand, in Central and Eastern Europe, including in Serbia and Poland. Some of the specific questions that will be explored include the following: In which particular fields, to what extent, and in what ways do processes of socio-political democratisation influence levels and patterns of punishment in disparate jurisdictions? Which are the factors that facilitate or prevent such influence? And how does or should criminological inquiry explore these questions? The session is sponsored by *Punishment & Society: The International Journal of Penology*.

Papers:

'Gypsycriminality' and the Racial Politics of Punishment in Central Europe - Lynne Haney, New York University

Adding Fuel to the Fire: Penal Policy, a Missed Opportunity for Democratisation in Serbia - Milena Tripkovic, European University Institute, Florence

Electronic Monitoring as Alternative to Imprisonment in Post-Communist Poland: Can It Reduce Imprisonment Rates and Prison Overcrowding? - Krzysztof Krajewski, Jagiellonian University, Krakow

DIscussant: Vanessa Barker, University of Stockholm

**Keywords:** *Democratisation, punishment*

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## 'GYPSYCRIMINALITY' AND THE RACIAL POLITICS OF PUNISHMENT IN CENTRAL EUROPE

Lynne Haney
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This paper examines the politics of punishment in contemporary Central Europe through a case study of social construction of Roma crime. As a backdrop, the analysis begins with a discussion of how the state socialist experience with the abuses of penal confinement actually gave rise to renewed calls for penal harshness and law and order politics in the post-socialist period. Here I explore how this penal politics devolved into a kind of penal nationalism—and how the Roma became the targets of this nationalist criminalization of the other. More specifically, I argue that the treatment of the Roma is symptomatic of two central elements of popular discourses of punishment in East/Central Europe. First, the political use of Romani crime is a uniting force across the region; everywhere, the Roma are the targets of penal nationalism. They are presumed to commit all the crime; they are thought to reject common national values and norms; and they are said to be most transgressive. Second, I demonstrate how this penal nationalism evokes an extreme politics of inclusion and exclusion—a politics that treats perceived differences through confinement, while insisting on a hierarchical version of social and cultural inclusion. The Roma remain the cultural icon of criminality, even worthy of their own term in Hungarian, "gypsycriminality" (*ciganybunözés*). Adding to the power of this icon is the impossibility of combating it with data: regional criminal justice systems cannot keep data on the ethnicity of their offenders or inmates. With only estimates, misperceptions of "gypsycriminality" are only fueled—while the impulse to curb their imminent criminal transgressions only heightened. In this way, the paper uses Roma crime as a way to explore the form and focus, as well as the preoccupations and anxieties, of penal nationalism in East/Central Europe.

**695**
**ADDING FUEL TO THE FIRE: PENAL POLICY, A MISSED OPPORTUNITY FOR DEMOCRATIZATION IN SERBIA**

Milena Tripkovic
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After the democratic changes of 2000, penal law in Serbia underwent profound transformation. In an attempt to satisfy democratic standards, authoritarian traits of penal law and policy were removed, making the law on the books more democratic. The changes included abolishing the death penalty, removing 'political sanctions', decriminalizing certain behaviors, eliminating non-individualized forms of criminal responsibility, guaranteeing procedural rights and so on. This paper attempts to assess the impact of such changes on the overall goal of democratization of the Serbian society, and argues that they failed to produce the desired aim due to interference of the executive in the judicial sphere. While current criminological literature commonly discusses the general effect of politics on crime control and policy, I focus on a particular form of political interference with the judiciary, which occurs only in post-authoritarian circumstances. Under social conditions characterized by authoritarian heritage and the survival of old political elites, the judicial function in criminal matters can be taken over by the politicians, thus making the courts unstable, dependent and irresponsible. While the imbalance between the executive and the judiciary may, even in developed democracies, take a corrupt form or transpire through the use of 'political talk' to indirectly influence judicial decisions, in post-authoritarian circumstances, politicians tend to appropriate the judicial function which impairs the democratic potential of penal law. Three recent Serbian examples are used to argue for the proposed thesis: the procedure of judicial appointments, increasing use of remand, and amnesties. Each of these examples demonstrates the ways through which the executive is exerting influence on how criminal justice is administered. The cases in question demonstrate that politicians commonly decide on who will perform the judicial function, who will be arrested, remanded and charged, and whose sanction will be revoked. The conclusions I draw are of significance for all those post-authoritarian societies whose institutional framework still supports authoritarianism.

# ELECTRONIC MONITORING AS ALTERNATIVE TO IMPRISONMENT IN POST-COMMUNIST POLAND: CAN IT REDUCE IMPRISONMENT RATES AND PRISON OVERCROWDING?

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Under the communist regime Poland, like other countries of Eastern Bloc, had an enormous prison population. Therefore, one of the most important tasks facing new democratic governments after the year 1990has been to reform the criminal justice system and reduce imprisonment rates. Unfortunately, after initial successes during the 1990s, the growth of crime and the ascent of penal populism reversed these achievements. Since ten years ago, Poland has again one of the highest imprisonment rates among the EU countries. Over the last coupe of years, moreover, consecutive governments realized that this has led to prison overcrowding making prison conditions problematic, as well as to numerous convictions of Poland by the European Court of Human Rights for various violations of prisoners' rights. Therefore an attempt has been undertaken to change this, and the main tool is supposed to have beena new law making it possible to convert imprisonment sentences of up to one year to be served outside prison under the system of electronic monitoring. The new law entered into force on September 1$^{st}$ 2009, but for technical reasons the system reached its full capacity of 7000 persons under supervision only on January 1$^{st}$ 2012. Altogether, since 2009, 4,792 persons completed successfully their sentences under the new system, and in September 2012 there were 4,194 persons serving their sentences under electronic monitoring. This implies that courts have beenrather conservative in using this alternative, as the number is significantly under the system's capacity. As compared with the total of 76,126 convicts in Polish prisons on September 30$^{th}$ 2012, this number is also pretty small. As a matter of fact, it does not compensate even for increases in recent years in prisoner numbers resulting only from the more restrictive use of conditional release. Therefore, in its current shape, electronic monitoring may eventually help to manage most acute instances of prison overcrowding. But it cannot contribute in any significant way to substantial reduction of the prison population. Radical overhaul of sentencing policies would be required here, but policymakers are obviously not ready even to attempt this.

# DRUGS AND ADULT USERS

**698**

## NARRATIVE STORIES AND DISCOURSES IN AN INTERVIEW WITH A FORMER AMPHETAMINE USER

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There is little Swedish and indeed Western research about the use of illegal drugs by the elderly, i.e., individuals over 50 years of age, and especially from a narrative perspective. Many studies have been devoted to analyzing drug use and narratives among young people. There are also few studies about drug use combining a discourse and a narrative perspective. The aim of this study is to gain an understanding of how a former amphetamine user constructs his life as a former user and the transition from being a user to a non-user. The study has a methodological purpose; providing an example of how narrative analysis and discourse analysis can be conducted and combined. Firstly, an interview with a former amphetamine user in his fifties was analyzed by the narrative method with a focus on identity construction. Secondly, it was then examined from a discourse analytical perspective. The study demonstrates how discourse analysis and narrative analysis could be combined when analyzing identity constructions and describes the positive and negative aspects of such combination.

**699**
## TRENDS IN THE 'HIDDEN' ILLEGAL DRUG CONSUMPTION OF OLDER ADULTS

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Older illegal drug users are seldom researched; the vast majority of drugs research focuses on those users in their teens and early twenties. Furthermore, a great deal of drugs research makes use of samples derived from criminal justice bodies or treatment programmes. As a result, those users who are 'under the radar' of the authorities are often ignored.

This paper discusses the results of a research project focused on illegal drug users over the age of forty who are not in contact with criminal justice bodies or engaged in treatment programmes. These are users with lengthy, sustainable and evolving drug using careers who have tended to combine their use with other, more 'conventional', life choices regarding working life, family life and so on.

Some of the problems encountered in accessing this group will be discussed before a number of emerging trends from the research will be introduced. This includes hidden older users' substances of choice, issues of set and setting, patterns of use and the place of illegal drug use in the wider fabric of their lives.

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**700**
**OLD TRICKS: ALCOHOL, CRIME AND AGING IN THE ALCOHOL-BASED ECONOMY**
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Interest in the crime-alcohol nexus has become a mainstay of criminological endeavour. While much research focuses on underage alcohol consumption (Valentine et al, 2008), alcohol-related violence (Winlow and Hall, 2006) or health outcomes of alcohol use (Babor et al, 2003), research into behaviours of older drinkers who are committed participants within the alcohol-based economy, is conspicuous by its absence. While these individuals may be classed as alcohol-dependent by health agencies, they are keen to distance themselves from 'street drinkers', and their ability to maintain a regular presence in a number of public houses across the city appears to be a key element of their projected identity. Actual and relative cuts to their income (through changes to the benefits system and rising food and fuel costs) create an element of strain, which may propel some individuals into criminal markets. Data suggests that some older adults are engaged in a variety of criminal activities that serve to bolster their legitimate income and fund their regular pub-based alcohol consumption. Examples of this criminality include low level drug dealing, the sale of 'spoiled' food items, through to solicitation. If these crimes are being committed in order to enable continued consumption within the marketised environment of the alcohol-based economy, then this raises a number of interesting arguments supportive to the work of Elliott Currie, Walter DeKeseredy and Rob White among others, that consumer capitalism is inherently criminogenic.

# FEMICIDE

**701**
**VICTIMS OF FEMICIDE: COMPARATIVE ANALYSIS**
Janice Joseph
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Femicide is defined broadly as the killing of women because they are women. It is a leading cause of premature death for women globally. It is also an extreme form of gender-based violence that culminates in the murder of women. It takes different forms and varies greatly from culture to culture. It involves feticide, honor killing, dowry murder, female infanticide, and murder within intimate relationships. In the United States, most of the femicides often occurs within intimate partner relationships. It is the second leading cause of death for all women in the United States ages 20–24, and the leading cause of death for African American women ages 15–24. Geographically, the highest prevalence of femicide occurs in the Southeast and Southwest regions of the country. Gun availability in the United States has also had a substantial effect on the rate of femicide in the United States. This presentation will examine the nature and extent of femicide in the United States among different races. It will also examine the risk factors for femicide for these groups.

**702**
# ANALYZING FEMICIDE PATTERNS AND IMPUNITY

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[4]*Richard Stockton College of New Jersey, Centre for Criminology, New Jersey, United States*

The Commission on the Status of Women, the Human Rights Counci, and the UN Commission on Crime Prevention and Criminal Justice have all called for the collection, analysis, and dissemination of data pertaining to incidents of extreme violence against women, in particular the killing of women and girls. The Office of Drugs and Crime, for the first time, had a chapter on "women and intimate Partner/Family Related Homicide" in its Global Study on Homicide 2011. UNODC found that the share of intimate partner/family related homicides has increased around the world and that the home is the most likely place for a woman to become a victim of homicide. The Small Arms Survey has created one of the most comprehensive databases on female victiims of homicide to date, covering 56 of the world's population in 111 countries,. In countries marked by high levels of lethal violence, women are more frequently attacked in the public sphere. Femicides often take place in a general climate of indifference and impunity. Prof Joseph has found a disportionate level of femicides among Afro-Americans The Vienna office of the Academic Council on the United Nations System organized a symposium on femicide in November 2012 and a side event during the Commission on Crime Prevention and Criminal Justice  and has published a volume of the contributions of scholars, activists, and government offficials.

The Crime Commission asked academiia and civil society organiztions to share best practices and relevant intormation related to investigation and prosecution of these extreme forms of violence against women and girls. It appreciated the research conducted by academia.   Not enough is known is known about the characteristics of victims, perpetrators, and the causes of the lethal violence on a global level. Many murders such as infanticide, honour killings, dowry deaths, targeted killing of women in war, and the killing of indigenous women are not reported. In other contexts, it is not prosecuted. In several Latin American countries, special legislation has been introduced requiring the police to follow-up  all cases of femicide and providing extra penalities if the murder has a misogynist motivation.

In South Asia, citizen campaigns to combat dowry deaths, sex selective abortions, rape and violence against women have proven important to raise awareness, increase support services and sensitize the police. The United Nations General Assembly has called for an exchange of the best practices and strategies. In Latin  America, the Office of the High Commissioner in collaboration with UN Women, is developing a protocol to investigate femicide in the most effective manner. In Bangkok, an open ended expert group will meet to develop a handbook.

The European Society of Criminology can make an important substantive and methological contribution to this process.  By providing information on the available data on femicides, evaluations of what appears to be working, and indications where further research o should be pursued.


**Keywords:** *FEMICIDE, Klilling of women and girls, Impunity*

**703**

**WHEN THE VICTIM IS A WOMAN: PATTERNS OF FIREARM AND DOMESTIC LETHAL VIOLENCE**

Anna Alvazzi del Frate

*Small Arms Survey, Geneva, Switzerland*

The demographics of armed violence are often described in general terms. Men—especially young men—are determined to be most likely to kill and be killed. But the killing of women, statistically approximately 17 per cent of all homicides in the world, reveals patterns which demand further attention. When a woman is killed, this is often the tragic ending of a long story of abuse and violence. If a gun is in the house, domestic disputes are more probably to end tragically, with victims likely being women and children. Frequently, the killing of a woman is accompanied by other tragic events: perpetrators sometimes commit suicide while also taking the lives of others, including children, witnesses and bystanders. Other women who endure abusive and violent relationships also commit suicide in order to end their misery. Although a culture of violence can contribute to higher numbers of victims, this tragic scenario clearly appears across countries and cultures. In countries with relatively lower levels of violence, violence against women is disproportionately high, with higher proportions of women killed. The presentation will highlight trends and patterns of killing of males and females, with particular attention to firearm-related incidents as well as those occurring in the domestic sphere.

**704**

**FEMICIDE, CONCEPTUAL ISSUES AND SOME DATA**

Kristiina Kangaspunta
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Femicide, intended as the intentional killing of a woman for the fact that she is a woman, poses a number of challenges from a statistical point of view. Since, this type of murder is not (yet) considered as a specific offence in most countries of the world, not even as an aggravating factor, national data sources typically do not provide separate counts for such killings.

A specific form of femicide is the one taking place within domestic or family context, the most classical example being a woman killed by her current or former partner. For such cases, an increasing number of countries can provide data on the basis of the relationship between the victim and the perpetrator of the homicide, in the case the latter is known.

Intimate partner and family-related homicide is a criminal phenomenon that shows similar patterns around the world. While globally, 81 per cent of homicide victims in 2011 were male, intimate partner and family-related homicide everywhere affects women of all ages much more than men. On average almost two-thirds (62 per cent) of all victims of intimate partner or family-related homicide in 2011 were women, many of them killed by their current or former intimate partners or spouses.

In contrast to other forms of homicides, which may experience strong variations from year to year, intimate partner and family-related homicides show less volatile trends. While some fluctuations in rates per 100,000 women and men over time can be observed, the trend appears to be relatively stable.

# SUBCULTURES, GANGS AND MAFFIA

## 705
## GANGLAND CLAIMS AND GANGLAND REALITIES: REFLECTIONS ON RESEARCH CONDUCTED IN A BRITISH CITY

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Since its sensational discovery in the 21st century the urban street gang has established itself as the UK's premier folk devil.  In this guise it has been blamed for orchestrating the urban riots of 2011, sexually abusing women, totally controlling life on the estates where they are located and forcing people to join them. Gangs today, it is claimed, are large and corporate in structure. According to the government they are responsible for social breakdown and more generally for 'breaking Britian'. Based on research conducted in areas defined as 'gang afflicted' in a UK metropolitan city, this paper examines the extent to which these gangland claims equate to the street reality we studied.  Given that this research was conducted in areas where confirming evidence would most likely to be found, this research provides an importent reality check on the way the gang is imagined and responded to in the UK today.  Despite searching for confirmation of the gangland UK thesis, we found no evidence supporting these gangland claims.   In other words there was a signficant  gulf between the way gangs are represented and gangland realities that appear very different. The paper concludes by reflecting on why this disparity exists and how research can be refoccused in ways that better captures a reality that appears to lie elsewhere

**706**

**THE PERCEPTION OF A GANG AS A FAMILY: FINDINGS FROM A QUALITATIVE STUDY IN MADRID, SPAIN**

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There are few scientific studies that examine the link between family characteristics, values, and processes within the gang culture (Decker & Van Winkle, 1996). The current research is a qualitative exploration of youth gang members in Madrid, Spain. The research utilized a non-probability technique, specifically snowball sampling was used to locate four of the five gang members interviewed. The sample size was five self-identified gang members. Each gang member interviewed gave an in-depth interview about their perception of their gang as it relates to family charateristics, values, and processes. All interivews were conducted in Spanish. Family characteristics and perception were variables considered. Findings suggest that the self-identified gang members perceive themselves as not just a gang but rather a family that allows for a strong sense of support, belonging, and structure. The findings have serious implications to assist those in a vest interest for gang intervention and prevention strategies.

**707**
# MEDIA MYTHMAKING AND THE EFFECTS ON GANG POLICY AND GANGS IN BELGIUM

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Mythmaking is known to be one of the most important features of gang life, but it is also one of the least studied. Mythmaking is here mainly understood as the narration of stories by which gang members incorporate events into a collective gang history. However an important aspect of mythmaking is that many versions of the same story are narrated and that it remains unclear to what extend these stories reflect what really happened. Gang members themselves are the primary producers of stories, or myths, about gang life. However, they are not the exclusive ones. The media too plays an important role in the mythmaking process. This paper presents the results of a media-analysis of 700 newspaper articles of four Dutch speaking and two French speaking Belgian newspapers on the Black African gangs in Brussels. First the analysis focuses through on the detection of mythic qualities in media coverage and on how media stories distort reality. Second a content analysis of government documents shows how the political discussion about these gangs is foremost shaped by media discourse and consequently how gang policy is based on a distorted image of these gangs. Third, the analysis considers the impact on gang reality. The data originating of a 1.5 year ethnographic fieldwork shows that media representations can have serious repercussions in everyday gang reality.

**708**

**THE MAFIA SUB-CULTURE SYSTEM AND THE MAFIA SOCIAL-CAPITAL IN ITALY**

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During the last ten years Italian mafias, Camorra from Campania region, 'Ndrangheta from Calabria, Cosa Nostra from Sicily and Sacra Corona Unita from Puglia have increased their power in Italy. The spread of mafia culture is a phenomenon that generated over a hundred and fifty years ago. The socio-anthropological side of mafia power is increasing. Mafia power is based on the lack of confidence, perception of the weakness of it, corruption, availability of large amounts of capital obtained through illegal businesses such as drug trafficking, racketeering, prostitution, killing, etc. Thereof is important to investigate and analyze the complex set of the mafia values, codes, religious and not-religious rituals and symbols. Mafia local bosses manage and control people life to acquire consensus by promoting the mafia identity as education law and way of life. During the "Crisis" age it ibecomes a phenomenon which affects the whole of society. that's why the loss of certainties that the traditional culture of legality is producing a social-change in the new generations.

# FUNDAMENTAL RIGHTS, PRIVATE, PUBLIC SECURITY AND PRISONISATION

**709**
## THE SOCIO-ECONOMIC ADDED VALUE OF THE PRIVATE SECURITY INDUSTRY IN EUROPE
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The private security services industry is an emerging free market issue in the European Union. Already four White Papers, as policy documents, are written and discussed: Paris (2008), Stockholm (2009), Brussels (2010) and Madrid (2013). The first one stressed the role of private security as a partner to public security agencies, the second one highlighted the Scandinavian public-private partnership model and the third one mentioned the Belgian integrated security concern approach as an example for Europe.

Today the private security services industry is discussed within an socio-economic framework. Underlying theoretical concepts such as: the risk society, the integrated security concern and the nodal orientation are seen as push factors in order to evaluate the economic assumptions of the private security industry. Private security as an economic reality is functioning in an supply-side economy and contrast to the state owned and guided driven demand-side economy. This implicates an understanding of the Austrian School of Economy fundamentals (e.g.: methodological individualism, human choice, marginal utility, the tragedy of the commons and free riding) in bringing an up-to-date morphology and evaluation. This morphology consists of: number of companies, employment rates, gender, training, age and revenue.

An in depth overview of defined and newly defined market segments are brought and critically evaluated in the existing European Union security policies. Finaly the socio-economic value of the private security industry in Europe will be defined.

**710**
## "FREEDOM AND ITS LIMITS IN THE EUROPEAN JUDICIAL SPACE"

Joanna Banach-Gutierrez
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This paper explores a question of 'freedom', as fully recognised right granted to all individuals in accordance with a rule of law. The discussion is focused in a view of creation the emerging area of freedom, security and justice within the European Union.  It indicates some limits of freedom and aims of such application in reference to activity of individuals. The main noticeable aspect in this respect is that 'freedom', as a fundamental right of individuals does not have its absolute character.

'Freedom' as such is strictly linked with a man's will and his creativity. Nevertheless, one should realise that 'freedom' is not completely unconditional. Since 'freedom' is by paradox limited by 'freedoms' of other persons. It is reasoned by the fact that individual functions as a part of certain society or community and is subordinated to State authority. Thus, 'freedom' of individuals can meet some limits relatively to undergoing situations. Some situations may be influential on the right to freedom, this means there are prescribed its limits by law. Because of this, there is a term known as of so-called situational freedom. Situations which may cause some limits for the freedom of individuals are depended on the time and place.

A quite important role in indicating the limits of freedom is played by morality. Further, the morality in a certain society or community is expressed by set of binding legal norms. Actually, this is the established legal system which has to define and determine the limits of freedom.

Taking into account that each man is free, but at the same time he is responsible of his acting, so the laws should be established in the general interests of public. Therefore, one may agree that 'freedom' of any individual and its limits are strictly associated with the (valid) legal system in force. Such limits are thus determined, both by norms of international law and domestic regulations. At this point, one should notice that the EU criminal policy shall be adopted and applied in the interests of the 'citizens of Europe'. Each individual should enjoy his right to respect private right, as it is granted under CFR of the EU.

Furthermore, the analyses of jurisprudence of the ECHR may illustrate that in concrete situations the interference of public authorities is permitted, as so far it is necessary in a democratic society, and compatible with a rule of law. The most important in such cases shall be thus the conditions of necessity and the aim to be achieved, on the one hand. But, on another side such interference cannot be in contrary to protection of fundamental rights of individuals.  Thus, the public authorities of the States are obligated to act in accordance with the principle of lawfulness and fairness.

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**THE TRANSNATIONAL MACROCRIMINALITY INVESTIGATION AND THE RELATIVIZATION OF FUNDAMENTAL RIGHTS - A BRAZILIAN PERSPECTIVE**

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This work focuses on economic macrocriminality and restrictions on fundamental rights and guarantees, in relation to the transnational criminal investigation. It seeks to offer a reflection, by means of collated doctrine, about the principle of proportionality on the relativization of intimacy fundamental right, in the taking of evidence, through various types of violation of secrecy, and telephone tapping. It begins with a study of the main characteristics of so-called economic Macrocriminality, consubstantiated in injury to supra-individual judicial property, lack of visibility of damages, the new *modus operandi*, and connections with the public authorities. Next, it discourses on the principle of proportionality as a mechanism for applying restrictions on fundamental rights in the concrete case, followed by its application to punitive law. Finally, it deals with telephone tapping and violation of bank secrecy as forms of concrete restrictions on the intimacy fundamental right. The specific aim of the present article is to demonstrate how economic macrocriminality has peculiarities that results in total obsolete means of attaining proofs, requiring a more notable intervention in the individual spheres, providing a possibility of guarantees like to intimacy and privacy being restricted. The subject is important in the direction on providing a reflection on the legal and doctrinal aspects that surrounds economic macrocriminality discussions, establishing, the difference between this one, and the one known for classic criminality. It is analyzed, finally, based on doctrinal discussion concerning the repression to Economic macrocriminality using the principle of the proportionality as a balancer mechanism in the concrete case of restrictions that occur in a criminal investigation. Macrocriminality, notoriously the ones tha trefer crimes that occurin the enterprise economic moulds, do not have a perfectdelimitation,ofwhere its actionsbegin and finish.It was verifiedthatthey are extremelyplanned,escaping thecontroloforganizationsdirectedtoPublicSecurity. It can be affirmed that macrocriminality is an invisible modality of crime, even though it always requires many agents. There search made possible to detect that economic macrocriminality, is endowed with more astuteness as the time goes by ,through top technological knowledge, makes an investigation accompanied by instruments of evidence usually used by the criminal procedure law a extremely hard task. It was high lighted that ,for an effective reprimand, the necessity, in practical terms, to adjust and make some constitutionally fundamental rights more flexible.

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**712**

**EXPLAINING REGIONAL DIFFERENCES OF PRISONER POPULATION RATES IN GERMANY**

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Since David Garland's book *The Culture of Control*, the prison rate has become a common indicator to measure punitivity as a social phenomenon. Most of the international theories developed to explain the differences and changes in prison populations cannot simply be transferred to elucidate the enormous regional differences within the Federal Republic of Germany. Explanatory models drawing on differences in the political system, in the suffrage or the general political orientation do not apply, as the legal and political framework is predetermined on a national level. The input into the criminal justice system is regulated by a common legal system with a federal Criminal Code, a Code of Criminal Procedure and most importantly a federal constitution. Nonetheless, the federal states each also have their own legal and political system. Thus, the question arises whether there are differences in legal implementation, political beliefs and the level of repression in criminal policy reflecting different cultures of punitivity in the federal states. In addition, varying implementation of welfare state requirements could also be a factor explaining regional differences in prison population.

This research aims at analyzing the differences in prison population on federal state level, applying concepts from international studies. Especially Lappi-Seppälä's multi-factorial model will be adopted to investigate a potential interrelation between social and political variables and prisoner rates and to reveal more about a possible punitive turn in Germany.

# CRIMINALISATION, MENTAL ILLNESSES AND SOCIAL CONTACTS

**713**
## INTERSECTING CRIME, CLASS, ETHNICITY/NATIONALITY, AND GENDER ON PRISONERS LIFE PATHS

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Our main purpose is to mapsingularities and common aspectson criminal life paths of Roma individuals, Africans from the ex-colonies and foreigners from Eastern Europe. In their life paths we aim to capture two dynamics: on the one hand, the causes of crime and, on the other hand, the implications that moral entrepreneurs may have in the assignment of the criminal label on these individuals. The social theories of crime give us a sort of proposals to understand the dynamics of criminality and labeling and stigmatization processes. In the context of crime studies that articulate variables as ethnicity, class, and gender, it seems that issues of *relative deprivation* and *social inequalities* are transversal, both in an attempt to understand the causes of crime and to understand the performance of the criminal and social control institutions.

Drawing on 540 prisoners' personal processes and 68 qualitative interviews with male and female prisoners of the mentioned ethnic and foreign groups, we will analyze their objective living conditions before the imprisonment – at familiar, educational, professional and residential levels – and the relationship they had with the criminal justice system. Their criminal experiences were worked in the *intersection* of crucial variables to construct a more complete portrait of crime, such as class, gender, and ethnicity/nationality. The comprehension of this phenomenon was based on a multi-causal approach, articulating processes of exclusion and social inequality and several social marginalizations. In addition, as the statistics are, in part, the result of the action of agents of the criminal justice system, we give here also a statistical contribute in order to characterize the prisoners in a more systematic and embracing manner.

We conclude that the crimes of social groups under study are in fact a result of combined effects of processes of social exclusion and inequalities – in economic, professional, educational and socio-political levels –, prejudice and stereotypes, as well as institutional and daily racism. These trigger deviant behavior and/or the detentions, convictions and incarceration. In short, the objective living conditions and the intersections of class, gender, and ethnicity/nationality co-structure the criminal involvement, either by action or by the reaction from the criminal control agents.

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# THE RECIDIVIST. FROM LOMBROSO'S "NATURAL BORN CRIMINAL" TO MOFFITT'S "LIFE-COURSE-PERSISTER"

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The scientific enterprise of criminology was based *ab initio* on the premise "that criminals can somehow be scientifically differentiated from non-criminals" (Garland 1994: 18). Criminology has always provided useful knowledge for the classification of criminals. Recidivism has played a crucial role in the identification of those criminals deemed dangerous and not amenable to rehabilitation. The presentation reconstructs the history of the recidivist along the line of paradigmatic examples: What are the similarities and differences between Lombroso's "Criminal Man" (1876), Franz von Liszt's "Unverbesserlichen" (1882), Gluecks' "Total Failures" (1930), Shaw's "Jack-Roller" (1930), the "Chronics" of Wolfgang et al. (1972), the "Career Criminals" of Blumstein et al. (1986) and Moffitt's "Life-Course-Persisters" (1993)? Finally, the recidivist of the 21$^{st}$ century as conceptualized by geneticists and neuroscientists is analysed. It is shown that we are not witnessing a relapse in Lombroso's time but that the new criminal biology fits very well into today's risk discourse. Even if the binary opposition between normal and abnormal becomes blurred, criminology seems to cling to its founding duty: Criminology is not only discovering more and more risk factors in order to intervene as early as possible, but is still helping to define and identify which "high-risk-offenders" society has to be protected from.

**715**

**SOCIAL DISORGANISATION OR ORGANISATIONAL DISORGANISATION: DEPRIVATION, RESOURCES AVAILABILITY AND GEOGRAPHIC DISTRIBUTION OF OFFENCES PERPETRATED BY MENTALLY ILL INDIVIDUALS**

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Offences related to mentally ill individuals are not equally dispersed across areas, and understanding this geographic distribution is essential to allocate the appropriate level of mental health resources. The ecology of these offences reflects both criminal and mental health rates explanations. On the one hand, social disorganisation is a common ecological theory to explain the geographic distribution of crime in general. This theory stipulates that the lack of peer supervision might lead to higher crime rates in a given area. On the other hand, the availability of mental health resources might reduce the probability of individuals with mental illness of acting out. The present study located 2,481 offenses leading to a verdict of not criminally responsible on account of mental disorder between 2001 and 2005 in 2,347 geographic areas across a Canadian province. The impact of social disorganisation and mental health resources availability on the rate of offences committed by mentally ill individuals is evaluated with a general linear model using Moran eigenvector spatial filtering. Results show that the level of social disorganisation of a neighbourhood increases the rate of offences. Concerning the availability of mental health resources, the number of community resources in a 30 minutes car distance radius decreases the number of offences in a neighbourhood. However, the farthest the area is from a hospital, the fewer the rate of offences. Thus, both organisational and social controls influence the rate of offending by mentally ill individuals in a given area. Distribution of mental health resources, interpretation of not criminally responsible on account of mental disorder offense rate and rural and urban different realities will be discussed.

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**THE SOCIAL CONTACTS OF PARTNERS OF PRISONERS: CHANGES IN THE FREQUENCY OF CONTACTS DURING DETENTION**

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When their husband or boyfriend is suddenly arrested and imprisoned, partners of prisoners are left to fend for themselves. During this time they might need the emotional and practical support of others more than ever. It has generally been argued that support is more likely when contact is more frequent. However, one of the possible consequences of imprisonment for the partner is loss of social contacts. This can have a great deteriorating effect on the wellbeing of the partner and her children. Little research, however, has focused on the consequences of imprisonment for the partners of prisoners and even less research focused on their social contacts during detention.

This paper focusses on the change in the frequency that female partners of male prisoners have social contact with members from their social network (family, family in law, friends and neighbours) and aims to answer the following questions: how can differences between partners of prisoners in the change in social contacts with their network members be explained? And to what extend does the change in contact differ within the social network (family, family in law, friends and neighbours)?

This study improves on the current literature by being the first to explore the social contacts of partners of detainees during the detention period by using longitudinal quantitative data. This paper uses data from the Prison Project. The data is unique in several ways. Firstly, an improved sampling method has been used, by asking a large sample of Dutch prisoners permission to approach their wife or girlfriend. The second way in which this data is unique is that a relatively large group of partners could be reached. The Prison Project contains information on 156 women whose partner has been detained for several months. The third reason is that the Prison Project data contains two waves.

Preliminary results based on OLS regressions show that partners of prisoners have more contact with their family during the detention than before the detention, but less contact with their family in law, friends and neighbours. The decrease in social contact is not explained by the fact that partners of prisoners have less time for social contact due to the increase in hours that they have to spend on (house)work. The decrease in social contact is partly explained by stigmatization: if friends, for example, give negative reactions to the partner about the detention, the partner has less social contact with these friends.

**717**
**HELLFIRE 2.0: A QUANTITATIVE EXPLORATION OF THE RELATIONSHIP BETWEEN RELIGION, SOCIAL CONTROL AND JUVENILE DELINQUENCY IN BRITAIN**

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Religion has long been recognized as a key behavioural influence, yet despite widely accepted academic consensus as to its pro-social properties comparably little research has sought to investigate its influence on crime and delinquency. While a period of elevated research activity in the late 1970s and early 1980s gives some indication that the relationship may well be negative, few recent, non-American or random-sampled research papers exist to substantiate the existence of a link outside of the comparably narrow range of contexts investigated.

This is particularly problematic in respect of generalizations to the UK. Given the significant differences between 20th century America and contemporary Britain it cannot be assumed that any relationship identified in the existing US research will hold true in the UK. Indeed, as the findings of quantitative work comparing the effect of religiosity on social capital in the US and UK indicate significant contextual differences, it seems likely that any attempt to uncritically generalize from the existing research will be flawed.

This paper aims to address this shortcoming by providing an empirically rigorous quantitative test of the relationship between religion and delinquency in contemporary Britain. Using data from the first (2012) wave of the Youth Social Media Survey, it will employ logistic regression analyses to model the relationship between religious practice, religious belief and involvement in a range of delinquent and criminal acts.

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**MEMBERSHIP AND YOUTH CRIME: TAKING A CLOSER LOOK ON THE RELATIONSHIP BETWEEN ASSOCIATIONS AND SELF-REPORTED DELINQUENCY**

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Advocates of social capital theory like Robert D. Putnam argue that participation in associations, clubs etc. have crime reducing impacts for juveniles. However, the findings in this field are not consistent. Whereas some studies report crime reducing impacts of membership other scholars (e.g. Wright & Fitzpatrick 2006) find a positive effect of membership on self-reported violent behavior.

The present paper aims to shed more light on the complex relationship between membership and delinquency by studying a broad range of different associations, different forms of involvement in associations and different types of crime. Using multilevel data from a survey of more than 44,000 9th grade pupils from 61 areas of Germany we are also able to assess the impact of associations on the macro level on individual behavior.

The results show that the crime reducing effect of membership does not hold for all types of associations/ clubs. Furthermore, there is evidence that membership reduces property crime to a greater extent than violent crime. This also holds, when we look at the group of juveniles that is very engaged (holding an office, social engagement).

The discussion addresses the aspects of selection vs. socialization and suggests new research approaches to uncover the role of associations more closely.

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**719**
# SPECIAL ORDERS FOR JUVENILE OFFENDERS IN THE REPUBLIC OF SERBIA

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Juvenile criminal law of the Republic of Serbia is in line with contemporary scientific tendencies in the field of combating juvenile crime. Instead of coercion and deprivation of liberty, the Law on Juvenile Offenders and Criminal Protection of Minors provides a wide register of special orders, that are adaptable to the personal needs of juveniles. Among 10 types of special orders serbian law provides: apology to the victim; regular attendance at school or at work; training for a job that suits juveniles abilities and preferences; humanitarian work; subjecting to the appropriate testing and to the treatment of the addiction; individual or group therapy and other. The aim of special orders is to enable and support the development of personal responsibility of minors.

Research indicates that special orders are used in a small percentage in cases of juveniles in conflict with the law. Successful implementation of special orders requires adequate human, financial and other resources. The lack of these resources is the reason why special orders do not get to be applied as much as it would be appropriate. As well as many other countries, Serbia is facing economic crisis, therefore, wider application of special orders and better care for juvenile offenders are preconditioned by the improvement of general economic and political circumstances.

**Keywords:** *juvenile offenders, special orders, Serbia*

**720**
# JUVENILE DELINQUENCY: A CROSSTALK BETWEEN INDIVIDUAL AND SOCIAL FACTORS

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Juvenile delinquency has been a major topic of research in criminology. The empirical studies in this area have been developed approaches using different levels of analysis and theoretical frameworks, namely the General Theory of Crime (Gottfredson and Hirschi, 1990) and Situational Action Theory (Wikström, 2006). This presentation will be based on empirical data from a cross-sectional Self-reported Study on Juvenile Delinquency (based on ISRD-2) carried out amongst juveniles between ages of 12 to 18 years (N=2898) from the two major urban centers of Portugal. The relationship between delinquent behaviour, victimization, individual and contextual factors will be presented. The analysis is focused on the interplay between individual factors (the capability to exercise self-control and individual moral rules) and social factors (parental supervision, school attachment, peers and neighborhood conditions). The results suggest that the relationship between self-control, morality and delinquency is mediated by deviant peers. The relevance of this results will be discussed within the recent theoretical developments.

# JUVENILE JUSTICE AND POLICY EVALUATION

## 721
## CHILD-FRIENDLY JUSTICE FROM THE HUNGARIAN OMBUDSMAN'S PERSPECTIVE

Agnes Lux
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A new Basic Law (Constitution) of Hungary entered into force on the 1 January 2012. With the aim of ensuring the effective and coherent protection of fundamental rights the Hungarian Parliament adopted a new Act on the Commissioner for Fundamental Rights (Act CXI of 2011) pursuant to Article 30 of the Basic Law. Based on this new legislation, the Commissioner now has a more emphasized legal obligation to defend the rights of the child (Art 2). Since Hungary does not currently has an independent body or Ombudsperson for children, the working method of the Commissioner has been to set up annual projects on various children's rights themes, e.g. violence against children (especially in school) in 2009, rights of children in alternative care in 2010, right to health in 2011. In line with the current priorities of the Council of Europe, European Union and the European Network of Ombudspersons for Children, 2012's project was dedicated to the topic of child-friendly justice. The ombudsman has initiated ex officio, comprehensive investigations about the following topics among others: situation of child victim support system in Hungary; fulfillment of the international legal obligation concerning child-friendly justice (e.g. Council of Europe Guidelines on child-friendly justice); how was the juvenile justice system transformed (situation of youth detention centers) in Hungary; mediation and other forms of restorative justice especially related to youth procedures in our country; general evaluation of your justice system (criminal, civil and administrative) from the aspect of children's rights. The findings of the investigations were published in 9 comprehesive reports.

**722**
**EVALUATION OF THE NEW FEDERAL JUVENILE CRIMINAL JUSTICE ACT IN SWITZERLAND: MAIN FINDINGS IN COMPARATIVE PERSPECTIVE**

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<u>Aims</u>: On behalf of the (Swiss) Federal Office of Justice a research team of the Bern University of Applied Sciences evaluated the Federal Juvenile Criminal Justice Act (JCJA) entered into force on January 1, 2007. The revision of the criminal law relating to juvenile offenders followed the guiding idea of social integration by education. It explicitly also aimed at strengthening the rights of the offenders in criminal procedure and during enforcement of sentences by establishing some minimum standards. The evaluation focused on how these aims were reached, and, whether the introduction of the new law has influenced the scope of juvenile delinquency in Switzerland.

<u>Applied methods</u>: The research methods applied comprise (1) primary analyses of convictions according to JCJA, (2) secondary analyses of offences reported by the police, (3) an online survey addressing all cantonal authorities involved in juvenile justice, (4) another online survey addressing all members of an association that incorporates various professionals involved in the juvenile justice system, and finally, (5) a secondary analysis of data gained from interviews with youthful offenders which were executed within the frame of a previous research project. Beside these data sources some leading newspaper were subjected to a rudimentary content analysis referring to volumes 2007 to 2010; additionally, an online database containing information on parliamentary political initiatives of the same period was used.

<u>Results</u>: Regarding the aims of the new law as envisaged by the legislator it can be stated that these were mostly achieved; expert knowledge referring to the legal practice points at several deficiencies though. With respect to the new law's effects on the development of juvenile offending there is at least no evidence that the new law has provoked an overall increase in juvenile delinquency. The results of the evaluation shall be discussed also in international comparative perspective (in particular in comparison with Germany).

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# EVIDENCE OF JUVENILE JUSTICE REFORM IN THE UNITED STATES: POLICIES THAT REAFFIRM YOUTH AND REHABILITATE JUVENILES

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The punitive and harsh policies that characterized juvenile justice in the United States in the late 1990s and the early 2000s seem to have waned and there is evidence of a greater emphasis on a balanced approach. This paper examines trends in juvenile crime, initiatives in juvenile policies, and emergent reforms in the U. S. juvenile justice system. The decrease in juvenile crime and the research on evidence based practice, make this an ideal opportunity to assess progress. One notable indication is the U.S. Supreme Court's rationale in overturning the death penalty and mandatory life without parole sentences for juveniles in which the Court essentially reaffirmed that youth are different. Although these decisions have yet to have the far-reaching effects that were envisioned by some advocates, the justices articulated a characterization of adolescence that underscores the developmental nature of youth and their capacity for reform. The recent cycle in U. S. policies recognizes the spirit and intent of the Beijing Rules (1985) articulated by the General Assembly of the United Nations and is indicative of a more rehabilitative approach in juvenile justice.

**724**

**POPULAR DEMAND AND THE PUNITIVE SHIFT IN JUVENILE JUSTICE. TWO SIDES OF THE SAME COIN? AN EMPIRICAL STUDY OF PUBLIC OPINION REGARDING PUNISHMENTS FOR YOUNG OFFENDERS**

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Historically, the development of Juvenile Justice has been based on the achievement of two conflicting aims, namely the rehabilitation and punishment of young offenders. In contrast to the educational objectives which governed the advent of this system, its evolution has been marked by a shift towards a model of responsibility in which punishment has been granted an increasing degree of protagonism. This shift, which was not the result of an increase in crime, has been justified by claims that it was a response to what society was demanding. However, the idea that the general public unanimously supports a philosophy of retribution, particularly with regard to juvenile crime, has been widely questioned. For that reason, this study has the dual purpose of both examining public opinion regarding the punishment of juvenile offenders and exploring the various elements which constitute punitive attitudes. In order to achieve this objective, a sample of 1,000 subjects was analysed. All were over 18 years of age and resident in Spain. The results obtained show a population which is moderately punitive and ambivalent, which does not regard the antagonistic principles of reeducation and punishment as being mutually exclusive and supports both simultaneously. Furthermore, the data confirm both the multiplicity of the elements which comprise punitive attitudes and the limited capacity of sociodemographic factors to predict them.

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# SENTENCING PANEL 2. JUDICIAL POLITICS, SENTENCING POLICY, AND MODELS OF PENAL DECISION-MAKING

## 725
## JUDICIAL POLITICS, JUDICIAL REVIEW AND THE PRE-EMPTIVE TURN IN CRIMINAL JUSTICE: THE CASE OF THE IMPRISONMENT FOR PUBLIC PROTECTION SENTENCE

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State efforts against 'dangerous offenders' are long-standing in several European jurisdictions, most notably Germany (Michaelsen, 2012) and England and Wales (Jacobson and Hough, 2010). Over recent years, Strasbourg and national courts have increasingly sought to place limits on preventive detention of such 'dangerous offenders' (Brown, 2011; Michaelsen, 2012; Slobogin, 2012). The central role of these senior courts in shaping the nature and use of such sentences is therefore indisputable. Because of this and other developments, the senior judiciary's important role as judicial policymakers is now generally accepted – albeit to different extents – as self-evident (Malleson, 1999). However, notwithstanding notable exceptions (Paterson, 1982; Robertson, 1998), discussions of senior judges as political actors still tend towards the rather blunt class analysis provided by JAG Griffith's ground-breaking *The Politics of the Judiciary* (Griffith, 1997). This paper seeks to develop a conception of senior judiciary activity grounded in the interpretive political analysis of Bevir and Rhodes (Bevir and Rhodes, 2003; 2006) and in particular their concept of 'tradition', being 'a set of understandings someone receives during socialization' (Bevir and Rhodes, 2006: 7). Drawing on a range of existing literature and case law, a British 'judicial tradition' and its constituent aspects are thus sketched. This interpretive lens is applied to the case law of the Imprisonment for Public Protection (IPP) sentence of the Criminal Justice Act 2003, standing as it does as one of the most far-reaching instantiations of the increasing creep of 'precautionary logic' into the sentencing field in recent years (Dennis and Sullivan, 2012; Jacobson and Hough, 2010). This exploration draws on an analysis of interviews with five current and former senior British judges, extra-judicial speeches, articles and relevant case law. The resulting analysis highlights the tensions within the dominant British judicial tradition and its limitations in providing the senior judiciary with a coherent framework within which to confront the 'pre-emptive turn' in criminal justice (Zedner, 2009).

**726**

# LEGITIMACY AND PUNITIVENESS: THE ROLE OF JUDICIAL ACTORS IN ITALIAN PENALITY, 1970-2000

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This paper investigates the role of judicial actors in Italian penality between 1970 and 2000. In Italy, structure, legitimacy and institutional set-up have combined to create a judicial class that is diverse, independent and directly involved in the political dynamics that shape Italian penality. An institutional analysis of the Italian judiciary helps us understand these judicial contributions. In particular it reveals that judicial actors are purveyors of varying penal pressures – both for expansion and containment – and thus contribute to Italy's oscillation between repression and leniency.

In this paper I argue that the Italian case also highlights the importance of factoring *judicial legitimacy* into our analyses of judicial contributions to national penality. Legitimacy here is both *external* – legitimacy vis-à-vis political class and public – and *internal* – judicial self-conception. External legitimacy refers to the conditions in which judicial action is seen as legitimate by the political class and the public: what position on law and order issues is considered legitimate? Internal legitimacy refers to the conditions in which judicial actors will consider their own action to be legitimate: what position on law and order issues do they feel free to adopt?

Judicial legitimacy is important beyond the Italian context. It should thus be incorporated into our analyses of judicial contributions to penal trends. This paper ultimately suggests that, proceeding from the Italian case, we ask how judicial structure, legitimacy and institutional set-up have combined across contexts, and how this combination has led judges to convey or resist existing pressures for 'punitiveness'.

**727**
# JUDICIAL INDEPENDENCE: THE MASTER NARRATIVE

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Despite extensive doctrinal critique, judicial independence remains an opaque concept and its implications for criminal justice trial and sentencing processes are relatively unexplored. It is a concept which is difficult to define, often mythologised and reified, and there is some 'sociological innocence' about its meanings and effects. Judicial independence is most often discussed in criminal justice and sentencing research in relation to its first meaning in use, namely the doctrine of the separation of powers and the rule of law. It is also relevant in the context of sentencing reform where it is regularly invoked by the judiciary to resist political interference with the exercise of discretion. The second meaning of judicial independence refers to the impartiality or neutrality of the individual judge. This usage has implications for everyday practice in the criminal courts, raising questions about judicial 'distance', traditions, challenges and emotions. In this paper I draw on my narrative study of judicial culture to explore some of these aspects of penal practice and consider their implications.

**728**
**SENTENCING IN ENGLAND AND WALES: WHAT THE OFFENDER REHABILITATION BILL 2013 TELLS US ABOUT THE RELATIONSHIP BETWEEN SENTENCING LAW AND POLICY TODAY**

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Sentencing law is frequently changed in England and Wales. Whilst the changes introduced by the Legal Aid Sentencing and Punishment of Offenders Act 2012 have only recently been brought into force, Parliament is already debating the Offender Rehabilitation Bill 2013 which makes significant changes, in particular, to the rules on the release, and supervision after release, of offenders, and on the extensions periods for extended sentence prisoners. This paper will explore the context of the changes, and whilst welcoming in principle the commitment to 'supervision' on release for all released prisoners, including for those who have served short sentences, the paper questions the impact these changes will have on the lives of offenders in practice. The paper contrasts the wording of the Bill with the realities of supervision. Given the current crisis of funding in the criminal justice system, the presentation concludes that without a much stronger framework of accountability for all sentencing decisions, which includes decisions on supervision and recall to prison, as well as funded initiatives to support offenders, the changes are unlikely to achieve the Government's ambitions for them.

**729**

**YOUTH JUSTICE MODELS IN THEORY AND PRACTICE. DECISION-MAKING BY BELGIAN YOUTH COURT JUDGES**

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Youth justice models are often used to describe or compare youth justice systems and policies or to describe national and cross-national changes over time. This lead often to very general conclusions whereby abstraction is made of local differences or practices, as well as the sentencing complexity of everyday life. In our study we try to get an insight in this complexity and to find out if and to what extent elements of the different theoretical models (welfare, justice/retributive, restorative, actuarial) can be found in the decision making process of Belgian youth court judges. Is one model (welfare model?) more dominant or do we observe differences in relation to the case, the judge self and/or the judicial district (local context)? We will present the results of an ethnographic study in two Flemish judicial districts. Judges were observed and interviewed about their decision-making process in real cases. Central topics identified through a thorough literature review, in particularly on youth justice models, are: perception of the offender, degree of individual responsibility, active vs. passive responsibility, objective(s)/purpose(s), place of legal safeguards (proportionality, (in)determinate sentences), role of different actors (lawyer, social service, victim,…).

# EUROC 7: CORPORATIONS AND ORGANISED CRIME

**730**

**THE ITALIAN FOOD FRAUDS. HOW ORGANISED CRIME, FOOD CORPORATIONS AND INADEQUATE CONTROLS ARE COOKING A KILLING RECEIPE**

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The Italian cuisine is one of the most famous in the world. The sale of food products marked as Italian every year moves billions of euros across the planet, and includes both fresh foods (such as fruits and vegetables) and processed products such as pasta, cheeses, sauces, tomato sauces, wine and olive oil. Actually it is possible to find these foods in each country, on the shelves of specialty stores or supermarkets. These products are used as well (or so it is claimed) by the numerous Italian restaurants that can be found in every city. Although the quality of the food is often not very good, and the recipes are even not Italian, it is sufficient to indicate a food as a "product of Italy" to make the customers to agree to pay higher prices for that food, confident in its quality and freshness.

Italy obviously has a significant interest in maintaining and publicize the excellence of its food products, protecting them in the first place within the European Union and then in other countries, with a number of certificates of guarantees such as the so called DOP and the IGT. The cases of international fraud, regarding non-Italian companies marketing food products as Italian though these are not Italian at all, are pursued with great rigor by the Italian institutions, although the available legal instruments are often not adequate.

The problemof fake Italian food producted, sold or exported by Italian corporations and firms as really Italian, even if it is not producted using Italian raw materials or according to the traditional legally recognised rules (as for the mozzarella cheese) is not very well known, especially abroad.The Italian national legislation is often inadequate, and the controls in some cases are outweighed by the high levels of corruption among the inspectors. In addition, the penalties that are imposed are absolutely ridiculous compared to the enormous gains provided by food frauds. This is why there is an increasing involvement of criminal groups linked to traditional organized crime in close cooperation with the big food companies, often multinationals.

In this presentation we will analyze the current situation of Italian food frauds, considering the current Italian legislation, the involvement of organized crime and the role of food companies. Particularly relevant recent case histories will be examined in order to clarify the real extent of these frauds.

**731**

**EXTORTION AGAINST BUSINESS OWNERS - WHAT ARE THE CONSEQUENCES?**

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This paper on extortion against business owners shows the severe consequences for those who are targeted. The research consists of case file analysis and qualitative interviews. The interviews were conducted with offenders connected to organised crime, victimized business owners, public officials and security managers in larger companies. Focus in this paper is on how the victims react and deal with the situation. Common responses are fear of violence, guilt of being targeted and concern for the safety of family members. These typical reactions to crime are exacerbated by the constant threat that is implied by extortion. This pressure results in some business owners starting to commit crimes of their own, others paying the extorter and some reporting the crime to the police. In some cases the offender is an employee or a co-owner of the business, which causes complications for the enterprise. Furthermore consequences for business sectors are outlined. The paper also describes the methods used by the offenders - debt collection, selling "insurances" or the use of criminal consultants to solve "problems".

**Keywords:** *Extortion, business owners, victims of crime, Sweden*

**732**

**COMBATING ORGANISED CRIME - AN EVALUATION OF THE SWEDISH MULTI-AGENCY APPROACH TO FIGHT ORGANISED CRIME**

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Since several years, organised crime has been a prioritized issue on the Swedish criminal policy agenda. Previously, the work against organised crime has mainly taken place within the framework of the regular police activities. Critics argued that this meant certain limitations and structural barriers that hampered efficient work against organised crime. The new strategy against organised crime is based on the thought that networks only can be defeated with networks. The fight against organised crime has evolved from being a police matter to becoming an important issue for a lot of different authorities. The "team" has received reinforcements not only from law enforcements authorities such as The Economic Crime Authority, the Customs, the Security Service, the Prison and Probation Service and the Coast guard but also from authorities such as the Social Insurance Agency, the Tax Agency and the Enforcement Authority. The keyword for the new strategy is co-operation between authorities.

This paper identifies and discusses the pros and cons of the Swedish multi-agency approach against organised crime. The discussion is based on empirical data consisting of 139 in-depth interviews with persons working within the multi-disciplinary approach, 19 case studies of operations against organised crime and several participant observations and "ride alongs".

**Keywords:** *Multi-disciplinary approach - oc - police research - assets recovery - Sweden*

# GENDER, CRIME AND CRIMINAL JUSTICE PANEL 2 (ESC WORKING GROUP)

**733**
**GENDER, CRIME AND CRIMINAL JUSTICE PANEL 2 (ESC WORKING GROUP): WOMEN'S STORIES OF CRIME AND JUSTICE: CROSSING BOUNDARIES AND BORDERS, AND CONSTRUCTIONS OF FEMALE CO-OFFENDING**

Loraine Gelsthorpe
*University of Cambridge, Institute of Criminology, Cambridge, United Kingdom*

The Gender, Crime and Criminal Justice Working Group has been in existence for three years. Interest is growing and these three panels showcase some of the work being carried out by members of the group. We are gradually moving towards the possibility of a special issue of the *European Journal of Criminology* and these three panels will be important to considerations of the shape of such a volume.

The first panel focuses on women and girls' distinctive pathways in to crime and, in Scotland, a missed opportunity to radically reform provision for women and girls following a recent major review of policy. The second panel takes as its theme 'Stories' - looking firstly at the stories of six female prolific and priority offenders - rare in the field on female offending; secondly looking at stories of women whose offending has taken them across national borders, and thirdly, looking at stories of transportation. The third panel looks at women, partner violence and sexual offences.

There will be four presentations in the first panel and four in the second, but the third panel, with three presentations, also allows a short period of time for open discussion about the Working Group and it future direction.

**Panel 2 ESC GENDER, CRIME AND JUSTICE WORKING GROUP: WOMEN'S STORIES OF CRIME AND JUSTICE: CROSSING BOUNDARIES AND BORDERS, AND CONSTRUCTIONS OF FEMALE CO-OFFENDING (Chair: Michele Burman)**

1) Serena Wright: Making the 'too few' count: Life stories of six female 'Prolific and other Priority Offenders'.
2) Linnéa Österman: Stories Across Borders: How female ex-offenders make sense of their journey through crime and criminal justice in cross-national contexts.
3) Robin Robinson: (Re)Producing Labor in Colonial America: Forced Migration and Gendered Exploitation of Transported British Women Convicts
4) Sara Uhnoo: Gender in the Legal System: Constructions of female co-offending with male accomplices

# MAKING THE 'TOO FEW' COUNT: LIFE STORIES OF SIX FEMALE 'PROLIFIC AND OTHER PRIORITY OFFENDERS'.

Serena Wright
*University of Cambridge, Institute of Criminology, Cambridge, United Kingdom*

At the turn of the last century, Frances Heidensohn - reflecting on the 'picture' of women and crime as it then stood - noted that because crime was not typically a female activity, women had been largely consigned to the margins of criminological research. Compared to their male counterparts, they had frequently been dismissed as being 'too few to count' (Heidensohn, 1991).

Certain areas of criminological interest are aroused by the 'few'; those novel and rare offenders, of which 'the serial killer' (who exists in numbers far fewer than sensationalist media accounts would have us believe) represents a prime example. Being an exception to the general rule, however, does not *always* act to the advantage of rare subsets of the offending population. Whilst research on women and crime in general has witnessed an exponential growth, the fact that life-course persistent offenders are 'very rarely female' (Piquero & Chung, 2001) has acted to suppress research interest in repeatedly criminalised women, particularly within the context of England and Wales.

Working from this position, the current paper aims to introduce a woman-centred, counter-narrative of 'career offending', based on the life stories of six female *Prolific & other Priority Offenders (PPOs).* In doing so, it represents a challenge to the existing body of 'PPO' research, as well as the literature on 'career criminals' more broadly, which have both thus-far based their conclusions primarily on data from the (male) majority, to the detriment of the (female) 'few'.

**735**
**STORIES ACROSS BORDERS: HOW FEMALE EX-OFFENDERS MAKE SENSE OF THEIR JOURNEY THROUGH CRIME AND CRIMINAL JUSTICE IN CROSS-NATIONAL CONTEXTS**

Linnéa Österman
*University of Surrey, Department of Sociology, Guildford, United Kingdom*

This doctoral research explores female ex-offenders' experiences of crime and criminal justice in different cultural contexts, namely in Sweden and England. Comparative criminology is an area overwhelmingly dominated by quantitative methods; however, in order to grasp the *lived* aspects of crime and criminal justice in different national settings, it is argued that comparative perspectives must move beyond large-scale measures and also include qualitative viewpoints. Grounded in a feminist methodological framework, this research attempts to make a unique contribution to the field via comparatively exploring a sample of life-story narrative interviews conducted with ex-offending women across Sweden and England. Having recently finalised the data collection process, I will in this paper reflect on preliminary findings from this research in progress, particularly focusing on the Swedish sample. Sweden, with its long-standing history of social democracy, is well known for its strong support of feminism and consistently ranks in the top stratum on formal gender equality measures. Moreover, Sweden, along with its Scandinavian neighbours, is also a country commonly presented in the literature as a key example of penal exceptionalism; typically characterised by low rates of imprisonment and humane prison conditions. However, little is known about the qualitative first-hand experiences of the female offender in this particular setting. Thus, situated in a national context marked by high levels of gender equality and a penal climate commonly described as being of an exceptional nature, this paper aims to address this gap and specifically explore the female *lived* experience of crime and criminal justice in Sweden, including looking at the role of gender in her pathway into and out of crime and her subjective understanding of justice.

**736**

# (RE)PRODUCING LABOR IN COLONIAL AMERICA: FORCED MIGRATION AND GENDERED EXPLOITATION OF TRANSPORTED BRITISH WOMEN CONVICTS

Robin A Robinson
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This paper builds the case that convicted and transported British young women were intended as a reproductive labor force in the British colonial economy, promulgated in America in the late 17th C and throughout the 18th C. Sampling from records of the London criminal court and lists of approximately 5000 transported British women convicts to America suggest that following the passage in the British Parliament of the Transportation Act of 1718, most females were of reproductive age. Data from online genealogical sources and birth and baptismal records amplify that argument. Compelling evidence from court, plantation and slave records in the United States and in Britain add to the overall argument in the aggregate as well as to develop detailed, individual case studies. Colonial plantation owners' diaries and ledgers reveal a wealth of social history detail – including appeals for relief from mostly younger women (widows, 'spinsters,' and single mothers, apparent subjects, many of them, of hefty use of euphemism in chronicling parish matters), tax records (that distinguish black and white 'tithables') - and provide plausible evidence of the apparent fiscal wisdom of the transportation sentence and subsequent purchase of young, white, 'imported Christian' women. Primary source documents reveal the tenor of women's social place once they completed their sentences, as unmarried or abandoned women with children who were left to appeal for parish relief, subjecting them to further sentences of servitude, and their children to servitude for very long periods. There is evidence to suggest motive and method for shielding important men from scandal as this practice continued, protected by statutes and magistrates alike. The paper concludes with case study synopses that bring to life this very much forgotten chapter of British-American colonial and women's history: as untold stories of individual women, as well as untold history of early trafficking of women's bodies to America.

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# GENDER IN THE LEGAL SYSTEM: CONSTRUCTIONS OF FEMALE CO-OFFENDING WITH MALE ACCOMPLICES

Sara Uhnoo

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The aim of this paper is to explore gender in the legal system by focusing on how female offending with male codefendants are legally constructed. The paper is based on a case study of all Swedish district court cases from 1992-2008 involving a woman convicted of arson together with one or several men. Empirical findings are analyzed through the lens of feminist criminological theories, especially the Chivalry hypothesis, that female offenders are treated more lenient in the criminal justice system, since they are viewed as weak and irrational, and the hypothesis of a Bonnie-and-Clyde effect, stating that men and women that collaborate in crime are treated harsher that when they act independently of each other in criminal pursuit. Particular attention is given to constructions of the roles played by women in the arson offence and constructions of the relationships between female and male codefendants, as this have implications for the attribution of legal responsibility. The findings are also related to previous research on juvenile firesetting and female arsonists.

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# FAMILY AND YOUTH CRIME PREVENTION

**738**

**ANALYSIS OF EXIT INTERVIEWS CONDUCTED AFTER COMPLETING FUNCTIONAL FAMILY THERAPY.**

Katarzyna Celinska

*John Jay College of Criminal Justice, City University of New York, Law, Police Science and Criminal Justice Administration, New York, United States*

This presentation focuses on qualitative analyses of exit interviews conducted with youth and their guardians after they participated in the Functional Family Therapy (FFT). FFT is a family-focused therapeutic intervention that aims to reduce delinquency and violence among at-risk youth. This intervention was conducted in a clinical setting by family therapists with court-involved youth ages 11-17 characterized by histories of aggression towards people, destruction of property, and chronic truancy. FFT is comprised of three discrete stages: engagement and motivation, behavioral change and generalization. During the engagement and motivation phase, the therapist focuses on building an alliance with families and on reducing negativity and blaming. The behavioral change stage is devoted to altering behaviors of adolescents and their family members that led to conflict.

The data came from over 100 interviews conducted with youth and their parents. The satisfaction of the clients is measured via Satisfaction Interview that includes Likert scale questions derived from the scale created by Tolan and colleagues, and the open-ended questions that were created by the researcher, specifically for this program.

The interviews present families' overall satisfaction with the intervention and with the therapists. This presentation compares satisfaction of youth with the satisfaction expressed by their parents.

**739**
# THE ROLE OF THE FAMILY IN FACILITATING GANG MEMBERSHIP, CRIMINALITY AND EXIT

Wendy Fitzgibbon, Tara Young
*London Metropolitan University, Department of Criminology, London, United Kingdom*

The growing perceived threat, in the United Kingdom, from the gang has occurred against the background of increasingly restrictive legislation and numerous policy documents focusing on what might be responsible for the possible rise in gang membership. Problems within families are often cited as being key factors when explaining why some young people join gangs or end up on road. Very little research has been done with family members whose relatives are, or were, in gangs so, for example, we do not know much about the costs or benefits of gang membership for the family. This paper concentrates on the family. It seeks to explore whether, and in what way, family characteristics contribute to gang membership and criminality. It looks at the life experiences of parents, siblings and other family members whose relatives are in gangs. It seeks to uncover the strategies used by family members to protect families from the negative aspects of gang membership or to enable their gang-involved relatives to quit their involvement in gangs. It also examines the support and resources provided by professional agencies working with gang members and their families to facilitate gang exit.

**740**
**WORKING WITH FAMILIES IN JUVENILE JUSTICE**
Chris Trotter
*Monash University, Social Work, Melbourne, Australia*

This presentation provides an update on a current research project on the effectiveness of working with families in youth justice in a rural and remote region of New South Wales in Australia. The project uses 'Collaborative Family Work', a problem solving model developed for use with young offenders and other involuntary clients and their families. The project involves offering family work to fifty young people following their release from detention or after being placed on probation. The family work is offered by juvenile justice workers, working in pairs in the family homes. Generally the work invloves six to ten sessions each of about 45 minutes. The outcomes including recidivism and client responses are being collected in relation to 50 young offenders who receive family work and a matched control group of 50 young offenders. The early results suggest that many but not all juvenile justice workers can adapt their skils to work successfully with families and that young people and their familles respond positively to the process. To date 15 families have undertaken the family work and only two families have dropped out. Up to date results from the project will be presented at the conference.

**741**
# DEFINING 'MULTI-PROBLEM FAMILIES': A REVIEW OF THE LITERATURE AND IMPACT ON FAMILIES

Tessa Verhallen
*Willem Pompe Institute, Department of Criminal Law and Criminology, Utrecht, The Netherlands*

This paper is based on an three-year ethnographic study on so-called 'multi-problem families' (mpf) and demonstrates the impact of defining families as such in both theory and practice. First, based on a review of the literature, different definitions and the logic behind them are discussed from an institutional discourse perspective (Agar 1985). The function of the diagnosis 'mpf' in institutional social work discourse is to translate the needs of clients and to asses them. This has an impact on the lives of clients. The narratives of thirty single mother families with multiple problems show the impact of labelling them as 'mpf' and interviews with fifteen social workers show their perspective. Moreover, interactions between social workers and ten single mothers reveal how these families are being labelled as 'multi-problematic' or families at risk. The use of this term in interactions with families affects the relationship with families because they feel offended and stigmatized. With this the success of interventions decreases. However, on the level of identity formation processes interactions between social workers and mothers reveal that problem-based institutional discourse (e.g. Sousa *et al.* 2006) not only leads to processes of dissociation but also to processes of self-labelling and association. From an institutional discourse perspective this results in an advantage because such a (self)diagnosis is a means to an end.

**742**

# LIKE FATHER, LIKE SON - THE EFFECT OF PATERNAL IMPRISONMENT ON ADOLESCENT BOYS' CRIME RATES

Rikke Fuglsang Olsen, Cedric Gorinas
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Using Danish register data on the cohorts born in 1980-1984 this paper offers novel empirical evidence on the relationship between paternal imprisonment and adolescent boys' own criminality in a European context. In this paper we analyse outcome changes from before to after paternal imprisonment providing leverage to the fundamental discussion in the parental imprisonment literature about whether parental imprisonment in itself affects children's own criminality, or if parental imprisonment is merely a proxy for pre-existing disadvantage including parental criminality. Employing a matching and difference-in-differences approach and thus analysing within-individual change renders it possible to make convincing claims about the relationship between paternal imprisonment and adolescent boys own criminal outcomes. We find moderate, but statistical significant effects of paternal imprisonment on adolescent boys' crime rates in Denmark when compared to a matched control group of adolescent boys with convicted but not imprisoned fathers. In other words our results suggest that there *is* an effect of paternal imprisonment on adolescent boys' criminal behavior over and above social background factors and parents' criminality.

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**743**
# POSITIVE SECURITY: A THEORETICAL FRAMEWORK

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In the last decennia security has become the grand narrative that structures society and directs many public, academic and political debates. Criminology classically refers to security as protection against danger in the form of crime, nuisance and deterioration. The emphasis is on law and government apparatuses, such as the police, that have to enforce the law. However, the etymology of the word 'security' shows that this negative interpretation of the concept is limited at the least. Security can be traced back to the avoidance of crime and nuisance, but it also refers to a mutual trust and solidarity. This opens up the possibility to approach security in a more positive way. In this paper we examine how to give substance to the positive side of security, using three alternative discourses: socio-biological, anarchic and religious. These discourses are used as the basis for describing what we see as a positive concept of security. More specific, we will show how a balance between positive and negative concepts of security is indispensable for a decent and democratic society.

**744**
# THE PRICE OF PREVENTION

Rik Peeters
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Prevention is not merely a policy strategy, but a more fundamental 'mentality of rule' that has permeated virtually all domains of government. Especially in crime policy, the prevention perspective has, during the last couple of decades, radically transformed the state's intervention repertoire. Because of prevention, not the judge and judicial apparatus, but public administration forms the pivot of policymaking. Not the legal order, but the public order is the central concern. Not the courthouse, but the public and sometimes even private domain are the terrains where the state operates. And not the delinquent, but society in general and especially the potential delinquent are the objects of intervention.

The rise of the prevention state can be understood as a logical answer to the questions of late-modern societies. A society that has reached high levels of individual freedom and prosperity is also vulnerable to petty crimes, to feelings of insecurity, and to cultural and normative fragmentation. The prevention state emerges to compensate for a lack of societal self-regulation and self-correction. However, prevention comes at a price. The prevention state complements, but also opposes certain values of the constitutional state. A preventive mentality of rule will especially lead to tensions with the innocence principle in criminal law, privacy laws, parental authority and rational-legal authority. An important future challenge will be to find a balance between the constitutional and the prevention state.

**745**

**COMPARING CANNABIS CONTROL: POLICY 'TALK' AND 'DECISIONS' IN ENGLAND & WALES AND THE NETHERLANDS**

David Brewster

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This paper will examine the 'state of the state' with regards to cannabis control in England & Wales and the Netherlands. Recent developments in policy suggest a toughening of attitudes towards the control and regulation of cannabis in both jurisdictions. An initial analysis of key documents and empirical data from elite semi-structured interviews (n=41) suggests that these developments can be seen as an attempt by the state to regain political legitimacy in the governance of security. However, an examination of policy 'talk' and 'decisions' (Pollitt 2001) at a national level indicates that there are important differences in the way issues of cannabis are constructed and translated into actionable control mechanisms in different national contexts. The nature of these policy-making processes questions the usefulness of the 'culture of control' thesis in explaining contemporary responses to cannabis across two advanced European countries. Early findings suggest that whilst policy 'talk' in both countries is characterised by a symbolically-charged and tough rhetoric, the consequential policy 'decisions' show a much more complex picture. As such, this paper contends that the 'culture of control' thesis needs to take account of the differentiated nature of policy, in order to properly assess the impact of the 'punitive turn'.

**746**

# IT'S ALL ABOUT INTERACTIONS - TESTING INTERACTION HYPOTHESES IN SITUATIONAL ACTION THEORY

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As P-O Wikström and colleagues (2012: 405) in their trend-setting book "Breaking Rules – The Social and Situational Dynamics of Young People's Urban Crime" on Situational Action Theory (SAT) carve out, it is "*the interaction between a person and his or her environment*" that determines human action in general and criminal acts in particular. Thus, the core proposition of SAT combines person- and environment-oriented perspectives: Acts of crime are understood as the "*outcome of a perception-choice process that is initiated and guided by the interaction between a person's crime propensity and criminogenic exposure*" (Wikström et al. 2012: 11). Consequently, an appropriate empirical investigation of SAT presupposes the testing of interaction hypotheses by applying state-of-the-art methods in contemporary quantitative criminology, including nonlinear and structural equation modeling (SEM). While the integration and interpretation of interactions in OLS-based linear models is relatively straightforward, this holds not true for latent interactions in SEM or interactions in models characterized by a nonlinear link function between the conditional expected value and the linear predictor. Thus, we are planning a panel session on the assessment of interaction assumptions proposed by SAT.

P-O Wikström will give an introductory talk on interactions in SAT. Afterwards, the following presentations are planned:

Deborah Schepers and Jost Reinecke: Application of the Situational Action Theory (SAT) for a New Panel Study on Adolescents' Deviant and Delinquent Behavior.

Heinz Leitgöb, Helmut Hirtenlehner, Johann Bacher, and Gregor Kastner: Developing a Strategy for Testing Interaction Assumptions in Count Data Models – A Contribution Facilitating the Empirical Investigation of Situational Action Theory?

Helmut Hirtenlehner, Heinz Leitgöb, and Johann Bacher: Are Deterrent Effects Moderated by Personal Morality? The Case of Shoplifting.

Literature:

Wikström, P-O H./Oberwittler, D./Treiber, K./Hardie, B. (2012): Breaking Rules – The Social and Situational Dynamics of Young People's Urban Crime. Oxford: Oxford University Press.

**747**

# APPLICATION OF THE SITUATIONAL ACTION THEORY (SAT) FOR A NEW PANEL STUDY ON ADOLESCENTS' DEVIANT AND DELINQUENT BEHAVIOR

Deborah Schepers, Jost Reinecke
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Situational Action Theory (SAT), introduced by Wikström and colleagues, is a promising new developed general theory of crime which combines perspectives of personality and environment for the explanation of criminal behavior. SAT proposes that the interaction of propensity and exposure are the main influencing factors for delinquent behavior. According to SAT, acts of crime are an outcome of a perception-choice-process. This process is triggered by the interaction of causally relevant personal and environmental factors.

The main hypotheses of the Situational Action Theory are tested with data from a new panel study on adolescents' delinquency by applying structural equation modeling (SEM). The relationship of propensity and exposure will be examined by adopting interactional effects. The study "Chances and risks in the life course", conducted in 2012, uses a cohort sequential design. The sample of the first wave consists of German students from the fitfth (N= 1336) and ninth (N= 1421) grades in the cities of Dortmund (North-Rhine Westphalia) and Nuremberg (Bavaria).

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**DEVELOPING A STRATEGY FOR TESTING INTERACTION ASSUMPTIONS IN COUNT DATA MODELS - A CONTRIBUTION FACILITATING THE EMPIRICAL INVESTIGATION OF SITUATIONAL ACTION THEORY?**

Heinz Leitgöb[1], Helmut Hirtenlehner[2], Johann Bacher[1], Gregor Kastner[3]
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During the past two decades, count data models (particularly Poisson and Negative Binomial regression models) have received great attention in criminology, resulting from the fact that the number of criminal acts committed by individuals within a defined period of time represents a prominent outcome variable in criminological studies. While the application of main effects models is relatively straightforward and well documented in the methodological literature, interactions between predictor variables complicate modeling and interpretation considerably. Owing to the exponential mean function implemented in count data models, the coefficient of the product variable (generated by the predictors constituting the interaction) does—in contrast to the linear model—not fully represent the respective interaction effect.

As theories of crime in general and situational action theory (SAT) in particular place emphasis on interactions, we provide a statistical framework for testing interaction effects in count data models. In this regard, we follow an approach developed by Ai and Norton (2003) for binary Logit and Probit models and extend it to Poisson and Negative Binomial regression models. In detail, we derive the interaction effect by taking the cross-derivative of the exponential mean function with respect to the two predictors engaged in the interaction. Further, we will provide a standard error for significance testing by applying the Delta method.

Literature:

Ai, Chunrong and Edward C. Norton. (2003). "Interaction terms in logit and probit models". *Economics Letters* 80(1):123-129.

**Keywords:** *count data models, interactions, Situational Action Theory*
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**749**

**ARE DETERRENT EFFECTS MODERATED BY PERSONAL MORALITY? THE CASE OF SHOPLIFTING**

Helmut Hirtenlehner[1], Heinz Leitgöb[2], Johann Bacher[2]
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According to Situational Action Theory (SAT) controls gain relevance only if a person deliberates over different action alternatives including an act of crime. Whether an act of crime is considered as a possible action alternative depends on the so-called "moral filter", which is composed of a person's moral rules and the perceived moral rules of the setting. From that it follows, among other things, that external control in the form of deterrence works best for a subgroup of individuals characterized by weak morality. In detail, two assumptions can be formulated: (i) The effect of deterrence on behavior is zero if an individual has fully internalized the relevant moral norms because he will not even consider an act of crime as a possible action alternative. (ii) The lower the level of a person's norm internalization, the higher is the influence of perceived deterrence on actual behavior.

In order to test the interplay of deterrence and morality, we use data from a large-scale Austrian student survey conducted in 2011. We focus on shoplifting delinquency because it represents a type of crime typically guided by deliberation and not by habits or affect and because it is one of the most frequent forms of juvenile delinquency. The aim of this presentation is two-fold: From a substantive point of view we examine the hypothesized interactive relationship by employing the newly developed procedure to test interaction effects in the framework of count data models. From a methodological perspective the presentation serves to illustrate the statistical procedure introduced in the previous presentation.

**Keywords:** *Situational Action Theory, deterrence, personal morality, interactions, count data models*
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# THE FUTURE OF THE EUROPEAN CRIMINOLOGY CURRICULUM WORKING GROUP - A ROUND TABLE

**750**
**THE FUTURE OF THE EUROPEAN CRIMINOLOGY CURRICULUM WORKING GROUP - A ROUND TABLE**

Gorazd Mesko
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The European Criminology Curriculum Working Group has been active for decade. Sharing knowledge and information on teaching criminology and criminology curricula is essential for the development of undergraduate and postgraduate teaching in criminology, criminal justice and related fields in Europe. The Bologna convention on higher education recommends comparability of higher education programmes and exchange of students, teaching and administrative staff to learn from each other and improve the quality of programmes and teaching.

First, the past work of the WG will be briefly presented. Several discussions at previous ESC conferences dealt with a variety of teaching, criminology curricula issues and making of a list of criminology schools in Europe. Second, a chair of the WG will facilitate a discussion on a possible future development of the EUCWG. We are thinking about a new perspective - doctoral teaching and research working group with the purpose of sharing best graduate teaching and research practices among criminology scholars in Europe and creating a network of doctoral schools of criminology in Europe.

You are kindly invited to contribute to the workshop with your ideas. Active participation and new members in the WG are welcome.

# MOBILISING JUSTICE: CRIMINOLOGICAL ACTIVISM, PERFORMANCE AND IMPACT

**751**
**MOBILISING JUSTICE: CRIMINOLOGICAL ACTIVISM, PERFORMANCE AND IMPACT**

Lesley Mcara
*University of Edinburgh, Edinburgh, United Kingdom*

In 1971, Nils Christie famously claimed that "..our role as criminologists is not first and foremost to be received as useful problem solvers, but as problem raisers. Let us admit and enjoy that our situation has a great resemblance to that of artists and men of letters. Together with other cultural workers, we will probably have to keep a constant fight going against being absorbed and tamed [] and thereby completely socialised into society". Over forty years later, a key metric of research excellence by which criminological performance is judged (particularly in a UK context), is our capacity to be problem solvers (rather than simply problem raisers) and for our academic discourse to be absorbed into the key policy and practice networks whose behaviour we are attempting to influence/transform.

The aim of this panel is to reflect critically on the role of criminologists as producers, consumers and purveyors of knowledge. What are the implications of the impact agenda for career development? Is it possible to undertake an active/participatory role in the policy process without being 'tamed'? As cultural workers are we able to transform the criminological landscape whilst at the same time resisting complete socialisation. And finally, what consequences flow from the impact agenda in terms of methodological and theoretical innovation within the wider field of social scientific enquiry?

Chair: Lesley McAra
Paper 1 Michele Burman - Making an 'Impact?' criminological research as a public good
Paper 2 Susan McVie The Edinburgh Study of Youth Transitions and Crime: key lessons for policy and practice
Paper 3 Lesley McAra Criminological activism: research with on and for the community

# MAKING AN IMPACT? COLLABORATION AND ENGAGEMENT IN CRIMINOLOGICAL RESEARCH

Michele J. Burman, Sarah H. Armstrong

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Ensuring that research has demonstrable academic, economic or societal 'impact' is fast assuming vital importance. This is particularly so in Britain, where research funding is increasingly dependent on on the feasibility of research 'impact plans', and research 'impact case studies' are a key metric of research excellence. For criminologists, this imperative to demonstrate the impact of research raises important yet highly contentious issues at the practical, political and ethical levels, yet also highlights possibilities for constructive engagements with a range of non academic audiences and groups, locally, nationally and internationally. Conceptualising criminological research as something that takes place not in academic isolation but within a wider cultural, social and political context, and which frequently develops out of such engagements, this paper discusses, firstly, ways in which the Scottish Centre for Crime and Justice Reseach (SCCJR) has forged collaborative relationships with a range of individuals and organisations. Secondly, and by way of examples, it discusses ways in which research insights have been mobilised and embedded (thereby negotiating the 'impact agenda'), without compromising the ability to remain progressive, reflexive and aware of our role as researchers.

**THE EDINBURGH STUDY OF YOUTH TRANSITIONS AND CRIME: KEY LESSONS FOR POLICY AND PRACTICE**

Susan McVie
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The Edinburgh Study of Youth Transitions and Crime is a longitudinal programme of research on pathways into and out of crime for a cohort of 4,300 young people. The findings of the research have challenged non-academic policy and practitioner audiences, both within Scotland and the wider UK, because they have highlighted the ways in which the working cultures of formal agencies (police, juvenile justice institutions, social work) serve to construct and reproduce their own client base and, in the process, stigmatise rather than support young people. These findings now undergird juvenile justice policy in Scotland (via the 'Whole System Approach' which aims to divert youngsters from formal measures where ever possible) and have been utilised as a key evidence base for the National Justice Strategy. This paper explores the lessons learnt from 13 years of campaigning. It discusses the political and cultural factors which function as impediments to influence and engagement, and highlights the need for academics to become 'policy entrepreneurs' if they wish to have impact in the world beyond the academy.

**Keywords:** *Edinburgh Study, policy impact, entrepreneur*

**754**
**CRIMINOLOGICAL ACTIVISM: RESEARCH WITH ON AND FOR THE COMMUNITY**
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This paper is based on the findings from a research programme which aims to understand the dynamics of community safety and well-being in the context of the contemporary, globalised cityscape. The overall ambition is to conduct research with, on and for the community, a method of 'knowledge infusion' which involves partnering the University with the community in which it is located, undertaking engagement and outreach work as a fundamental part of the research process, and collaborating on a series of creative and performance projects as an experiment in building sustainable, cohesive and inclusive communities. It brings together insights from criminology, psychology, design innovation, and theories of visual representation with the objective of building an innovative mode of interdisciplinary praxis. This paper will explore some of the ethical, practical and intellectual challenges in undertaking this type of research and set out some of the early findings. It will be accompanied by a short film (constructed by participants) and an exhibition of photographs.

**Keywords:** *criminological activism, community safety, justice*

# PROSTITUTION AND VICTIMS OF SEXUAL ASSAULT AND RAPE

**755**

## THE EXPERIENCES OF AFRICAN ADULT FEMALE RAPE SURVIVORS AT THE HANDS OF SOUTH AFRICAN POLICE SERVICES

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This article comprehensively and critically explores how rape survivors experience police officials / services within the South African Criminal Justice System. The fieldwork research was undertaken in two phases at the Rape Crisis Centre in Port Elizabeth, in the Eastern Cape Province, South Africa. In the first phase, in-depth interviews were conducted and the purposively selected sample population that consisted of 50 adult women who were rape survivors. A focus group interview was also held to gain a better insight into the rape survivors' experiences of police official, after the sexual assaults had been reported to them. In this paper, the literature review will focus on national and international literature concerning African female adult rape survivors. The rape survivors' experiences of the Criminal Justice System, regarding the police as a first choice to report rape will be unpacked and critically examined and discussed, and the time frames to report crimes of rape to the police reported upon. The gender of the police officers that took the statements and whether or not the police procedures were explained to the survivors is also examined, and will be discussed in detail. This paper will also, based on the author's previous research on rape survivors' experiences of both the South African Police Services and the criminal justice system, indicate a need for specialised training in dealing with survivors / victims of rape for police officers. Finally, the research findings and recommendations of this article will be discussed and published, in order to assist the South African Police Service in dealing with rape survivors/victims in a compassionate and sensitive manner.

# TRANSITION TO ADULT ROLES OF CHILD SEXUAL ABUSE SURVIVORS

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A large body of literature has focused on the psychological consequences of child sexual abuse. However, relatively few studies have paid attention to 'social' consequences, specifically the transition of abuse survivors to adult roles, such as marriage, parenthood, and employment. These consequences, while important per se, may influence the psychological functioning and vice versa, or serve as a protective barrier against psychological problems.

By conducting a systematic literature review, this research presents the currently existing knowledge of the effect of child sexual abuse on the later adjustment to adulthood. This adjustment is especially related to employment, offending, romantic relationships, social network, embeddedness and parenthood. Findings are presented on these consequences of child sexual abuse, differences between research designs are highlighted, and new research is presented.

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**757**

**INTERVIEWING CHILD VICTIMS OF SEXUAL ABUSE IN COURT - AN ANALYSIS OF THE IMPROVEMENTS INTRODUCED IN THE PORTUGUESE JUDICIAL SYSTEM IN THE LAST 5 YEARS AND ITS PRACTICAL IMPLEMENTATION**

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In the last 10 years the number of alleged child sexual abuse cases that reach the Criminal Courts in Portugal has increased significantly. In the context of the criminal prosecution of these cases, the victim's testimony acquires a central role, given that, in the majority of the cases, there are no medical or other physical evidences, only the child testimony and a psychological forensic expertise of the child and its ability to testify. In parallel, national studies show that the child's interaction with the Judicial System and the child's judicial experience is often negative, with a high risk of "secondary victimization". In an attempt to improve the method of interviewing children and to reduce the risk of secondary victimization, the Portuguese Law established as mandatory, in 2007, a new judicial proceeding "Statements for Future Memory" (*Declarações para Memória Futura* - DMF). In this proceeding, the child´s testimony is recorded in the early stages of the criminal investigation in order to be presented later, during the trial, thus avoiding the presence of the child in the courtroom. In this presentation we briefly describe this procedure and present the results of a recently concluded study, which analyzed the practices and perspectives of Judges, Public Prosecutors and Forensic Psychologists regarding the best approaches to inquire children victims of sexual abuse in Courts and the practical implementation of DMF in Portuguese Courts. Adopting a qualitative methodology, we observed and did a content analysis of the full transcript of 20 DMF sessions and conducted 36 semi-structured interviews with professionals of these groups. Although we identified several inadequate strategies regarding the professionals' approach to children victims of sexual abuse, the overall results point towards a significant effort to improve and readapt their practices. Our results also show that this judicial proceeding does not completely correspond to its primary goals and that it's necessary to rethink some aspects of it, such as the context and the timing of recollection, the conduction of the interviews by judges or by forensic psychologists and the role of the so called "child support person", whose presence is stipulated in the Law but whose functions are not clearly defined. Some suggestions for achieving better practices will be given.

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# PROSTITUTION: BETWEEN VICTIMIZATION, STANDARDIZATION AND DEMONIZATION?

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Prostitution is a phenomenon that affects all countries around the world. In its international dimensions, this problem is linked to the prevention of human trafficking and participates in recognizing victims and broader violence. But representations, practices (with migrations, etc.) and prevention strategies are different, depending on the types of legal regulations that animate political debates (between abolitionist model, prohibitionist and regulatory system).

Conducting an inventory of the prostitution phenomenon has an overall objective of repositioning the problem in a current societal and cultural context:

- To identify the type of public involved in prostitution (gender, age, socio-professional and socio-cultural categories, type of practices, type of services...),
- But also professional actors, who often encounter difficulties in terms of support, because of the invisibility that is associated with prostitution practices,
- And to recognize the social representations that participate in stigmatizing or marginalizing.

From several studies on the phenomenon of prostitution conducted in France (department of Indre-et-Loire), but also on Reunion Island (Department of Overseas) and finally in Morocco (In the city of Marrakesh), we offer to compare points of view and difficulties about this problem, which will include illegal and illicit dimensions.

In Indre-et-Loire, a study on the representations of prostitution, conducted with 517 youth, age 18 to 26, found a distancing of victimization in the first resort to prostitution. For most young people, prostitution would be an expression of freedom. These social representations do not consider the complex human criminal organization and manipulation behind it. These results question the information and education policies.

Near the African continent, an inventory of the prostitution phenomenon on the Reunion Island highlighted the representations of professionals from the field of health and social welfare, and public order, very diverse representations, reflecting the multiple dimensions of practices, hard to define under the single term of prostitution. These results question the practices of support, and formations for professional.

Finally, a qualitative clinical study of 36 women resorting to prostitution practices in Marrakesh (Morocco), showed processes of victimization and wider violence, as well as the fact that these women live in a violation of the collective moral. These results lead to suggest more prevention strategies, in a society where female sexuality is "secret".

# GREEN CRIMINOLOGY: WILDLIFE AND ANIMALS

## 759
## CRUELTY TO ANIMALS IN POLAND

Edyta Drzazga
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Cruelty to animals is a rare example of an issue which has recently become a catalyzer of social movement in Poland. In recent years, there has been an increased perception of the importance of animal rights protection and it is media that play a key role in generating and accelerating this process. Several drastic stories have become the subject of national media coverage and appealed to people's emotions, which in turn has helped to raise the awareness of this type of crime among general public in Poland. As a result many people have demonstrated their view on this issue by requiring new tougher law. The mobilization of the society in the form of large public gatherings, such as marches, petitions and demonstrations, seems to have exerted some influence on legislators, who have exacerbated the penalty for offenders. Hence, it's important to identify trends in the media coverage on the cruelty to animals. The qualitative analysis of the media coverage in current and the most influential newspapers in Poland will be made to review the changes in the way society constructs the picture of this crime in mass media and its probable impact on regulations in this field.

**760**
**ILLEGAL WILDLIFE TRADE: TENDENCIES AND LAW ENFORCEMENT IN NORWAY**
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Norway has been a party to the CITES convention (The Conventionon International Trade in Endangered Species of Wild Fauna and Flora) since 1976. Still, it is clearly neither prioritized to control, nor prevent the trade in endangered species or to ensure that those guilty of partaking in the trade are punished. There exists today no overview of court or police decisions in terms of fines, verdicts or suspended cases relating to CITES cases, as these cases are not consistently coded. Customs are poorly trained and are politically guided to look for drugs rather than wildlife products. In this paper I examine confiscation reports and verdicts to particularly look at two topics; 1) how fractures of the CITES regulations are reacted to by the police and the judicial system; 2) how these fractures of CITES are connected to the international, illegal wildlife trade.
The CITES animal species which dominate in the confiscation reports and verdicts/decisions when the animals are alive, are reptiles and parrots, yet a large number of other species are also found in parts or turned into products. Through these confiscations as a point of departure, the paper will show the great variation of the motives behind the wildlife trade and point at some of the consequences of the trade. These will be discussed in perspectives of ecological justice, animal rights and species justice.

**761**
**STOPPING THE TRAFFIC: A UK CASE STUDY ON RESPONSES TO THE INTERNATIONAL ILLEGAL WILDLIFE TRADE**

Jennifer Maher
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The International Illegal Trade in Wildlife is an important issue for criminologists. The survival or extinction of a species and subsequent loss of biodiversity impacts upon the lives of both individual animals and people, in significant and enduring ways. This trade conflicts with UK animal welfare commitments, resulting in the exploitation and abuse of animals. The trade continues to grow despite regulation through national legislation (e.g. COTES) and international conventions (e.g. CITES), and poses a threat to environmental, social and economic sustainability, also national security (e.g. through organised crime). Estimated to be the second largest illegal trade worldwide, it has an economic value of up to six billion, annually, and the UK is one of the largest consumers.

Driven by the doctrine of green criminology, this paper explores responses (official and non-official), in the UK, to the international illegal trade in wildlife, using data from qualitative interviews with relevant agencies who are responding to the trade. This paper evaluates the strengths and weaknesses of these responses, and looks at whether national legislation, as well as international conventions, are adequate in terms of preventing illegal trade and/or harm to the animals involved.

# PRISON LIFE AND IMPRISONMENT VII.

**762**
## LINKS BETWEEN FATHER REPRESENTATIONS AND MASCULINITY AMONG MALE PRISONERS

Vita Povilaityte
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Scholars of psychoanalytic feminist perspective (e.g., Chodorow, Miller, Benjamin) have described masculinity as something that is „accomplished "in social interactions (Robb, 2004). The first social interaction, but sure not the only one, is the relationship between child and parent (mother and father). Much has been written about the role of mother and father in child development and in male development as well. Little study has been found considering male prisoners' relationship with their fathers and its relation to their perceptions of masculinity. In this paper we present the study which seeks to consider two questions: how father representations link to the perceptions of masculinity in prisoners' sample and how relationships with fathers corresponds to the prisoners' relationships within the prison. Data for this analysis were taken from the research "Forms of Criminal Masculinity in the Lithuanian Correctional Facilities and Search for Alternatives" (MIP- 019/2012), funded by the Research Council of Lithuania. Individual semi-structured interviews were conducted with 60prisoners in 3 prisons of Lithuania.

**Keywords:** *prison, father-representation, masculinity*

**763**
# ADAPTATION TO IMPRISONMENT: MASCULINITY AS A PRISON COPING STRATEGY IN LITHUANIAN PRISONS

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Using the insights of masculinity in prison studies, based on 60 semi-structured interviews with imprisoned men in three Lithuanian prisons and on analysis of their criminal records, this paper discusses prison coping strategies. Prisoners' adaptation to imprisonment research focuses on coping with prison as a social environment within specific to carceral institutions prisoners' relationship, hierarchy and subculture. That masculinity is likely to become more extreme in men's prison is unsurprising, therefore the paper argues that masculinity is one of the most essential inmates coping strategies. According to Y. Jewkes (2002, 2005) masculinity may be seen as a learned response to the imperatives of the criminal inmate culture. Masculinity in prison will be explored as a performance that allows fitting in with the prison subculture and obtain proper status in prison hierarchy. The paper is based on research "Forms of Criminal Masculinity in the Lithuanian Correctional Facilities and Search for Alternatives" (MIP- 019/2012), funded by the Research Council of Lithuania.

**764**
**'...DUNNO WHAT'S ROUND THE CORNER': TIME, MASCULINITY AND IMPRISONMENT**
Jennifer Sloan
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Time and prison are inherently linked. The central point of imprisonment is to deprive an individual of their liberty - their freedom to spend their time freely - and the length of the sentence is reflective of the seriousness of the crime committed. Rarely, however, are notions of time, incarceration and masculine identity considered together. In this paper, drawing from interviews conducted with 31 incarcerated men as part of a wider project on masculinity and the adult male prison experience, consideration is given to the interaction of these three notions. Through analysis of men's accounts of their general prison experiences, it emerged that time played an important part in framing the masculine identities of individuals. Men saw time often in terms of who they were or who they could become as men – their 'potential masculinities' - and the control and ownership of time was very important in processes of differentiation from the prisoner identity and the negotiation and application of masculine signifiers of work, fatherhood, (hetero)sexual relationships and independent living to their past, present and future lives.

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# UNIQUE POSITIONS? DUAL IDENTITIES AS PRISON RESEARCHER AND EX-PRISONER

Bill Davies
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This paper stems from research which examined the lived experiences of short sentenced prisoners. It reflects on and examines my proximity to and distance from research informants, utilising my personal history of being an ex-prisoner who served a short term prison sentence. I consider the benefits and relative costs of reciprocal information sharing between respondent and researcher, of personal experiences in a research context. Drawing on debates within 'insider' ethnography the paper outlines the barriers to knowledge, meaning-making and understanding that can emerge when researching people living in difficult, insular and at times hostile environments, such as within a prison. This can create barriers between the researcher and the respondent, including a lack of trust in anyone who the individual perceives to be in a position of authority. I suggest that my personal history of being an ex-prisoner enabled me to build a rapport with the individual respondents through reciprocal information sharing of personal experiences. This was achieved through taking the time to discuss my past and the reasons behind my research; this allowed the respondents to view me as closer to their status rather than being a figure of authority. The paper engages with, and contributes to, an emerging discussion in penal research relating to the positive impact ex-prisoner academics can have on researching prisons. It suggests their affinity with the texture and grain of penal experiences are difficult to achieve through other methods or from other positions.

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# WOMEN IN CRIMINAL JUSTICE

Dr. Erika Váradi-Csema
*University of Miskolc Faculty of Law, Criminal Law and Criminology, Miskolc, Hungary*

The aim of this panel is to show the most important questions of criminology and criminal justice with special regard to women. The presentations inform us about the new tendencies and characteristics of the criminality of girls and women and the necessity of special reaction and treatment forms during criminal procedure and criminal enforcement. In the USA and in the Western European countries the increasing of criminal activity of young girls can be observed. The recent Hungarian statistical data do not inform us about same tendencies among young offenders in general. However more present research projects regarding children report some new characteristics of young girls' behaviour. This panel will focus on the question, how can criminal justice take into consideration the speciality and reasons of women criminality and how can new international models be impelemented into the Hungarian practice.
List of the speakers:
Dr. Erika Váradi-Csema associate professor (University of Miskolc, Institute of Criminal Sciences)
dr. Eszter Gilányi assistant lecturer (University of Miskolc, Institute of Criminal Sciences)
dr. Viktória Kerekes doctoral student (University of Miskolc, Deák Ferenc Doctoral School of Law)

**Keywords:** *criminality of women, criminality of girls*
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# HYPERACTIVITY AND INTEGRATION DISORDERS OF YOUNG PEOPLE INTO SCHOOL/SOCIETY

Orsolya Vaktor

*University of Miskolc Faculty of Law, Department of Criminal Law and Criminology, Miskolc, Hungary*

My topic of my research is "Integration Disorders of Young People into Society and Their Criminal Aspects". My experience is that the school, as one of the most determining socializing grounds in a child's life, has a more revaluated role nowadays. In spite of this there might be a doubt whether the educational institution is able to live up to this emphasized role. The possible negative experiences there can strengthen the processes that lead to deviant acts or crime. Young people dropping from school will form new communities and gangs.In most cases, in the background of this phenomenon (Youth's Criminal Aspects), we may detect failure to adjust. However, the special criminology literature speaks less about the direct or indirect reasons of the failure to adjust. How can adjustment at school, obstructing the adjustment processes and this way the norm denying and law-breaking behaviour of young people be influenced by such frequent behavioural problems (e.g.: hyperactivity) or problems with learning (e.g.: dyslexia, dysgraphia and other difficulties with reading and writing) and their unrealization and mistreatment?According to the statement of psycho-pedagogues, psychologists and experts dealing with children, more and more school children have trouble with some kind of difficulties, or can be considered as children in need of special education. Mistreating or not realizing this, e.g.: considering disorders like hyperactivity or problems with concentration as bad behaviour or even sanctioning them may have a stigmatising effect. Besides children suffering from failure to adjust, or children with deviant behaviour, there is a higher rate of infants dragging themselves out of school life, not willing to talk and locking themselves into their own world. To my mind, with the help of specialists with special competence, it would be easier to keep those children in, who drop out from the school system. In order to cut down on juvenile delinquency we need complex reaction. Crime committed by children is only a symptom. We must understand this symptom, we should look behind it to know why the juvenile committed the crime, and we should study their problems in the family, at school and in their personalities. I believe that a child is a mirror to society. We should aspire to look behind the mirror, to see the core, the reality. Among others this is supported by adopting restorative approach at schools. Mediation and the facility at schools can be effective means of treating school conflicts. Seeing the reasons from emotional approach, I think, by means of alternative treatment of conflicts we do not destroy the possibility that our hopes of the future – who make mistakes during their lives – may become well-balanced adults. With the help of restorative approach, we give them the chance to integrate into the society, where they live. By rehabilitating means and atonement, we may highlight their mistakes, so that they can actively take part in this process. They can go on their ways with a clean record, and without being stigmatized.

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# THE SPECIAL NEEDS AND STATUS OF FEMALE OFFENDERS IN THE CORRECTIONAL SYSTEM IN THE LIGHT OF THE HUNGARIAN SITUATION AND INTERNATIONAL TENDENCIES

Eszter Gilányi

*University of Miskolc Faculty of Law, Criminal Law and Criminology, Miskolc, Hungary*

Women form a small minority in prison population, but their proportion is continuously growing. Incarceration causes several harms (including physical and mental health problems, or social consequences), and according to numerous researches these impacts are pronounced in female inmates. Besides these, they also have to face with special problems (e. g. specific health needs for gynaecological care; the difficulties of visitations, because the few existing special female institutions generally located further away from the prisoner's home etc.).

In the last third of the twentieth century at the international level new approaches appeared, that altered the traditional criminal justice system. The restorative and the community justice paradigms aimed the attention at such questions as restoration, reintegration and the role of community. New methods and sanctions have been introduced, some of the latter as alternatives to, while others as supplementations of imprisonment.

The majority of female prisoners committed non-violent crimes. Therefore the application of non-custodial methods and sanctions in their cases seems to be adequate, as they don't pose serious threat to the society.

The aim of the presentation is to give an overview of the situation of female offenders in the Hungarin correctional system, with special regard to the incarcerated women, and the implemented restorative and community justice measures, and examining the possibilities of the further development.

**Keywords:** *women female imprisonment community sanctions restorative justice Hungary*

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# GIRLS, WOMEN AND CRIMINALITY

Dr. Erika Váradi-Csema
*University of Miskolc Faculty of Law, Criminal Law and Criminology, Miskolc, Hungary*

In the last years the criminal activity of young girls was increased in the USA and in the Western-European countries. The presentation is about that whether we could observe this phenomenon in Hungary as well. The evidences of this tendency might be found in the most recent official criminal statistical data and in the findings of different scientific researches.

The paper informs us about the most important characteristics of the Hungarian female criminality and the most known explanatory theories. In Hungary there are some types of crimes which are mostly or often committed by women - for example homicide against new-born or the violent crimes as part of the domestic violence.

Examining the criminal activity of young girls is a very exciting scientific question. In the schools the female students use violence as a tool of conflict-solution more often as some years ago. They accept it as a way of the advancement in the hierarchy too. The researches explain this phenomenon in different ways. Can we find special gender-related reasons behind the phenomenon? If we have a positive answer, the second question is: how can we take into account these special features on the field of crime prevention or in the applying of public facilities and social reaction?

**Keywords:** *female criminality; girls criminal activity; gender-related reasons of criminality; typical crimes committed by women*
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**925**
**Examining of the IPV Phenomenon in the Same-Sex Female Relationships**
Viktória Kerekes
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In connection with my field of interest, and the subject of the presentation mostly criminological-type matters could be mentioned. In my early studies, I have profoundly examined issues relating to domestic violence and female delinquency, now I am examining the issue of violent interactions in same sex female relationships. This issue of violence appearing in same sex domestic relationships hasn't been uncovered yet as deeply as it should be, because however scientific and legal recognition of same-sex relationships has increased, the same-sex intimate partner violence hasn't been included in the core conceptualization of the research of the IPV phenomenon. The issue of interpersonal violence appearing in same sex relationships should deserve particular attention, quite simply because it relates to unlawful suffering of people living together in a relationship, which should be a recognised as a phenomenon attracting criminal penalty.

In my opinion battering in lesbian community needs a much closer examiation. The presentation reviews the relevant researches in this topic, investigates the predictors of the violence and try to uncover the dynamics of this type of the domestic violence.

The researches on intimate partner violence are focusing commonly on domestic violence between men and women, however the IPV is also a serious problem in the lesbian relationships.

In case of the female couples, a lot of issues need to be taken into consideration, e.g. the social habit and strict taboo of the typical picture of a woman, who bears characteristics, those which describe woman as a soft, maternal and caring person, whose level of participation in an offence, usually remains outside the social eyesight. Additional difficulties rise, when this kind of offence has to be implemented in the criminal code.

In same sex relationships, as in other human relationships, we have to recognize and have to distinguish the different types of dynamics of violence, in order to recognize them, examine their effect and to develop interventional and problem solving regulations, these types will be presented. While examining the violence pertaining in same sex relationships and understanding its complexity, it is essential to study each partner's behaviour and their interaction, therefore in the last part of my presentation I'm going to rewiev the dynamics of the IPV int he female relationships.

**Keywords:** *LGBTQ, Domestic Violence, Same-Sex, Female, Abuse*
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# MIGRATION, PREVENTING AND FIGHTING TRAFFICKING IN CULTURAL GOODS AND DRUGS

**770**

## PREVENTING AND COMBATING IRREGULAR MIGRATION. COOPERATION BETWEEN NATIONAL AUTHORITIES WORKING WITHIN NATIONAL BORDERS AND IN COUNTRIES OF ORIGIN AND TRANSIT

Jenni Niemi
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It has been estimated that 2-4 million people are staying in EU without meeting the conditions set for entry or residence. It is in the interests of nation-states and the EU to control immigration flows, as it is perceived that it is not possible to receive all willing to immigrate and guarantee them a possibility of making a living. Irregular migration is also increasingly connected with organized crime, migrant smuggling, exploitation and suffering of migrants. Prevention of irregular migration requires cooperation between the authorities, both nationally and transnationally.

Finland is both a transit and target country of irregular migration flows. Finland combats irregular migration on four levels, according to the EU plan for the management of the external borders. The first level is prevention in countries of origin and transit. The second level is cooperation in the neighboring areas. On third level irregular migration is combated at the external borders of the EU and on fourth level via monitoring of aliens within the country.

I will present a research project that aims to produce information on the cooperation between national authorities in combating irregular migration. The project started in the Police College of Finland in summer 2012 and is financed by the Ministry of the Interior. The data are interviews of authorities, which are analyzed to produce information on cooperation in combating irregular migration, highlight good practices and present suggestions for future improvements. In this presentation, I will present research findings regarding cooperation between authorities operating within national borders in Finland and Finnish authorities positioned in third countries.

**771**
# CONTROLLING IRREGULAR MIGRATION

Nicolay B. Johansen
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Irregular migration has gradually become a more pressing political issue all over Europe and the US, invoking a new paradigm of state control. Based in my research on "outsiders inside" I will make a sketch of this paradigm seen from a Scandinavian perspective.

Controlling people on basis of their legal status, such as non-citizenship, differs from crime control in numerous ways. First, the goal of control is not conformity, but disappearance. Second, the measures used are taken from a broader repertoire of administrative sectors. Crime control is considered an autonomous field of politics, with an internal set of principles and an easily identifiable institutional hierarchy. Controlling irregular migrants involves policies and administration regulating social welfare, health care, child care, taxation, vagrancy, working relations, working environment and foreign relations, in addition to the penal system.

The purpose of this presentation is to make the case for an integrated perspective on the control of irregular migrants. It needs to be seen as an independent area of politics. Despite the fact it has no name and its differentiated character, there are emergent attributes to these politics.

From all the administrative sectors a certain pressure is added to push the individual migrant out of the national territories. Delimitation from social welfare is one important feat in this respect, denial of health care another. The comparably effective exclusion from work is, within the Scandinavian context, the most important element, in what I have suggested to call "the funnel of exclusion". The logic of this funnel is first and foremost to promote misery.

An important attribute of the control of irregular migrants, is that it leaves the decision to exit, to the migrant him-/herself. But as there is no intuitional hierarchy in this area of politics, there is no single body that takes responsibility for the overall situation of the persons subject of control.

# PREVENTING AND FIGHTING ILLICIT TRAFFICKING IN CULTURAL GOODS

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Together with drugs and arms trades, the black market in antiquities and artefacts is one of the most steadily rooted illicit trades, with archaeological or religious heritage more exposed to the risk of trafficking by their very nature or by virtue of the conditions in which they are protected.When it comes to identifying cultural goods, great diversity can be seen not only in legal definitions, but also in the approaches to categories and notions, as well methods of definition. For example, several States have adopted their own legal definition of cultural goods – amongst many others Austria, France, Germany, Greece, Hungary, Italy, Spain, Switzerland and the United Kingdom. For others, the pertinent notion may be different, without there necessarily being a specific definition of the cultural object (Sweden, Finland and Denmark). Such systems either refer to similar categories in their protective legislation (archaeological objects, historical monuments), or define property in relation to the cultural interest it holds (scientific, artistic, or historical).

The question of trafficking has led many States to adopt legislation of varying effectiveness. Indeed, dealing with trafficking requires internal rules to be developed in criminal, customs and civil matters as well as in the specific law relating to cultural goods. However, trafficking cannot be effectively tackled without means of preventing and combating it within the European Union and in the international arena. This context of plurality of sources (internal, international and European) is the topic of this paper which aims to highlight some of the factors that stimulate or aggravate trafficking in cultural goods. Adopting Italy as the starting point for this analysis, it is contended here that the imbalance of legal provisions (especially civil and criminal provisions) from one State to another results in inequalities and in difficulties in the practical application of the legal tools available with the consequent lack of sound operational coordination. Furthermore, the concluding section of this paper highlights the relevance of some major multilateral instruments at regional level (such as, in Europe, the 1985 Delphi Convention on Offences relating to Cultural Property and the 1992 Valletta Convention on the Protection of the Archaeological Heritage) and some other bilateral agreements (such as between Italy and China in 2003, Switzerland and Italy in 2006 and Switzerland and Egypt in 2010)in tackling the trafficking of artefacts.

**773**
**RULING FEAR: THE FIGHT AGAINST DRUG TRAFFICKING IN MEXICO (2006-2012)**

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The presentation addresses the form of government of Felipe Calderón (2000-2006) that has brought the country to a crisis of governance never before. The reason was the stubbornness of the federal executive to lead its six-year policy under the aegis of the "struggle" against drug trafficking, to get you used the generation of fear in society through a policy of vertical confrontation certain organized crime groups.

President Calderón made the war against drug trafficking the main focus of his political ordinance. The combat against organized crime groups provided the legitimation voters denied. In that way, politics became more militarized and the whole country was ruled under exceptional measures. Rulers have never understood that violence and insecurity are two elements that block governability. This is why Calderón's policy turned the Mexican State into a State of security. The main argument of this way of ruling was to restore security no matter what. The gotten effect was the brutal raise of violence without even considering the social context in which it rises. That's why the government tried to eliminate by all means every enemy of the country: drug dealers. The final result of this battle was 65 thousand deaths in 6 years. Calderón's administration, in the attempt of legitimation, tried to impose a state of law even by breaking citizens rights. Turning the country into a State of law without rights, which led into the triumph of punitive demagogy.

# MEDIATION IN A MULTICULTURAL SOCIETY

**774**
## THE EMERGENCE OF PENAL MEDIATION WITHIN CHINESE CRIMINAL JUSTICE SYSTEM

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While tremendous literature has existed on introduction and evaluation of restorative justice programs in Western world, such as New Zealand, Austria, North America, and the Europe, it remains true that little is so far known about China, especially the specific societal and cultural environment. Inspired by Braithwaite's arguments in 2002 that "Chinese restorative justice, in both its positive and negative aspects, deserves more attention", and "China is the home of Confucius, arguably the most influential thinker about restorative justice the world has known", we are going to throw light on the current claimed restorative justice developments in this unique and vast landscape.

This article will examine several programs that have been identified as carrying the elements of RJ by scholars in and outside China, from the evolving perspective of RJ notions. Then the attention is drawn to the most recent codified procedure in Chinese Criminal Procedure Law and the associated practice under the name of 'penal mediation'. The central focus will be on the contemporary broader societal and judicial context that gives birth to its emergence, as well as the protective and risk factors in its road of implementation and institutionalization.

**775**
**RESTORATIVE JUSTICE: SURVIVING IN A CROWDED MARKET PLACE OF IDEAS**
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Restorative justice has had a significant impact on how many people now conceive of justice in the contemporary world. It offers an important counter-weight to traditional retributive notions of justice, and opens up fresh channels for dialogue and debate about the meaning of justice. Yet, there is a sense in which RJ has failed to live up to its early promise and has, largely, been safely incorporated into the margins of the system it set out to transform. Furthermore, RJ is now operating in a crowded market place and no longer enjoys a monopoly of the language of transformational change and reform: innovation such as problem oriented courts and the philosophy of therapeutic jurisprudence, movements around transitional justice, Indigenous justice and radical 'inter-culturality' are changing the landscape. I will argue that, to have relevance in 'post-colonial Europe' and globally, as we drift further into austerity and the politics of blame and cruelty, RJ must develop a radical philosophy and practice capable of connecting RJ with social justice for the marginalized and dispossessed, and build alliances with the new movements, noted above, without claiming ownership of them, or assuming that the RJ grand narrative provides the answers

**776**
**THE GLOBALISATION OF RESTORATIVE JUSTICE AND INDIGENOUS JUSTICE.**
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The study and impact of the globalisation of crime control policy and related products has recently begun to receive significant attention from critical indigenous scholars. The reasons for the increasing focus on this issue include 1) the restorative justice industry's increasing utilisation of so-called 'indigenous' philosophies and practices in the design of its various products, 2) the prevasive use of indigenousness imagery, and emphasis on the supposed 'Indigenousness' of the Industry's products, as displayed in the industry's marketing material; and 3) the increasing popularity of 'indigenous-inspired' restorative justice initiatives, not only in Settler Societies, but throughout Western jurisdictions. The purpose of this paper is to provide an indigenous critique of the globalisation of restorative justice and the industry's utilisation of indigenous practices, symbols and philosophies. The paper will focus on the impact that the international transfer of restorative products is having on relationships between First Nations and central governments in neo-colonial jurisdictions, particularly New Zealand and Canada, especially indigenous peoples drive for greater self-determination in these jurisdictions.

# ALTERNATIVE CONFLICT RESOLUTIONS BETWEEN THE AUSTRIAN POLICE AND PEOPLE WITH SUB-SAHARAN AFRICAN MIGRATION BACKGROUND UNDER STUDY

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The European research project named COREPOL – "Conflict Resolution, Mediation and Restorative Justice and Policing of Ethnic Minorities in Germany, Austria and Hungary" concentrates on the conflicting relationship between the police in Austria, Germany and Hungary and selected ethnic minorities. The aim of the research team is to identify alternative and peaceful conflict resolutions supporting those target groups in solving their conflicts respectfully. According to the theory of Restorative Justice all parties affected by an incident of wrongdoing should decide mutually on a consensual basis how to deal with the aftermath of an occurrence(Roche, 2008, 30).

This presentation at the ESC conference focuses on the crucial results of the Austrian field study with the following research question: "Which alternative conflict resolutions between the Austrian police and people with Sub-Saharan African migration background are applied respectively would make sense with regard to a peaceful cooperation?"

The selection of the specific ethnic minority is due to the fact that people with Sub-Saharan African migration background have the lowest position in the "ethnic hierarchy" in Austria. They are frequently confronted with discrimination, prejudices and racism. The stigmatization of people from Africa due to language, clothes and skin colour is closely related with the image of "the black pusher", which is consolidated through public, political and media debates. The bad reputation has also negative consequences in dealing with public facilities, especially with police officers and trials. (Kravagner, 2005, 41ff).

In order to answer the research question representatives of the African community, police officers as well as experts and important stakeholders will be asked by qualitative interviews and group discussions. The empirical survey will take place in Vienna and Graz, the two cities in which the defined community has the highest population.

The authors will combine the results of the study with aspects of the theory of Restorative Justice and corresponding conflict resolution approaches.

KRAVAGNER, S. 2005. Schwarze Dealer – weiße Behörden: Eine Untersuchung der Strafverfolgung afrikanischer Drogendealer in Wien. ROCHE, D. 2008. Accountability in Restorative Justice., Oxford, Oxford University Press.

# RISKS OF CRIME

**778**
## SOCIAL AND ECONOMIC INEQUALITY AS CRIMINOGENIC FACTOR

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There is no only "reason" of crime. There are many factors - economic, political, cultural, demographic and others, influencing upon state and dynamics of crime and its types (violent, mercenary and others). It is important theoretically and practically to define the specific "weight", "power", value of each factor in genesis of criminality and its separate types.

K. Marx, R. Merton and many others wrote about a role of an economic inequality as "reasons" of crime, alcoholism, prostitution and others of negative (deviant) acts.

The ever-growing economic polarization of the population in Russia – is a main source of continuing social conflict. The differentiation between the incomes of the 10% least prosperous and the 10% most prosperous increased from 1:4.5 in 1991 up to 1:15 in 1999 and later up to 1:18. But the opinion of experts is: the real difference of the incomes rise up to 23-25 and in Moscow up to 40-60.

Empirical researches of multiple-factor model of the reasons of crime are conducted in Russia by criminologists S. Ol'kov, I. Skifsky, E. Yuzikhanova. From many factors influencing violent crimes (homicide, grievous bodily harm, assault with robbery) - extent of alcoholization, demographic structure of the population, consumption of drugs, an economic inequality, the last factor it appeared the most considerable. The Gini index (i.e., index of economic inequality) in Russia increased from 0.289 in 1992 to 0.422 in 2007. According to S. Ol'kov, during 1990-1999 the index was at its maximum in 1994 (0.409) and the number of homicides was at a maximum (32,300) and suicide too (61,900); the index was at its lowest in 1990 (0.218) and the number of homicides was also lowest (15,600) and suicide too (39,200). According to research of I. Skifski (dynamics in 25 years, from 1980 to 2004), the correlation coefficient between homicides and Gini index was the highest 0.9253, between violence crime and Gini index 0.8433.

The catastrophic social and economic inequality serves in Russia as the main factor of crime and other deviant manifestations.

**779**
**OF PREDATORS, PESTS & PARASITES: ECOLOGISING SECURITY**

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In this paper I argue for an alternative approach to conceptualising security and risk management. Drawing upon ecological frameworks utilised elsewhere within the social sciences I set out a basis for thinking about security dynamically, in terms of responses and adaptations to various fitness and affordance landscapes. Taking the state of insecurity, rather security as a primal given, the paper maps out a prototypical typology for some of the fundamental ways in which our use of social space can be threatened and subverted. Two implications for the increasing significance of security as a criminological construct are argued to result. Firstly an enriched understanding of the existential impacts of insecurity has upon social life - in particular the fear of crime and the ways in which the mere experience of insecurity can be as serious a harm as more tangible forms of risk. Secondly, new ways of modelling risk and threat. These are not only aimed at providing new methods for abstract, agent based simulations of insecurity, but also more radical approaches to crime control and criminal justice policy.

**780**
**CONSTRUCT VALIDITY OF A SITUATIONAL ANALYSIS OF CRIMINAL ACTION**

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The study presented here deals with the construct validity of a situational analysis of criminal action. Starting from a macro-micro model of sociological explanation, influences of the social situation of potential offenders are specified from the perspective of modern versions of anomie theory (Messner/Rosenfeld 1994; Messner 2003) and related to the micro-level of criminal decision making. Following Cronbach/Meehl's (1955) idea of construct validity, various measurement strategies applied to one theoretical perspective have to result in corresponding conclusions concerning the underlying construct in order to indicate construct validity. For this reason, two strategies of measuring aspects of the social situation and criminal decision making – a so-called situation-specific and a so-called cross-situational one - are applied within the framework of the present study and submitted to a systematic comparison. With data from a mail survey of adult residents of a German city (n=2392), this systematic comparison is carried out using multivariate analyses and a group comparison. Data analyses suggest that the results of both measurement strategies differ, thus questioning their construct validity. The results of this study are discussed with regard to their methodological implications.

**781**
**FOREIGN MINORS, SCHOOL AND DEVIANCE: A SELF-REPORT SURVEY IN THE SECONDARY SCHOOLS OF EMILIA ROMAGNA**

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The main explanations of deviant behavior in migrant minors have usually been detected in the normative and cultural conflict between the values belonging to the family of origin and the rules of the society in which their socialization happens (particularly second generation's), as well as in their failed access to the licit opportunities' structure.

The study discussed consists in a self-report survey carried out in the region Emilia-Romagna (Italy), on a sample of about 5.000 secondary school students (age 13), exploring the relation between deviance and migration, and the influences the specific features of the Italian educational system have on this relation. Just like a previous research carried out in the municipal territory of Bologna (Melossi, De Giorgi, Massa 2008), testing the criminological assumption on the second generations' higher tendency to deviance, the results of this study showed how a correlation between the status of immigrant and confessing of having committed deviant acts is really not statistically significant, while, constructing a theoretical model able to explain the students' deviant behavior (using the technique of *path analysis*), family and school - the main areas in which students' life and socialization take place - are the factors best suited to explain their recourse to deviance.

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# PLENARY SESSION VII.

**782**

**RELATIONSHIP AMONG CRIME, CRIMINOLOGY AND CRIMINAL POLICY: THOUGHTS ABOUT AN AS CHALLENGING AS INTRICATE ISSUE IN THE HISTORY, AND FOR THE PRESENT SITUATION AND THE FUTURE OF OUR DISCIPLINE**

Hans-Jürgen Kerner
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The late Edwin H. Sutherland was for many decades one of the internationally most influential scholars of the sociology of crime and crime control. Nevertheless, he chose nothing but the term "Criminology" for the 1st edition of his textbook which appeared as part of the Lippincott Series in Sociology in the year 1924. The first Chapter on "Criminology, Law, and Crime" started with the following sentences: "Criminology is the body of knowledge regarding the social phenomenon of crime. It includes information regarding the nature and extent of crime, and the policies used in dealing with crime and criminals". The second sentence was in later editions more sharply and catchy rephrased as "It includes within its scope the processes of making laws, breaking laws, and reaction to the breaking of laws" followed by the sentence that these processes "are three aspects of a somewhat unified sequence of interactions". The presentation will posit that still today this definition/description can be used as a conceptual starting frame for dealing with "processes" leading to "conditions" leading themselves then rather to "facts" instead of "data" in the area of crime and criminalization. The U.S. legalistic term of "law enforcement" is (probably unwittingly in the core) conceptually quite near to the "reaction to the breaking of laws" whereas such terms as "war on crime" or "war on criminals" may lead us faster to the other crucial juxtaposition of (criminal) law as a tool/weapon of establishing and upholding (political) power on the one hand, and law as a means to restrict (political, executive, and judicative) power, in particular abuse of power, on the other hand. The aspects of "crime as construct" vs. "crime as harm and damage generating behaviour" cannot be fully separated from each other in any scientific approach which aims to study, understand or explain the full range of influences upon resp. consequences of human deviant behavior and institutionally embedded misconduct. The presentation will try to show, however, that in everyday "normal criminological science" many phenomena can be taken "as if" they were "given entities", due to agelong common public understanding of conducts deserving to be reacted upon in a "penal" manner. In many other respects, even in democratic states or societies, the apparent natural order of sequence from crime to criminal policy to criminology deserves to become turned around and theoretically deconstructed alike. Socalled political or moral (sexual) or terroristic crimes are but pivotal examples on the surface for many other "crimes" where criminology might or should contribute (even through empirical studies) to restricted and rationally controlled policies of law making and law enforcing.

**783**

# AN EVERGREEN OR FORGOTTEN SUBJECT: RELATIONSHIP AMONG CRIME, CRIMINOLOGY, AND CRIMINAL POLICY

Irena Rzeplinska
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1. Crime. How is the picture of crime changing nowadays? How do the phenomena of criminalization and decriminalization proceed? At present, we can observe a fall in reported crimes, at the same time we know that crime has appeared in virtual space, in the internet, where crime is not easily detected. What the crime of the internet society, societies of the digital world, dependant on technologies, "workless" societies, and societies of older people (50+) will look like? What the new type of the perpetrator will be?

2. Politicization of the problem of crime is not a new phenomenon. In the communist regime, "fight with crime" was an element ever present in political documents as a task of the sole ruling party, meant to obtain the support of the society. In democratic system, "coping" with crime is one of the duties of the ruling class but the issue of crime control also became the subject of political fight on the populist note. "Fight with crime", or rather as it is said nowadays "crime control" will always be of an interest to politicians – so that the shape and tools of this control are not decided by the voting mechanism.

3. Contemporary democratic societies respond to crime with penal sanctions of deprivation of liberty (imprisonment), restriction of liberty (probation with various forms of control), and fines. In post-communist countries of the EU the level of imprisonment is very high, crime policy remains repressive in spite of the decrease in crime level which, among other European countries, is average. How should crime control policy and, at the same time, social awareness of reaction to perpetrators be changed in the post-communist societies?

4. The tasks of criminologists. Observation of crime at present, changes of its structure and dynamics, forecast of changes in the picture of crime. Investigation of etiological factors of crime in contemporary societies: factors of its increase and decrease. Investigation of new types of perpetrators. Analyses of, so called, effectiveness of the criminal justice system; supplying the decisive persons with reliable knowledge of the state of crime and methods of response to crime; of the consequences of various political-criminal decisions. Investigation of actions to prevent crime.

# GENDER VIOLENCE

## REHABILITATION PROGRAMS AND GENDER VIOLENCE

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The principal objective of this research is no other than discuss the conclusions of my PhD project about the nature, design, development and the results of the rehabilitation programs in Spain as a penalty for crimes involving gender violence.In this sense, we will analyze the law 1/2004, which it is related with gender due to establish a compulsory alternative rehabilitation programs for men in order to substitute or suspend imprisonment condemn as well as to establish a compulsory developed program inside the prison. Recently a reform of the penal code was made by the 5/2010 law in order to strength the reliability of these programs as a part of the community service. Due to these facts in 2010 the penitentiary administration developed a framework program for being applied to men who were in prisons and men who were serving alternative sentences. Our conclusions take into account the empirical and theoretical results of the rehabilitation programs: the recently published by the external evaluation, the crisis of the paradigmatic treatment as a penalty as this is handled nowadays by the criminological, penal and feminist doctrine.

**786**
**HONOR KILLING AS AN EXAMPLE OF CULTURALLY MOTIVATED VIOLENCE**

Agnieszka Gutkowska
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The offenses, that are rooted in the culture of the perpetrators, are unique in many respects. First, they are much more shocking than the crime "typical" in the society, precisely because of their differences and the relatively rare occurrence. Secondly, because of their specificity, such crimes are a real challenge for law enforcement, especially for the courts that have to deal with strange and often incomprehensible, from the perspective of their own culture, behaviors and situations. It is also a challenge for researchers, who do their best to describe and, above all, to understand the mechanisms leading to the committing of such crimes.

The article is intended to explain specifics of honor killings, that are the most dramatic example of culturally motivated violence (honor-related violence (HRV)). The presentation focuses, first of all, on characteristics of perpetrators and victims of such crimes, but also tries to explain the process of motivation of the perpetrators, who often are no less involved in obligations arising from the cultural norms than their victims.

**787**
**THE IMPACT OF GENDER TO THE JUDICIAL SENTENCES**

Emilia Rekosz-Cebula
*University of Warsaw, Warsaw, Poland*

The scientific goal of the speech is presenting a methodology possibilities of criminological analysis of the influence of the offender's gender (in its cultural and social context) on judicial punishment. The main problem of the presentation is to show proposition of research about the way how an offender's gender is considered by the judges when deciding on a form of punishment (what is the character of this influence, whether the impact is affirming or discriminating).

The research problem posed in the planned speech is partly a continued problem, as it refers to a subject already researched in criminology (dependency between the offender's gender and severity of the court sentence), and partly new, because even though methodology proposition refers to gender and court sentencing focused on the quality analysis of the scope in which gender can influence the court sentence, in a manner that has not been discussed in Poland.

Both Polish as well as foreign sociological and criminological literature contains research regarding the dependency of the offender's gender and the severity of the issued punishment. The main goal of this research was to state which group of offenders, whether men or women, generally or within the scope of given crimes, are given more severe penalties and which receives more lenient sentences. The issue of differential punishment for men and women was addressed in both Polish and foreign research, whereas in Poland to a much lesser extent.

The research problem of the presentation is the scope and character of the influence of an offender's gender on judicial punishment. The methodological proposition is concerning about authoring analytical model to analyze the impact of offender's gender to judicial punishment. The basis of the theoretical model is the use of triangulation of two sociological perspectives: a feminist perspective and symbolic interactionism.

**788**
**GENDER, SUBVERSIVES AND THE DEATH SENTENCE IN MODERN IRELAND**
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In 1976 Marie Murray became the last women to be sentenced to death in Ireland. Her crime, the murder of Garda Michael Reynolds, was one of the few remaining capital offences on the Irish statute books. What would follow – the international reaction, the eventual quashing of her conviction and the subsequent retrial – provide a point of entry to Ireland's recent criminal justice past which enables an exploration of issues of gender and the criminal justice landscape of the 1970s. The circumstances of Murray's case are signally different from those of the other women sentenced to death in Ireland, both in terms of the political nature of the crime and the unprecedented levels of public interest. Yet, the question remains of how her gender impacted on discourses surrounding the case.

Equally, the historical and political context of Marie Murray's case also provides a ripe environment for investigation. The 1970s was a decade of subversive political activity, both in Ireland and internationally, and the discourse of political violence was strongly embedded in writings on Marie Murray's trial. Further, the death sentence which was imposed on Marie Murray was handed down in a rapidly changing and modernising Ireland. In a context of European integration and the evolution of a post-war human rights doctrine, the imposition of capital sentences became more contested. The repercussions of this were made clear to the Irish authorities all too soon as international, particularly European, condemnation was directed at the Government. The interplay of these contingent factors in the trial of Marie Murray provides an illuminating case study of the position of Ireland in an increasingly globalised world, allowing an exploration of a country in flux. The case acts as a cipher, unlocking understandings of gender and the law in Ireland, as well as the political context of terrorism and violence in Ireland in the 1970s.

# CULTURAL CRIMINOLOGY: TRANSGRESSION AND STATUS SYMBOLS

## EDGEWORK ON THE MARGINS: YOUNG MEN AND JOYRIDING IN DUBLIN

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In this paper, we draw on recent work in the field of cultural criminology to consider the nature of young men's involvement in joyriding. Based on fieldwork in a marginalised area of Dublin, we examine both the immediate context of the joyriding experience, as well as the wider socio-economic environment within which it occurs. We highlight joyriding not as a distinct form of crime, but rather as a particular form of transgressive engagement with late-modern consumer culture. We argue that joyriding involves not only a set of skills oriented towards risk-laden driving, but that this activity takes place in a specific local context of marginalisation in which joyriding (or 'flashing') frequently is a public display for peers and neighbours. Ultimately, we seek to understand how joyriders who themselves are denounced and demonised in wider public discourse can attract appreciative audiences into the early hours of the morning, as marginal and stigmatised neighbourhoods are turned into performance spaces for joyriding. Our analysis situates joyriding on a continuum of risky driving behaviour and we argue that the social costs of joyriding are far outweighed by the dangerous driving of car owners seeking the excitement of the 'driving experience' which is part of the exaltation of the car in modern society.

**790**
**UNLEASHED – WHAT MOTIVATES YOUNG MEN TO USE PITBULL DOGS TO GAIN STATUS?**

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The last few years has seen a rapid growth in the ownership of 'status dogs' in the UK. Increasingly young men can be seen with Pit-bulls, Rottweilers, and bull breed dogs in social housing estates, local parks or youth centres; with the dogs usually straining on a harness and bull-chain. Such dogs have become the dog of choice for certain young people believing these dogs 'convey status'. They are also used by gangs for intimidation or as weapons, as in the recent murder of Seyi Ogunyemi (16). They may also be used by gangs for illegal dog-fighting – also on the rise in the UK So alarmed are the Metropolitan Police in London about such activity that a new 'Status Dog Unit' has been established. The Mayor of London has also developed an Action Plan to address the growing menace of such dogs in London. In addition there are specific cultural aspects to this increase in dog-fighting. This presentation will consider the recent evidence and the motivations of young people in owning/ breeding such dogs from a sociological and criminological perspective. It will also consider the relationship between status dogs, young people and urban street gangs; the social impact on local communities and families alongside social, cultural and media influences, such as gangsta rap and Hip Hop.

**Keywords:** *Gangs; young people; dogs; weapons; status; respect*

**791**
**CANINE CONTROLS: DANGEROUS DOGS AND SHIFTING REGIMES OF PUNISHMENT AND SOCIAL CONTROL**

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Since the 1991 Dangerous Dogs Act in England and Wales there has been a growing social concern about 'dangerous dog breeds' and 'dangerous dog owners'. This legislation was originally constructed though the hereditarian belief that certain dangerous dogs are destined through their biology, but more recent legislative proposals point to a shift away from this position towards a clampdown on more general dog behaviour and the failures of dog owners to control their pets. In this paper, I attempt to trace the connections between these constructions within the legislation and examine the applications using theories from contemporary punishment and social control. The paper traces a close parallel between these shifts in dog legislation from a 'waste management' model outlined by Jonathan Simon (1993), to the State adaptive strategy of responsibilization analysed by authors including David Garland (1996). The rationales behind these policy shifts and the applications with theories of punishment and social control are examined, including the overall implications for dogs and dog owners more generally.

**792**
**YOUNG PEOPLE: FOLK DEVILS OF LATE MODERNITY? A CRIMINOLOGICAL STUDY ON YOUNG PEOPLE'S LEISURE EXPERIENCE**

Valeria Gedeon
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In the 21$^{st}$ century in Hungary there is a tendency – similar to the United Kingdom's – related to young people that they are considered dangerous and especially in the night-time economy irresponsible and unpredictable. In connection with this there is nothing new under the sun: young people have always been in the focus of attention (Geoffrey Pearson).

The reason why studying this particular social group and their use of free time – nowadays considered as probably the most problematic area of their life (Simon Winlow and Steve Hall) in the debate of government and media – is that in the late modern era, in a young democracy like Hungary the effect of the Hungarian government's and the local authorities' restrictive and exclusive policy concerning (not just) night-time leisure activities and partly alcohol consumption could be counterproductive.

In my paper I am going to present my latest study on young people's leisure experience conducted in the summer of 2013. The results are going to be shown in a framework of cultural criminology (Keith Hayward, Jeff Ferrell, Mike Presdee and Jock Young) using the night-time economy theory (Fiona Measham, Dick Hobbs and Phil Hadfield), the moral panic theory (Stanley Cohen) and leisure studies (Chris Rojek, Andy Furlong and Fred Cartmel).

Through the perceptions and experiences of young people it is going to be presented that in the late modern epoch in Hungary young people are becoming considered more 'youth as risk' than 'youth at risk' (Adam Crawford).

# THE RULE OF LAW AND THE CRIMINAL POLICY

**793**
**THE CRIMINOLOGY AND LAW OF THE ELUSIVE "POLITICAL OFFENDER" •
MENTALLY ILL? CRIMINAL? POLITICAL ACTIVIST? TERRORIST? COMBATANTS? -
COMPARATIVE U.S.A.-EUROPEAN MODALITIES**

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This proposed presentation is, to my knowledge, one of the first to directly address this highly controversial, complex, "politicized", and timely subject. The presentation will discuss the terminology, criminology, legal classification, criminal responses and consequences of dealing with "ideology"-connected offenders and offenses. The presentation will discuss both policy and procedural issues connected with the investigation, detention, prosecution, defense, sentencing and correction of individuals suspected of and charged with either individual or collective "ideologically"-connected offenses (political, religious, ethnic, gender, etc.). The presentation will address both those charged with non-violent and violent conduct.

The presentation will include both historical and contemporary examples involving jurisprudence, criminology, policy and procedure. Included in the presentation will be such academic-oriented topics as "mens rea", "actus reus", "culpability", "legal insanity" and "dangerousness", which have been of concern to both common law and civil law, classical, positivist and restorative justice criminologists. The presentation will seek to review the successes and failures of past policies and programs and will consider the realistic requirements of human rights, public security and social defense in the current era.

Although the emphasis of the presentation will be on the United States modality, it will seek to compare that approach with comparable European perspectives.

Given Europe's early interest in the differential treatment of so-called "political offenders", and the long-standing and continuing international treaty exemptions of members of that category of offenders from international extradition, this conference and timing seem to be ideally suited for this proposed presentation.

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# LIKE FISH IN WATER: AN INTERNATIONAL SURVEY OF SURVEILLANCE IN POST-COMMUNIST SOCIETIES

Fredrika Björklund[1], Ola Svenonius Svenonius [1], Pawel Waszkiewicz (University of Warsaw, Poland) Waszkiewicz[2]

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In the post-communist period, a range of surveillance phenomena have emerged in Central and Eastern Europe (CEE) that many researchers believe originated in the Communist regimes before 1989/90. Such phenomena are for example the high prevalence of CCTV and gated or guarded housing, and a generally high usage of invasive surveillance techniques like wiretapping by law enforcement agencies.  During the post-communist period, social equality in the CEE has been low. The research project *Like Fish in Water: Surveillance in Post-Communist Societies* studies surveillance practices, law enforcement, and social equality in 18 countries in Central and Eastern Europe. In 2014 the project will carry out a survey in Estonia, Poland and Ukraine in order to study the correlation between attitudes towards surveillance, trust, and social equality.

In 2006, the *Globalization of Personal Data* (GPD) project in Canada carried out on of the first international surveys on surveillance and privacy in nine countries across the globe. In the survey, respondents were asked to position themselves with regard to several common surveillance technologies, whether they were worried about their privacy, and to what extent they trusted public and private institutions such as the police, banks, and government agencies (Zureik et al. 2010). Analyses of the GPD data suggest that trust in government agencies is a key variable in determining whether surveillance is acceptable or not. Trust as such generates high acceptance for and belief in surveillance and state institutions. It is therefore of particular interest to study the post-communist societies, where trust in government and in peers is generally low, but the acceptance of surveillance practices – according to our previous research – generally very high.

However, we assume that only studying trust and surveillance is inadequate. A significant component in explaining surveillance lies in questions of tolerance, inequality and social marginalisation of groups like roma or homeless people. The 2014 survey draws on the earlier research in Canada and sets out to explore the interrelationships between surveillance practices such as CCTV, trust (in public institutions as well as between peers), and social equality. In the paper, we develop our model for explaining surveillance practices, and describe the items of the coming survey.

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**795**
**DNA DATABASE IN PORTUGAL - DOES IT MAKE SENSE?**

Susana Costa
*Centre for Social Studies, University of Coimbra, Sociology, Coimbra, Portugal*

The main objective of my post-doctoral research "DNA and criminal investigation – a comparative sociological analysis of its evolution and impacts in Portugal and in the UK". is to study the evolutional, social, cultural, political and organizational impacts created by DNA technology in the procedures of criminal investigation in Portugal and to develop a comparison between the Portuguese reality and the scenarios of the use of forensic genetics in the police work in the UK and to understand the modalities of scientifization of the police work (Williams and Johnson, 2008) in both countries, focusing the local conditions of its exercise, the articulations of police with forensic biology laboratories, the influence of the specificities of legal issues in the police procedures and their impacts both in the production of proofs and judicial decisions, and at the level of effectiveness in criminal investigation.

Comparing the discourses of the actors from both countries I propose to focus on the most relevant issues that are highlighted in the daily policial practice, showing the similarities and the differences in the work done by them, particularly focusing in the consequences of the different forms of managing the crime scene and its implications in searching suspects or potential suspects on a DNA database and the uncertainties and risks that such screening may cause in the searching for the scientific truth.

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**796**

**THE PRISON PRIVATIZATION PROJECT IN SPAIN: PREDICTABLE DEVELOPMENTS BEYOND UTILITARIANIST AND TRADITIONALIST APPROACHES**

Carlos Viveiros
*National Major University of San Marcos, Center for Criminal Law Studies, San Marcos, Peru*

In the summer of 2012, the Ministry of Internal Affairs of the Spanish government decided to undertake a prison privatization policy; more specifically, the progressive substitution from all police and civil guard agents that supervise its 74 Correctional Centers, to guards provided by private corporations. Although the policy project has not yet taken the pace of implementation that was initially intended, it features a strong potential of becoming a reality, due to the public-austerity-measures-favorable moment that Spain has been undergoing.

The decision, as predictable, has provoked several discussions and controversies surrounding its consequences and legitimacy. In the academic context, however, either its defenders or its critics, even though having raised a large variety of political and economic points of view, seem to have established the controversy on inappropriate grounds to the understanding of the matters involved. Both of them set the paths of the discussion, exclusively, whether on utilitarian terms – analyzing the consequences or the acceptability of the privatization in terms of cost/benefit or efficiency improvement of correctional system – or on an "ethical-political-traditionalist" aspect, evaluating the alignment of the delegation of such activities to private corporations to the concept of State Sovereignty settled by Continental Europe's political tradition, in contrast to the one that has been consolidated in the pioneer country on prison privatization, the United States of America.

The author sets out the reasons to the inappropriateness of those sorts of analysis, and, following the steps of Nils Christie's approach, establishes the focus on the question: "in which measure would the implementation of the prison privatization policy stimulate the expansion and transformation of Spanish State's punishment capacity, and also which sociological and political effects could that policy deploy within its interaction with times of economic crisis and State austerity?".

To this purpose, it will be vital to evaluate the relationship between the progressive implementation of the privatization policy in USA and the ways through which it related, influenced on and was influenced by the political, social and economic conditions of its 20th century Welfare-State crisis' context, and the effects that both factors had in the evolution of the country's punishment practices. This will provide the means to finally draw – through a comparison to the present socioeconomic conditions in Spain – a perspective on the impacts that prison privatization could have on Spanish criminal policies.

# EFFECTIVENESS OF THE JUDICIARY: CHALLENGES IN AND OUTSIDE EUROPE

**797**

## IN THE NAME OF EFFECTIVENESS. THE HUNGARIAN JUDICIARY REFORM AND THE EUROPEAN STANDARDS.

Peter Hack
*ELTE University, Faculty of Law, Department of Criminal Procedure, Budapest, Hungary*

The recent Hungarian legal reforms regarding the judiciary draws international attention to the Hungarian case. The European Parliament, the Council of Europe, the Venice Comission, the International Bar Association expressed its conserns regarding these developments. In my presentation I will introduce the Hungarian case and will evaluate the Hungarian reform form European legal perspectvive.

The new Hungarian Fundamental Law has changed the constitutional regulations regarding the judiciary. In December, 2011, Parliament adopted two laws on the organisation and administration of the judiciary, and the legal status and remuneration of judges. Although the New Laws implement significant elements from experts recommendations regarding transparency and accountability, it also raises serious concerns. Critics (including the at that time acting President of the Supreme Court) say that the law, in the name of effectiveness weakens the independence of the judiciary, by practically depriving the self-governing bodies of judges from all of its significant competences, and delegating them to one person, the President of the National Office of the Judiciary (NOJ). The new regulations are not sufficient to exclude political interference to the operation of the judiciary. The presentation will compare the new Hungarian regulations with the European Standards of judicial independence. I will demonstrate that there might be great risks to increase the effectiveness in a way which undermines the independence of the judiciary, and althogether the credibility of the justice system.

**Keywords:** *Hungarian Judiciary Reform, Judicial independence and effectiveness*

**798**
**RESEARCHING THE OPERATION OF A COMMUNITY JUSTICE COURT IN ENGLAND**
Daniel Gilling
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The criminal process is often accused of delivering 'revolving door' justice that fails to address the causes of the offending behaviour of those appearing before the courts. Community justice represents a way of addressing this deficiency by re-orienting the courts towards the idea of 'problem-solving', and attempts have been made to bring this into the criminal process through specially introduced community justice courts that deal with 'low level' offences. In the UK the introduction of these new courts supposes a shift from conventional adversarial justice to a way of doing justice where judges actively engage the defendant in the purpose of addressing their offending-related problems, and where other court personnel work as a team towards the pursuit of this end. This paper reports upon the early findings of a research project that has examined the workings of one of these community justice courts in England. It identifies the difficulties that have become manifest as attempts have been made to shift the court from one modality of (summary) justice to another of (community) justice, and it uses the results of the research to reflect more widely upon the merits of this particular policy initiative.

**799**
**DELAYS IN CRIMINAL TRIALS-THE NIGERIAN EXPERIENCE**
Adeniyi Olatunbosun
*Obafemi Awolowo University, School of Law, Ile-Ife, Nigeria*

Nigerian criminal justice system has witnessed undue delays in the disposition of cases over the years to such an extent that delays have become the norm rather than the exception. Indeed, the popular maxim: justice delayed is justice denied has been honoured more in its breach than in its compliance in Nigeria. Most of these delays occur in the magistrate courts where prosecutions of cases are usually handled by police officers and at police stations by the police while exercising powers to arrest or detain criminal suspects, which are often, abused resulting in the violation of the fundamental rights of the citizens. These incidents violate the constitutional and statutory provisions that criminals should be arraigned before a court of law within a reasonable time. The presumption of innocence in favour of a suspect which is a recognized fundamental principle unfortunately remains an unfulfilled dream for the suspect awaiting trial in prison or police custody nationwide. In fact, the incidents of undue delays in the criminal justice system in Nigeria have become more worrisome as there are instances of some suspects spending between five and ten years in detention while awaiting trial. Others are known to have died under the most inhuman conditions in the prison and police cells nationwide. There is that possibility, and it has happened in a number of cases, where thevictim is not only wrongly arrested but prosecuted and convicted. As a result of these delays suspects suffer hardship, the society adversely feel the impact of the delays leading to the growing lack of public confidence in the criminal process and invariably creating a situation where many citizens resort to taking laws into their own hands to redress one form of grievance or another.

**Keywords:** *Criminal justice, delays, human rights, detention,police, prisons*

# RISK FACTORS AND JUVENILE DELINQUENCY

**800**
## THE BACKGROUND OF HOMICIDES AMONG JUVENILES AND YOUNG ADULTS

Orsolya Bolyky
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Considering the research-focus of criminology, the first idea generally coming to mind is probably the question of homicide. However, this issue is hardly ever discussed practically. In my presentation I would like to interpret a file-based research conducted in Hungary at the National Institute of Criminology in 2011 by Erzsébet Tamási, Orsolya Bolyky and Eszter Sárik. The research covered 115 criminal files, involving the data of 165 juvenile and young adult offenders between the age of 14 and 24, and 124 victims. Our goal was to gain extensive knowledge about the domestic, socio-economical, psychological and criminal background of the perpetrators by using 5 questionnaires of diverse scientific focus.

As part of the research, we tried to explore the interior factors: such as the motivation of crime, the psychological and biological background, the issue of committers' alcohol- and drug abuse as well as the addiction problems within the family.

We have categorized the motivations of crimes into 7 categories - homicide committed upon: 1.) financial gain, 2.) impulse (anger, revenge, jealousy, quarrel), 3.) sadism or humiliation, 4.) sexual motives, 5.) "legitimate" reasons (fear, solidarity, hidden pregnancy, self-defense), 6.) dissembling another crime, 7.) or without any apparent motivation. The main motivation of this age group was the financial gain but even behind these acts impulsivity played a significant role. The second most common motive was pure impulsivity which was often linked to excessive alcohol consumption.

Pertaining to substance-use, our findings are the followings: the majority of the perpetrators were regularly drunk and were frequent drug-users; many of their family members - mainly the fathers - had alcohol problems. Although the presence of alcohol and drug abuse is well-documented in most of the cases, the forensic psychiatrist stated that only half of the offenders were influenced by alcohol at the moment of the commitment of the crime and only in 20 cases were the perpetrators under the influence of illegal drugs.

In my presentation I will unfold and interpret the seven different motives of homicide, which I will illustrate with particular cases. Finally, I will examine briefly alcohol and drug-abuse and will mention related data.

**801**

# THE RISK FACTORS OF OFFENDING IN HOMICIDES AMONG JUVENILES AND YOUNG ADULTS

Eszter Sárik[1], Erzsébet Tamási[2], Orsolya Bolyky[1]
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Considering the research-focus of criminology, the first idea generally coming to mind is probably the question of homicide. However, this issue is hardly ever discussed practically. In my presentation I would like to interpret a file-based research conducted in Hungary at the National Institute of Criminology in 2011 by Erzsébet Tamási, Orsolya Bolyky and Eszter Sárik. The research covered 115 criminal files, involving the data of 165 juvenile and young adult committers between the age of 14 and 24, and 124 victims. Our goal was to gain extensive knowledge about the domestic, socio-economical, psychological and criminal background of the perpetrators by using 5 questionnaires of diverse scientific focus.

As part of the research, we have tried to explore both interior and external factors: such as the motivation of crime, the sociological, familiar, psychological and biological background, and the issue of committers' alcohol- and drug abuse as well as the addiction problems within the family.

In my presentation I will attempt to summarize the general outcomes of the research: examining the country data, the basic data – such as gender and age, and the relevant socio-economic factors. I will also throw a glance on the role of the victim, whether their features influence the outcome and quality of the certain crime committed. The presentation would like to interpret the relevancy of domestic background - how the lack of the entire family circumstances influence juveniles' behaviour, related the homicide question. It is worth mentioning the significant role of school and education, because there is an obvious pattern in  school attainment to be drawn from the outcomes of our research. Usually children at risk start out from ordinary school system, then getting to special educational forms and they end-up in drop-outs from the whole educational system.

**802**
**JUVENILE DELINQUENCY IN SCHOOL: GENDER AND RACIAL DIFFERENCES**
JANICE JOSEPH
*Richard Stockton College of New Jersey, Criminal Justice, Galloway, United States*

Juvenile delinquency in school is quite common in the United States. According to the *Indicators of School Crime and Safety: 2011*, in 2010, among students ages 12-18, there were about 828,000 nonfatal victimizations at school, which include 470,000 victims of theft, and 359,000 victims of violence (simple assault and serious violence). In addition, the study showed that 2009–10, about 74 percent of public schools recorded one or more violent incidents of crime, and 16 percent recorded one or more serious violent incidents. The Youth Risk Behavior Surveillance System (2013) also found that 8.7% had drunk alcohol, 23.1% had used marijuana, 32.8% had been in a physical fight, 20.1% had ever been bullied on school property,18.1% had smoked cigarettes, 7.7% had used smokeless tobacco, and 16.6% had carried a weapon (e.g., a gun, knife, or club) on at least 1 day during the 30 days before the survey. Other studies indicate that the rate of delinquency in school varies by gender and race. Using statistical data, this presentation examine the nature and extent of delinquency in school by focusing on gender and racial differences.

**803**
**FEMALE JUVENILE DEVIANCE: PATTERNS, NEEDS AND INTERVENTION**

Vera Duarte, <u>Luísa Vieites</u>
*Instituto Superior da Maia, Unidade de Investigação em Criminologia e Ciências do Comportamento, Maia, Portugal*

Through this communication we intend to discuss some of the preliminary results of an ongoing project on *Female Juvenile Deviance: patterns, needs and intervention,* which has as main objectives: to identify the risk and protective factors and the motivations of the institutionalized girls (at risk and in conflict with the justice); and to explore critical focus areas for intervention with them.

Although this Project is partially the result of a PhD research that was developed by one of the authors (Duarte, 2011), about discourses and pathways on female juvenile delinquency, it constitutes, in the Portuguese context, an innovative effort that frames several needs: to diminish the purported scarcity of studies on this issue; the development of a research and intervention agenda regarding this group and this issue; and a political challenge framed by the last report of the commission for monitoring and supervising of educational centers in Portugal that points the unsustainable situation regarding institutionalized girls, that face a space and organization designed for boys, without the necessary differentiation that are the specificities of gender (CFCE, 2012:13).

**804**

**THE UNINTENDED CONSEQUENCES OF BEING STOPPED OR ARRESTED: AN EXPLORATION OF THE LABELING MECHANISMS THROUGH WHICH POLICE CONTACT LEADS TO SUBSEQUENT DELINQUENCY**

Stephanie Wiley, Lee Slocum, Finn-Aage Esbensen
*University of Missouri - St. Louis, Criminology and Criminal Justice, St. Louis, United States*

On the surface, aggressive policing strategies such as "stop, question, and frisk" appear to be relatively innocuous crime control policies. However, the question remains as to whether these strategies negatively affect youth. Labeling theory suggests that official intervention results in increased delinquency through the label's stigmatizing effects, but few studies have thoroughly examined the mechanisms through which police contact may amplify offending. The current study uses four waves of data from the National Evaluation of the Gang Resistance Education and Training (G.R.E.A.T., 2006-2012) program to examine whether police contact increases delinquency via social exclusion and attenuation of prosocial bonds, enhanced attachment to and association with delinquent peers, and changes in deviant identity. We use propensity score matching to control for pre-existing differences among youth who experienced no police contact, those who were stopped by police, and those who were arrested. Our findings indicate that compared to those with no contact, youth who were stopped or arrested report higher levels of later delinquency and that social bonds, deviant identity formation, and delinquent peers partially mediate the relationship between police contact and later offending. Thus, aggressive policing strategies designed to increase the number of youth who are stopped or arrested may do more harm than good. Our results suggest, though, that the occurrence of secondary deviance may be reduced through programs designed to minimize poor academic achievement, deviant identity formation, and delinquent peer associations.

# SEX, DRUGS AND ONLINE HOOK-UPS: ETHICAL PRACTICES WHEN CONDUCTING 'DEVIANT' RESEARCH

Roos De Wildt[1], Camille Stengel[2], Brian Federick[3]
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[2]ELTE University, Faculty of Law, Faculty of Law, Budapest, Hungary
[3]University of Kent, School of Social Policy, Sociology and Social Research, Canterbury, United Kingdom

**Structure- general description**
This panel touches on the awareness of ethical protocol while researching 'deviant' populations. The presenters consider the often assumed ethical obligation to intervene and discourage 'deviant behavior' and possible exploitation of respondents in their respective fieldworks on the sex industry, female drug users and gay online sex and drug subcultures. The discussion will include ethical and safety concerns that are considered in order to not jeopardize the safety of both respondent and researcher in the field.

**Presenters**
Roos de Wildt considers the ethical and safety dilemmas that arise from conducting ethnographic research on the sex industry, taking her research in Kosovo as a case study. Ethnographic research methods often lead to emotional engagement between researchers and respondents. Such engagement might result in requests for help from respondents. Zimmerman and Watts (2003: 24 - 25) outline offering help is an ethical and moral obligation when doing research amongst (potential) victims of trafficking. However, offering it in the wrong way could only worsen the situation and help should therefore be carefully considered.

Camille Stengel discusses some ethical considerations when conducting participatory research with and about women who inject drugs. Women who inject drugs often deal with a range of difficult and complicated life situations, often including but not limited to unstable housing, food insecurity, stigmatisation and marginalisation, and different forms of violence. While historically scientific objectivity has dictated a distancing between researcher and the researched, participatory research aims to break down these power imbalances and fully engage participants as active contributors throughout the research process. What are the ethical issues to consider as a researcher when engaging with this population?

Brian Frederick will explore the ethics of reporting observable online subcultural phenomena as presumptive 'facts', especially where the 'identities' of the subjects – because they are drawn from blogs, or message boards, or from a member profile from an online social network – cannot be confirmed. He will argue that, for this reason, when conducting empirical studies in virtual gay environments – especially where the focus is on criminal, deviant, and/or transgressive drug- and sex-related behaviours – it is important to be mindful of identity construction, especially with respect to the subjectivity/objectivity of both the observer and the observed.

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**806**
**REPORTING FANTASY AS FACT: THE ETHICS OF CONDUCTING EMPIRICAL RESEARCH IN ONLINE ENVIRONMENTS**

Brian Frederick
*University of Kent, School of Social Policy, Sociology and Social Research, Canterbury, United Kingdom*

The Internet has had a profound influence on gay identity in that, through the construction of online profiles and avatars, gay men seem to present themselves in ways that correspond more with image and sex preferences than with 'true' identities. Indeed, it is argued that some men even construct online identities to attract a specific sexual or drug-driven experience, and that this identity may not reflect the identity they portray 'offline'. For this reason, when conducting empirical studies in virtual gay environments – especially where the focus is on criminal, deviant, and/or transgressive drug- and sex-related behaviours – it is important to be mindful of identity construction, especially with respect to the subjectivity/objectivity of both the observer and the observed.

Using a sample of epidemiological and behavioural health studies – studies that often influence criminal justice policies and protocols – this paper will explore the ethics of online research, in particular, empirical research that 'observes' criminal, deviant and/or transgressive behaviour. In particular, this paper will explore the need for researcher reflexivity, as well as the need for researchers to articulate their altruistic and/or empirical motivations. It will also consider the ethics of reporting observable online phenomena as presumptive 'facts', especially where the 'identities' of the subjects – because they are drawn from blogs, or message boards, or from a member profile from an online social network – cannot be confirmed.

**807**
# THE ETHICS OF REDUCING HARM IN WOMEN DRUG USER'S LIVES

Camille Stengel
*ELTE University, Faculty of Law, Faculty of Law & School of Criminology, Budapest, Hungary*

Camille Stengel discusses some ethical considerations when conducting participatory research with and about women who inject drugs. Women who inject drugs often deal with a range of difficult and complicated life situations, often including but not limited to unstable housing, food insecurity, stigmatisation and marginalisation, and different forms of violence. While historically scientific objectivity has dictated a distancing between researcher and the researched, participatory research aims to break down these power imbalances and fully engage participants as active contributors throughout the research process. What are the ethical issues to consider as a researcher when engaging with this population?

The majority national drug policies and criminal justice systems in Europe operate under the assumption that illicit drug use is a risk that can result in harm to society, and therefore the 'ethically responsible' response is to criminalise drug related activity. While there are notable exceptions to this line of thinking (Portugal, Czech Republic), most countries operate under the normative framework of the UN drug conventions, which espouse value-laden rhetoric of punitive measures as an appropriate response to drug use. Marginalised populations are especially effected by this ideological stance and often experience harm as a result in the form of structural and individual disadvantage, stigma and prejudice. Women drug users, especially injecting drug users, often encounter double stigmatisation due to normative gendered expectations and social norms surrounding drug use.

Using participatory research tools and tactics during fieldwork can help in limit any outcomes that could contribute to further marginalisation or stigmatisation of the women drug users who engage in research. Participatory research methodologies situate those being researched as the experts, not the researcher, and substantiate participants' understandings of the world as a valid form of knowledge. This methodology emphasises reducing power dynamics between researcher and researched, and encourages collaborative development throughout the research process. Camille will discuss how ethical considerations taken when designing and executing a participatory action research project correlate and assist with reflective ethical and moral contemplations that should take place when engaging conducting research with women who inject drugs.

**808**
**ETHICAL CONCERNS IN RESEARCH ON THE SEX INDUSTRY**
Roos De Wildt
*Utrecht University, Department of Criminology, Utrecht, The Netherlands*

My phone rings for a few seconds and stops. One missed call from Rea. Rea is a young Albanian woman who is working in a bar in Kosovo. During our previous meetings, Rea told me how her father arranged various trips to Western Europe for her, where she was forced into prostitution. I return Rea's call. She has news: "*I told the bar owner that I am leaving. He was irritated but I told him that there is another life for me. I am going. Can you help me?*"

The question of Rea lays bare some of the ethical complexities of ethnographic research on the sex industry. Ethnographic research methods are qualitative by nature and aim at understanding the actual experience of people involved through entering a scene, staying there for an extended period of time, holding in-depth interviews and making (participatory) observations (Fleisher 1998: 53; Decorte and Zaitch 2010: 264-265). These methods often lead to emotional engagement between ethnographic researchers and respondents (see also: Fleetwood 2009; Decorte and Zaitch 2010: 300, 552; Fleisher 1998: 62; Tunnell 1998: 211-212). During my ethnographic fieldwork in Kosovo, this engagement resulted in Rea asking me for help. In the *WHO Ethical and Safety Recommendations for Interviewing Trafficked Women*, Zimmerman and Watts (2003: 24 - 25) outline offering help is an ethical and moral obligation. However, offering it in the wrong way could only worsen the situation and help should therefore be carefully considered.

This paper considers the safety and ethical dilemmas that arise from conducting ethnographic research on the sex industry taking my research in Kosovo as a case study. I start by examining if it is at all ethical to do ethnographic research amongst women who are involved in the sex industry and are potential victims of trafficking. Arguing that a study on the sex industry can not exclude the actual women involved, I continue by addressing ethical and safety concerns which should be taken into account in order not to jeopardize the safety of both respondent and researcher.

# RESPONDING TO THE CHILDREN OF PRISONERS: MAKING THE INVISIBLE VISIBLE

Anna Eriksson
*Monash University, Department of Criminology, Melbourne, Australia*

It is estimated that approximately one-half of imprisoned adults are the parents of dependent children. Significant increases in the adult prison population over the past two decades have also brought an unprecedented rise in the number of dependent children who now have a parent in prison. Murray (2007) reminds us that in England and Wales the numbers of children affected by parental imprisonment is the same number of children affected by parental divorce. Moreover, on any given day in New Zealand it is estimated that around 18,000 children are affected by parental incarceration (Gordon, 2009), and in Australia, there are thought to be some 38,000 children in this situation. Yet, the children of imprisoned parents receive negligible attention or intervention, which is highly problematic considering the well documented experiences by these children: isolation, behavioural difficulties at school, anxiety, insecurity, withdrawal, anger, and mental health concerns as well as the potential for involvement in offending behaviour themselves. Despite these concerns and the growing nature of the problem, these children remain largely invisible, and do not feature as a priority for government policy and statutory welfare bodies.

By way of addressing this issue, this panel include authors from the UK, Scandinavia and Australia, all who are also writing separate articles in a forthcoming Special Issue on the topic with the aim to share and consolidate knowledge, to encourage comparisons and collaborations across jurisdictions and to stimulate debate, all with the aim of furthering knowledge and improving practice in this area.

**Presenters and Abstract Titles**
**Chair:** Dr Anna Eriksson, Monash University, Australia
**1. The Role of School in Supporting Children Affected by Imprisonment**
Sarah Roberts and Nancy Loucks, Families Outside, UK.
**2. The visibility of children whose mothers are being sentenced for criminal offences in the courts of England and Wales**
Rachel Condry and Shona Minson, Oxford University, UK
**3. Children of imprisoned parents in Scandinavia: Their problems, treatment and the role of Scandinavian penal culture**
Peter Scharff Smith, Ph.D. Senior Research Fellow, The Danish Institute for Human Rights

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**810**
**THE ROLE OF SCHOOLS IN SUPPORTING CHILDREN AFFECTED BY IMPRISONMENT**

Sarah Roberts, Nancy Loucks
*Families Outside, Edinburgh, United Kingdom*

With its roots in direct work with three children in an Edinburgh high school who were struggling at school as a result of their mother's long-term prison sentence, this paper addresses the following questions:

- Why are schools generally unaware of which children are affected by imprisonment?
- How can staff actively support children and their carers through the school system?
- In what ways can imprisoned parents continue to engage in their children's education?

The report provides an overview of the main issues relating to schools and parental imprisonment, gives an account of best practice from research in Australia and the US, and concludes with a set of proposals for further development work in this field. It also places the work in context of wider initiatives to support children and families affected by imprisonment in Scotland and how support in schools is helping to take this work forward. The paper highlights the need for a coordinated approach between education, criminal justice, social work, and NGOs so that some of society's most vulnerable children are recognised and appropriately, and sensitively, supported. Underpinned by the guiding principal that"s*chools provide a major opportunity to support children of incarcerated parents and to help meet their needs"*(UN Committee on the Rights of the Child Day of General Discussion 2011), the report's key findings include.

- Training for teachers around issues of imprisonment, and its effects on children, is essential;
- Information and support for children affected should be available in all schools; and
- An imprisoned parent can still play a key role in their child's education, even from behind bars.

**811**

# THE VISIBILITY OF CHILDREN WHOSE MOTHERS ARE BEING SENTENCED FOR CRIMINAL OFFENCES IN THE COURTS OF ENGLAND AND WALES

Rachel Condry, Shona Minson
*University of Oxford, Centre for Criminology, Oxford, United Kingdom*

Set within a general understanding of the judicial interpretation of mitigation, this paper presents an analysis of sentencing transcripts in court cases in England and Wales involving mothers of dependent children who were sentenced to imprisonment. Transcripts from 50 cases were analysed in which women who were mothers were sentenced to imprisonment by Crown Court judges or Recorders, or had their custodial sentences reviewed by the Court of Appeal. The study set out to explore the visibility of children within the sentencing process and to examine whether the judges as representatives of the state, and with obligations under the UN Convention on the Rights of the Child, are aware of the children who are affected by the decision to imprison. It further considered whether knowledge of those children's existence in turn mitigates the sentence, or whether the court constructs a definition of 'good' mothers which excludes those with criminal convictions. Our findings indicate that the visibility of children of defendants is increased if the judge requests a pre-sentence report, but that their existence does not always mitigate sentence. The findings are set within the context of broader debates about the punitive impact of maternal imprisonment on children; their neglect within the criminal justice process; and the infringement of children's rights.

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**812**

**CHILDREN OF IMPRISONED PARENTS IN SCANDINAVIA: THEIR PROBLEMS, TREATMENT AND THE ROLE OF SCANDINAVIAN PENAL CULTURE**

Peter Scharff Smith
*The Danish Institute for Human Rights, København, Denmark*

In some ways the issue of prisoner's children seems to be one of the major Gordian knots facing the practice of punishment and imprisonment today. How can we punish parents committing serious crimes and still respect the situation and rights of their children? This issue has begun to attract serious attention during recent years after having been more or less neglected throughout most of the history of the prison. Empirical research, reports, and advocacy on children of imprisoned parents have, for example, been produced in Scandinavia during recent years by researchers, NGOs and children's Ombudsmen. Based on this research as well as on personal observations and new empirical data I will take a closer look at the situation of prisoners' children in Denmark, Sweden and Norway. I will look into how many children who experience parental imprisonment, the problems they often face and the way they are sometimes treated by police officers, prison staff and social workers – especially in Denmark where most of the Scandinavian empirical research has been done. I will also describe some of the recent initiatives, reforms and good practice, which has been introduced, or is currently in the process of being introduced, in the Scandinavian countries. One example are the children's officers – i.e. prison officers with special training who are responsible for enhancing the possibilities for improved contact between children and their imprisoned parents. Finally, I will discuss to what degree the Scandinavian welfare states and the penal culture in these countries might influence the conditions experienced by prisoners' children. As I will show there are examples of Scandinavian practices, which can both enhance and worsen the situation of prisoners' children.

# EUROPEAN UNION'S APPROACH TO FIGHT AGAINST ECONOMIC CRIMES

## THE EUROPEANIZATION OF THE LAW REGARDING CRIMINAL TAX LAW ON THE EXAMPLE OF THE LEGAL REGULATIONS IN GERMANY, AUSTRIA AND HUNGARY

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In recent decades, there was a significant globalization of economic activities, therefore an internationalization of fraudulent activities has taken place parallel. The free movement within the EU which was made possible by the implementation of the internal market, offers new opportunities for the commission of tax evasion. Financial crime, which also includes tax offenses, adds significant damage to the economy. Improved combating of tax evasion is thus an important objective not only in the Member States, but also in the European Union, wherefore the sharpest means, namely criminal law, should be used.

What are the consequences of increased financial crime within the EU? What resources can be used to better combat tax crimes? What resources of legal systems are available at national and at European level? These are just some of the key questions which will be investigated in the course of the research project "Europeanization of criminal tax law on the example of the legal regulations in Germany, Austria and Hungary" supported by the Alexander von Humboldt-Foundation. During the lecture the results of the investigation, which have focused on the European means and national solutions in the first half of the research period, will be presented.

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**814**

# OLAF: THE WATCHDOG THAT SOMETIMES BARKS, BUT DOES IT ALWAYS BITE?

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This paper will consider the role of OLAF as the lead agency in the fight against EU fraud and will examine its powers and its capacity to co-ordinate the activities of a multiplicity of agencies across 27, soon to be 28 member states. It will also consider the constraints which may prevent OLAF from operating in a more effective manner. OLAF's relationship with other transnational agencies will also be examined and the high level of fragmentation which exists amongst the many agencies involved in the fight against fraud, the fragmented legal approach and the difficulties this presents in attempting to investigate sophisticated transnational frauds will be considered. These difficulties have been compounded by the rapid expansion of the EU. The impact of expansion will be analysed and the support offered to new member states will be examined. The paper concludes that despite the best efforts of OLAF, and existing member states the high degree of fragmentation affecting institutions and the legal system has hampered the fight against fraud and has not enabled OLAF to have the "bite" that it needs to have.

**815**
# LEGAL HARMONIZATION IN CRIMINAL MATTERS AFTER LISBON WITH PARTICULAR REGARD TO THE FIGHT AGAINST MONEY LAUNDERING

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The European Communities originally did not have the legal competence in criminal matters. It was the Treaty of Maastricht in 1992, which extended the European integration to the justice and home affairs. Since then the judicial cooperation changed a lot, the Treaty of Maastricht was amended and modified by the Treaty of Amsterdam and the Treaty of Nice.

The Treaty of Lisbon entered into force on 1 December 2009 was a very important step forward in the history of the co-operation in criminal matters in the European Union. The Treaty of Lisbon abolished the pillar structure and the area of freedom, security and justice (the former third pillar) became a substantive supranational policy. The Treaty affirmed the principle of the approximation of the laws of the Member States. According to the Article 83 TFEU, the Union is entitled to establish minimum rules concerning the definition of criminal offences and sanctions of ten "eurocrimes" and to adopt harmonization measures in order to ensure the effective implementation of a Union policy. Although legal acts in criminal matters were already adopted, we can expect that on the basis of the new regulation of the Treaty of Lisbon an increasing number of criminal legislation will occur.

The European Union has already adopted measures against money laundering. In 1992, 2001 and 2005 three Anti-Money Laundering Directives which prescribed preventive measures against money laundering. In 2012 the European Commission submitted a report to the European Parliament and the Council on the application of directive 2005/60/EC. The purpose of this report was to consider the need for possible changes to the money laundering directive. The report stated that the existing framework appears to work relatively well, but the directive will have to be revised in order to update it in line with the revised FATF Recommendations. In 2013 the Commission submitted a proposal of a new Money Laundering Directive, which is intended to replace to former Directive. This new Directive contains the preventive measures against money laundering, while an other Directive, which will be adopted on the basis of the Art. 83 TFEU, will regulate the preventive measures against money laundering.

In this presentation I would like to analyze the legal harmonization competence of the EU though the example of the future new regulation of money laundering.

**Keywords:** *European criminal law, legal harmonization, Treaty of Lisbon, money laundering*

# GENDER, CRIME AND CRIMINAL JUSTICE PANEL 3: ESC WORKING GROUP MEETING: WOMEN, PARTNER VIOLENCE, AND SEXUAL OFFENCES

**816**
**GENDER, CRIME AND CRIMINAL JUSTICE PANEL 3: ESC WORKING GROUP: WOMEN, PARTNER VIOLENCE, AND SEXUAL OFFENCES**

Loraine Gelsthorpe
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**Gender, Crime and Criminal Justice Panels at the ESC**
The Gender, Crime and Criminal Justice Working Group has been in existence for three years. Interest is growing and these three panels showcase some of the work being carried out by members of the group. We are gradually moving towards the possibility of a special issue of the European Journal of Criminology and these three panels will be important to considerations of the shape of such a volume.

The first panel focuses on women and girls' distinctive pathways in to crime and, in Scotland, a missed opportunity to radically reform provision for women and girls following a recent major review of policy. The second panel takes as its theme 'Stories' - looking firstly at the stories of six female prolific and priority offenders - rare in the field on female offending; secondly looking at stories of women whose offending has taken them across national borders, and thirdly, looking at stories of transportation. The third panel will focus on women, partner violence, and conceptualizations and experiences of sexual offences.

There will be four presentations in the first panel and four in the second, but the third (with three presentations) also allows a short period of time for open discussion about the Working Group and it future direction.

**Panel 3 ESC GENDER, CRIME AND JUSTICE WORKING GROUP:**
**1) Monika Platek: New trends of Sexual offences in Polish Criminal Law - between engendering and endangering**
**2) Tania Reneaum Panszi: The Limits of the Criminal Justice System on Intimate Partner Violence Cases**
**3) Konstantinos Panagos: Punitiveness and sex offences: Towards the re-conceptualization of 'myths of rape'?**
**4) Open discussion**

**817**
**THE LIMITS OF THE CRIMINAL JUSTICE SYSTEM ON INTIMATE PARTNER VIOLENCE CASES**

Tania Reneaum
*Universidad Pompeu Fabra, Criminology, Barcelona, Spain*

The aim of this presentation is to report the findings of an empirical work that consist in a two-year follow-up (2011-2013) of thirteen women that reported intimate partner violence into the criminal justice system in Barcelona.

The research reports the victims' experiences, needs and expectations when they go to the criminal justice system. This qualitative analysis tries to explain in women´s own words their motivations to continue into the criminal system or their reasons to withdraw during the criminal process.

To gain information, several methods were combined: 1) A first questionnaire that was applied to some women that have their first contact with the Courts. 2) In - depth interviews with women that withdrew in an early stage of the judicial process. 3) In – depth interviews with women that continued into the final hearing. 4) Semi – structure interviews with judges, lawyers and prosecutors.

The research provides arguments in the discussion of no-drop policies based under the idea of "protecting women". However the question is if those policies are in the best interest of women or if they answer to state–oriented goals in order to increase convictions on reported cases of domestic violence.

**818**
**PUNITIVENESS AND SEX OFFENCES: TOWARDS THE RE-CONCEPTUALIZATION OF "MYTHS OF RAPE"?**
Konstantinos Panagos
*National and Kapodistrian University of Athens, Greece, School of Law, Athens, Greece*

During the 70s, feminist theories introduced the concept of "myths of rape" in social sciences. They observed that public attitudes toward this crime were highly influenced by 'prejudicial, stereotyped and false beliefs' about this offence, as well as its victims and its offenders. The action of women's movement led finally to significant changes in law. The criminalization of spousal rape is one classical example (e.g. the Greek legislator introduced the Law 3500/2006 for the confrontation of domestic violence). In 1993, the United Nations High Commissioner for Human Rights published the "Declaration on the Elimination of Violence against Women", which established spousal rape as a human rights violation. On an international level, the criminalization of marital rape is part of the reclassification of rape from crime against morality or honor to crime against personal liberty and self-determination. Public attitudestowards sexual offences changed with the success of the feminist movement. In contemporary western societies, it is common place that the public expresses extremely punitive attitudes towards rapists and sex offenders in general. The available empirical data will be used as tool for the production of some theoretical hypotheses on the contemporary conceptualization of the term "myths of rape".

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# ATROCITY CRIMES AND TRANSITIONAL JUSTICE AND ITS VICTIMS

**819**
## GENDERING GLOBAL JUSTICE
Nicoletta Policek
*University of Lincoln, School of Social and Political Sciences, Lincoln, United Kingdom*

Global justice (Kurasawa, 2007), the key moral horizons of our times (Badinter, 1998), is the topic of this paper. Understood as the most captivating political demonstration of the principal of universal moral equality available today, and set within the background of the genocide in the former Yugoslavia, this is a discussion about the work of global justice deconstructed through the prism of gender. Normatively and strategically, global justice matters, as it thrives on concern for the well-being of all persons in the world, however, as a concept and as a mode of practice, global justice does not take into account gender differences and inequalities, nor does it correct them when faced with women's experiences of war. Few conflict monitoring and assessment frameworks consider gender relations and gender inequality as triggers or dynamics of conflict. Effective conflict prevention and resolution require analysis of the causes, triggers, dynamics and patterns of conflict, as well as the factors and social dynamics that strengthen community's resilience to conflict. Early analysis and on-going monitoring are essential for anticipating conflict and for transforming conflict dynamics so that human rights violations are avoided and non-violent conflict resolution can be supported. The concluding section of this paper shows how transformations in a global political economy shape the formulation of justice. In this sense, gender relations, however profoundly unequal and unjust, are rarely the root cause of violent social conflict but can sometimes be a catalyst for conflict in which systematic abuse of women can occur.

**820**
**SECURING JUSTICE AND REPARATIONS TO VICTIMS OF WARTIME SEXUAL VIOLENCE IN CROATIA**

Davor Derencinovic, Maja Munivrana Vajda, <u>Suncana Roksandic Vidlicka</u>
*University of Zagreb, Departament of Criminal Law, Zagreb, Croatia*

Croatia is a post-conflict, transitional society which is still dealing with many issues arising from the 1991-1995 war. Since the end of the war and peaceful reintegration, Croatia and its institutions have addressed many of these issues, such as rights of war veterans as well as the rights of civil war victims with disabilities, etc. However, voices of victims of wartime sexual violence have largely remained unheard. Only a handful of perpetrators of these crimes were convicted, most of them *in absentia,* while the screening estimates indicate that there are at least several hundreds, if not thousands, of victims. Most of these victims have not yet received any form of assistance, support or reparation and a great majority has not even been officially recorded. Croatian governments have continuously neglected the needs of these victims, most of which are women. This is contrary to internationally recognized right to reparations, principle of non-discrimination and the right to equal access to justice. Recently, the new government has recognized that resolving this serious problem, stemming from the worst crimes known to humanity, is necessary in order to achieve the goals of transitional justice in a post-conflict society, such is Croatia. Accordingly, in last couple of months, the discussion was open between scholars, experts and non-governmental sector in order to draft legislation that will address victims of wartime sexual violence. The lapse of time, non-existence of criminal reports, lack of evidence and insufficient funds are only some of the obstacles that must be surmounted. This presentation will focus on determining the most appropriate mechanisms of recognition of victim status and for securing adequate and efficient reparation regime. It will be based not just on analysis of comparative models and international standards, but also on an on-going empirical research which aims to identify actual victims and their needs.

**821**
**TRUTH AND RECONCILIATION COMMISSIONS AND POLICIES OF VICTIMS'**
**REPARATIONS**
Monica Aciru
*University of Leuven, Leuven Institute of Criminolgy, Leuven, Belgium*

Following mass atrocities and/or a legacy of systematic violence, policy makers often have to engage in creative ways for rectifying wrongs, ensuring accountability and meeting victims' and perpetrators' needs. Many times, the crimes involve a significantly large number of victims and an equally staggering number of perpetrators. As if this were not enough to overwhelm the justice system, the range of crimes and the dynamics of both the perpetrators and victims often are beyond the boundaries of the conventional judicial systems. Against a background of bargains and trade-offs, a range of mechanisms have evolved to deal with these dilemmas.

This discussion will focus on two of these mechanisms, truth commissions and reparations. The first part will present a diverse array of challenges in the processes of transition that may pose considerable predicaments in using the conventional judicial system. This will provide the basis for the discussion on truth commissions. However, basing upon the discourse on the ineffectiveness of a single transitional justice mechanism and a call for the combination of mechanisms, we shall introduce the discussion on reparations, which over the years has featured prominently in the recommendations made by truth commissions. Of significance to us is what happens to the recommendations and how are the implemented?

The right to truth and reparations are internationally recognised rights of victims. Massive human rights abuses tend to present unconventional dilemmas hence the limitations of standard prescriptions. The same dilemmas continue into providing remedies to address harm. With that in mind, is it possible to afford both truth and reparations for victims of these unconventional circumstances? During the discussion, we shall make specific references to Sierra Leone and Ghana where both mechanisms have been implemented but with interestingly different results.

**822**
## DEALING WITH STATE-SPONSORED INTERNATIONAL CRIMES: CURRENT POSSIBILITIES AND FUTURE PERSPECTIVES

Athanasios Chouliaras
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The main objective of this paper is to theorize the prospect of combining international criminal law theory with criminological theory on state crime with regard to state-sponsored crimes. The former is based on the prevailing paradigm of punishment of perpetrators of core international crimes after the establishment of their personal guilt though formalized criminal trials, whereas the latter has favoured restorative justice mechanisms, epitomized by the establishment of truth and reconciliation commissions (TRCs), where stress is put on the production of an inclusive narrative through the identification of the originating causes of the social conflict and the description of what really happened in its course. In this framework, it will be argued that the institution of criminal trials and the use of TRCs are not by definition mutually exclusive. On the contrary, the appearance and growth of the latter practice sprang from the inherent limitations of the former in dealing with state-sponsored criminality. This observation does not mean that trials should be abandoned, but partly reshaped through the incorporation of a macro perspective (the State as actor). Consequently, these two strategies are elaborated as potentially complementary and not as inevitably alternative, offering the main elements of an integrated model of responsibility for state-sponsored international crimes.

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# YOUTH CRIME PREVENTION

**823**

**THE DEFERRED CUSTODY AND SUPERVISION ORDER: THE « LAST CHANCE » SANCTION IN YOUTH court in Canada. Is it working?**

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[2]*Université Du Québec À Trois-Rivières, Canada*

This presentation explores the first empirical results available on the Deferred Custody and Supervision Order (DSCO) a novel and potentially controversial sentence introduced by the Youth Criminal Justice Act (YCJA) in 2003. This sentence was introduced to restrain custody rates for youth in Canada because they were higher than USA at the time. This sentence is the parallel of the adult's Conditional Sentence of Imprisonment. Even if the use of this sentence is growing fast, "it is disappointing-for practitioners as well as scholars- that fully seven years after the proclamation of the new statute, the absence of good data regarding the outcome of DCSOs means that court are to a degree sentencing the dark, unaware of the likely consequences of imposing these orders" (Carrington, Roberts, Davis-Barron, 2011: 320). The presentation will draw on international comparison of similar sentence (in USA, Europe and Australia) to illustrate advantages and disadvantages of alternatives sentences for youth and will presents the first overview of "what happens" to youth under the DSCO in Québec city, Canada.

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# THE EFFECTS OF GENDER ON THE TREATMENT OF TEENAGE GIRLS PRESENTING RISK BEHAVIOUR. PRESPECTIVES FOR INTERVENTION AND PREVENTION

Anne Winter[1], Loick Villerbu[2], Christelle Laurent[2], Valérie Moulin[3], Astrid Hirschelmann[1]
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[3]*Centre hospitalier universitaire Vaudois, Unité de recherche en psychiatrie et psychologie légales, Lausanne, Switzerland*

The goal of this communication is to present some results of a recent exploratory research conducted in France, on the effects the construction of gender may have on educative and judicial care for minors. For an identical deviant behaviour, social, educational and judicial responses are different depending on the sex of the young person. According to researches conducted in France during the sixties and currently in North America, a socio-moral stamp guides, more or less strongly, the educative methods of treatment for girls. Boys are more regularly oriented to judicial services, girls are more oriented to child welfare services.

From a practical point of view, the question for the professionals is to know how to welcome this population of girls and how to intervene with them, when the gender diversity in these structures is problematic or impossible to achieve. One of the questions of this research was the following: do the differences in the caregivers' representations, tied to gender, create an identifiable difference in practices?

The semi-structured interviews realized with the professionals and analysed using the bioscopic method (Villerbu, 2009), showed that several anthropological and clinical axes organize the implicit dynamic layout of professional postures and the personal positions. Gender is not a major dimension in the implemented system of reference. Even if the professional's difficulties are justified in this way at first, the interpretive and normative postures have other origins. The ways of treatment and regulation of the problematic presented by girls give, for example, priority to questions of transmission and subtraction on an interpretive level, and questions of the relation to the problem or the assignment, on a normative level.

Willing to disclose the implemented systems of reference, this research aims to optimize methods of care for minor girls. It is addressed to professionals responsible for children's protection and more widely to people in charge of national, regional and departmental policy working towards this goal.

**825**
**PREVENTING YOUTH OFFENDING AND ANTI-SOCIAL BEHAVIOUR: A SCOTTISH PERSPECTIVE**

Annette Robertson, Lesley McMillan
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Youth offending is perceived as a persistent problem and therefore often the focus of dedicated crime prevention initiatives. The aim of this paper is to provide an overview of the key approaches that have been used in recent years to try to reduce youth crime and more general anti-social behaviour conventionally associated with young people in Scottish communities. It is evident that many of the recent approaches move beyond traditional police paradigms to include other agencies – both statutory and non-statutory – in the policing of problematic – or potentially-problematic – youth behaviour. The development and use of such multi-agency partnership approaches is perceived as beneficial insofar as they appear to offer a more holistic approach to the 'problem' of youth offending by complementing the clichéd police 'stick' with a range of 'carrots' aimed at diverting young people away from anti-social and criminal behaviour and into more pro-social activities. However, in spite of this renewed focus on diversion as a key variable in crime prevention and reduction, the potential remains for young people to be unfairly demonized by such 'blanket' targeting and to respond accordingly. This research draws on theoretical insights associated with the policing of young people; labeling, and its potential repercussions; and the possibility of net-widening in crime prevention approaches targeted specifically at young people. It is based on both primary and secondary data analysis, including an in-depth evaluation of one such initiative.

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**826**
**INVOLVEMENT IN DELINQUENCY AND VIEWS ON PREVENTION – STUDENTS' VIEWS**

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In the European Study „YouPrev - Youth deviance and youth violence: A European multi-agency perspective on best practices in prevention and control", a school survey based on the new ISRD3 questionnaire was conducted in the six participating countries in 2012: Portugal, Spain, Belgium, Hungary, Slovenia and Germany. As an additional key element which was added to the core components of ISRD, the students were asked for their experiences with and perceptions of approaches to prevent youth violence and substance abuse. In this presentation, a short overview on the international findings from the dataset of 10.682 students will be given. Basic similarities and differences between the six countries will be highlighted.

The main topic of the presentation will be the analysis of the German school survey. Data of 2.186 students (mainly 13 to 17 years old), who were attending school in one urban and one rural north-western region in Germany, were collected. Findings on adolescents' self-reported victimization, deviance and their perceptions and assessments of preventive efforts and the perceived relevance of certain actors in the field of prevention are analyzed with regard to students' degree of involvement in delinquent activities. Concepts of the young people on how to tackle youth problem behavior as a teacher will be presented. Furthermore, multivariate models explaining property and violent offending which include predictors such as person, family, and neighborhood risk factors will be analyzed.

# POLICE AND CRIME: CRIME ANALYSIS AND QUANTITATIVE TARGETS

**827**
## PATTERNS AND TRENDS DETECTION IN CRIME ANALYSIS: CONTRIBUTION OF DATA MINING TECHNIQUES

Lionel Grossrieder[1], Fabrizio Albertetti[2], Kilian Stoffel[2], Olivier Ribaux[1]
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[2]University of Neuchâtel, Information Management Institute, Neuchâtel, Switzerland

Data mining is an attractive set of techniques which has seen its popularity grow up in recent years, especially in marketing. The recent development of crime analysis and crime intelligence reveals issues that concern data mining, and temptation is great to apply these techniques. A reflection about the place of data mining in the context of crime analysis is required to control its application. This reflection is grounded within an intelligence-led framework provided by detection and follow-up systems called operational monitoring. Their operation requires existence of patterns among data, which are justified by situational approaches in criminology. With this theoretical knowledge, the main purpose is to explore the possibility to detect these patterns through data mining techniques, and especially for volume crime like burglary or theft from vehicles. To reach empirically these objectives, a research is currently led in Switzerland through an interdisciplinary approach combining forensic, criminological, and computational knowledge. Realized in collaboration with the cantonal police forces of Vaud in Switzerland, we use a sample provided by the *Concept Intercantonal de Coordination Opérationnelle et Préventive* (CICOP) database, which is the regional center for crime analysis in French-speaking part of Switzerland. The sample is mainly composed by serial or itinerant crime events and we search to know the contribution of data mining techniques for detection of trends and patterns through different type of crime.

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**828**
# DATA SIMULATIONS IN THE STUDY OF CRIME AND INTELLIGENCE ANALYSIS

Margaret Wilson, Angela Scholes, Lucy Lemanski
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In the field of decision making research, and particularly decision making in the fields of crime and intelligence analysis, it is acknowledged that a central problem is accessing expert knowledge. A key feature of naturalistic decision making theory is that it uses data collection techniques such as observations of experts at work, asking for feedback from the decision maker as they evaluate information. However, in areas of security and crime analysis, organisational pressures, along with security and confidentiality issues, mean that it is often not possible to gather data direct from analysts, or to work with genuine case analyses, and so innovative solutions are required. This paper examines the problems and possible solutions for simulating data in order to devise research studies which will help understand investigative decision making. Such simulations are a positive first step in devising 'work-arounds' for situations where gaining access to 'real' data is difficult, and can provide data that can be used for subsequent research in this area.

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**829**
# HIGH MULTIPLE OFFENDERS IN PARIS AND THE SURROUNDING AREA: A POLICE ARREST DATA-BASED APPROACH

Etienne Perron-Bailly
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In France the legal definition of recidivism implies a prior first conviction. Now all the people arrested on suspicion of having committed a crime are not subject to condemnation. Those prosecuted may be subject to an alternative to the judicial proceedings especially in cases of juvenile offender, like family mediation, educational intervention (about 52 % of juvenile cases in 2010). The databases of the police allow us to override this limit. It is possible through them to study the phenomenon of multiple offenders without the condition of conviction and sentence. Thus, the topic of this presentation is not recidivism but multiple offending.

The aim is to analyze and describe a specific population: *high multiple offenders*. We will focus on people arrested five times or more by the police over 2009 and 2010 in Paris and the surrounding area. The use of an operational database gives a lot of information, especially about reiteration. A special attention will be paid to a double effect involved in reiteration: on the one hand, being a multiple offender implies reiteration of criminal behavior, and on the other hand it is necessary to be arrested,police action plays a crucial role. We can identify "easy targets" for the police, such as prostitutes (always in the same place and same offence), but the police can also focus on dismantling a criminal network (specialized in theft in public transport for instance), which involves harassment of the relevant persons in order to arrest leaders of such networks.

To describe this population multivariate analysis will be used, in order to integrate the many dimensions we would like to explore. The final result is a typology, classified according to the characteristics of their delinquent behavior. It is possible to identify nine groups whose behavior can be either specialized in specific offence or diverse, with many different types of offence. The classification is described by high multiple offenders characteristics as sex, age and nationality. This will enable us to establish that high multiple offenders of certain nationalities have a specific profile, while the French ones have mainly diverse profiles. The age of high multiple offenders also plays a role.

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**830**
**DANGERS OF MANAGING THE POLICE WITH QUANTITATIVE TARGETS**

Johannes Knutsson
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In many countries quantitative targets are defined for managing the police. Targets can be set by politicians or the central police bureaucracy. The leaders are then judged to the extent that the goals are reached. This trend has been inspired by the New Public Management. A controversial example is the New York Police Department where the CompStat process is used for follow up and making the local commanders accountable for crime trends in their districts. It is claimed that the police in various ways manipulate the statistics in order to be able to show that the goals are reached. An example is redefining crimes from felonies that are recorded in the CompStat-system to misdemeanours that are not. Swedish experiences also indicate that this type of management can lead to adverse effects. Goal displacement is one example where the goal becomes a goal in itself and not what the goal is supposed to measure. Another example is manipulating statistics in order to be able to show goal-fulfilment. It is argued that this style of management also demotivates police officers. Empirical examples will be given of negative consequences of this type of management.

**Keywords:** *Police, New Public Management, Quantitative targets, Adverse consequnces*

# SITUATIONAL ACTION THEORY: EVIDENCE FROM DIFFERENT COUNTRIES

**831**
**SITUATIONAL ACTION THEORY: EVIDENCE FROM DIFFERENT COUNTRIES**

Helmut Hirtenlehner
*Johannes Kepler University Linz, Centre for Criminology, Linz, Austria*

Chairs: Gorazd Meško & Helmut Hirtenlehner
Discussant: Per-Olof Wikström
Situational Action Theory marks one of the currently most prominent attempts at explaining why people break moral rules. Consequently it attracts lots of empirical research aimed at testing key propositions of the theory. One of the particularities of this research is that it is conducted relatively concerted, with the various scholars knowing each other's work and advancements.
The aim of this panel is to present the findings of some of the research groups to a broader audience, but also to consolidate the exchange of ideas, methods and findings within the research community.
The session draws on studies from Austria, Belgium, Colombia, England, Germany and Slovenia, all of them designed to test hypotheses derived from Situational Action Theory. In detail, the following presentations will be held:
Helmut Hirtenlehner, Lieven Pauwels & Gorazd Meško:
Is the effect of perceived deterrence on juvenile offending contingent on the level of self-control? Results from three countries.
Eva Bertok & Gorazd Meško:
The influence of crime propensity on self-reported delinquency: Results from Slovenia.
Alfonso Serrano Maíllo
On the concept and measurement of morality in Wikström's Situational Action Theory. A comparison of measurement properties in two samples.
Dominik Gerstner & Dietrich Oberwittler
The role of delinquent friends in the explanation of crime based on social network analysis.

**Keywords:** *Situational Action Theory - Criminological Theory - Juvenile Delinquency*
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**832**

**IS THE EFFECT OF PERCEIVED DETERRENCE ON JUVENILE OFFENDING CONTINGENT ON THE LEVEL OF SELF-CONTROL? RESULTS FROM THREE COUNTRIES.**

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This presentation deals with the interplay of perceived deterrence and level of self-control in explaining individual differences in offending. Different theories of crime come to different conclusions in this regard. Some postulate independent negative effects of perceived sanction risk on offending (Deterrence Theory), while others assume that low self-control undermines the deterrent effect of legal sanctions (Self-Control Theory) or, conversely, that sanction threats are only relevant for individuals characterized by a lack of self-control (Situational Action Theory). Here, the question of the exact nature of this interplay is addressed from an empirical point of view. Based on three independent surveys of adolescents conducted in three European countries (Austria, Belgium and Slovenia), we examine whether juveniles with low self-control are more, equally or less susceptible to the deterrent effect of legal sanctioning. Our findings consistently support Situational Action Theory's conceptualization of the linkage between self-control and deterrence. All three studies provide evidence that deterrent effects are greatest among adolescents of low self-control.

**833**
**THE INFLUENCE OF CRIME PROPENSITY ON SELF-REPORTED DELINQUENCY: RESULTS FROM SLOVENIA**

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Situational Action Theory (SAT) is based on the assumption that acts of crime are an outcome of the interaction between people's crime propensity and their criminogenic exposure. Criminal propensity is seen as being composed of individual morality and self-control.

In this presentation, the impact of crime propensity on three types of self-reported delinquent behaviour is examined: shoplifting, stealing from other people and extortion. The Slovenian Study of Parental Monitoring and Adolescent Delinquency (SPMAD) serves as data base. The study was conducted in Slovenia's capital Ljubljana in 2011. It includes 409 participants from secondary schools in this area.

Hierarchical regression analyses modeling the impact of morality and self-control on self-reported delinquent behaviour demonstrate that propensity factors can explain up to one third of the variance in the dependent variables. Compared to self-control, morality turns out to be more influential, but the predictive value of the propensity factors varies greatly across types of crime.

**Keywords:** *crime propensity, morality, self control, adolescents*
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**834**

# ON THE CONCEPT AND MEASUREMENT OF MORALITY IN WIKSTRÖM'S SITUATIONAL ACTION THEORY. A COMPARISON OF MEASUREMENT PROPERTIES IN TWO SAMPLES AND CONTROLLING FOR MEASUREMENT ERROR FOLLOWING SARIS ET AL.'S APPROACH

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Wikström's Situational Action Theory (2012) is one of the most sophisticated and influential theoretical developments of the last decades. Morality plays an important role in crime causation according to SAT since it influences at least the tendency to consider crime as an alternative of action through a moral filter. The measurement of morality is an integral part of any test of SAT and the PADS+ questionnaire includes a number of items designed to tap on cognitive and emotional aspects of it. From a sound conception of morality it is possible to derive empirical hypothesis regarding the uni- or pluridimensional nature of morality; its elements or dimensions and in particular whether moral emotions are part of it or just a proxy just useful for measurement; and its external validity. In order to test hypothesis in this line, we will use two samples of adolescents in Peterborough and Cali, Colombia.

All measurements in Criminology are affected by measurement error. Some authors suggest that as much of 50% of any measure is error (Alwin, 2007). For that reason, some methods for the control of measurement error have been proposed. It is true that approaches like the confirmatory factor analysis employed to test our hypothesis try to find latent variables without error, but even in this case the observed variables include error. Saris and others (2007) have proposed a method that uses the results of MTMM experiments to correct for measurement error, a method that can be used in the case of morality for the test of SAT.

**835**
**THE ROLE OF DELINQUENT FRIENDS IN THE EXPLANATION OF CRIME BASED ON SOCIAL NETWORK ANALYSIS**

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One of the key observations of delinquency research – that adolescent are more likely to offend during time spend in the company of peers and without adult supervision – has been supported by recent studies following the Situational Action Theory (SAT) framework. Within SAT, spending time with delinquent friends may influence adolescent behavior by altering opportunities and frictions in certain settings, but at the same time the effect of these situational factors is dependent on individual propensities which vary between adolescents.

One issue of continuing interest is the measurement of delinquent friends. If based on the respondents' reports on their friends (indirect measurement), the association between own delinquency and friends' delinquency will be overestimated. Studies using social network analysis to construct a direct measurement of delinquent friends based on the friends' self reported delinquency tend to give a more realistic picture of this association. In this presentation we use data from a new German school survey including network data and a direct measurement of delinquent friends. We analyze how the role of delinquent friends in explanatory models within the SAT framework changes if one moves from an indirect to a direct measurement of this variable.

# PROSTITUTION

**836**
## PROSTITUTION IN THE COMMUNITY

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Prostitution often causes significant anxiety for residential and business communities. These communities have been known to campaign against its presence in 'their' neighbourhoods, seeking the removal of street sex workers and their male clients. This paper explores how and why some communities seek to the removal of prostitution from their streets and districts. Drawing on research conducted with residents, businesses employees, police officers and local politicians, which sought to determine what people thought about prostitution in their area, this paper examines some of the strategies communities employed to eradicate prostitution, such as violence, vigilantism and situational crime prevention strategies. In addition, this paper will consider some of the reasons why prostitution causes such distress, in particular the stigma which prostitution is seen to impose by its presence geographically, but also its closeness socially.

**837**
**STUDY ON STREET PROSTITUTION IN BUDAPEST**

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Prostitution (and/or sex-work) has been discussed at great length by politicians, police chiefs, academics and the general public during the past two decades in Hungary. Missing from this discussion was the opinions and viewpoints of the sex-workers themselves (even though some interest groups tried to join in, mostly with a little success) and a will to find a solution that would be beneficiary for all parties involved. The current regulation is problematic on many levels and creates unnecessary difficulties for sex workers and their clients. The goal of this research is to examine the scale and characteristics of street prostitution in the 8th district of Budapest (which, traditionally, was one of the most involved district in the capital city). In the study, viewpoints of sex workers, clients, police officers, members of the city administration from various fields and the inhabitants of the district will be equally represented. In the end, our aim is to try to find a model that could be able to address the current problematic issues regarding prostitution and work out an adequate solution that is both functional and beneficiary for all.

**838**
# RECONSIDERING THE REGULATION OF COMMERCIAL SEX

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Paid sex is a hotly contested policy issue. Regulatory discourses focus largely on morality, exploitation, public health and human trafficking. Less attention has been paid to the impact of law in contributing to discrimination experienced by people who work in the sex industry, and the link between social marginalization and adverse working conditions. This paper will evaluate two competing models of sex industry regulation through the lens of social inclusion and labour rights: first the Swedish or Nordic Model which criminalizes people who pay for sex, rather than sex workers; and second, decriminalization, which removes sex work from the ambit of criminal law, leaving the industry regulated through normal business law. Using case studies of two contrasting Australian states, this paper will demonstrate that decriminalization provides sex workers with access to labour rights and safety, reduces exploitation and fundamentally promotes social inclusion. It will further demonstrate that punitive criminal laws, including the Swedish Model, increase social marginalization of sex workers, undermine fair and safe working conditions, and fail to achieve other stated policy objectives including the elimination of sex trafficking and reducing the demand for paid sex.

# SPECIAL APPROACHES OF PUNISHMENT AND ITS ALTERNATIVES

**839**

## WHY AND HOW FINES WERE MADE AFFORDABLE. A SHORT GENEALOGY OF PENAL FINE

Patricia Faraldo Cabana
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One of the considerations of legal nature with great influence in the courts' attitude towards fine is the changeable legal regulation of the penal fine in order to make it affordable for members of the low class. These important changes in the legal regulation are the effect of various late nineteenth century views that consider the fine a justifiable punishment and try to support extension of fines by making them affordable, and thus by avoiding imprisonment by default whenever possible without undermining their ends. As we will see, a new juridical reasoning was emerging. It was not related with a 'new' bourgeois philosophy on punishment, because most of the authors in criminological and criminal field were still Benthamite in form and essence. The pivotal change is to be seen in their beliefs in the role of imprisonment as a correctional institution. The strong scepticism about the effectiveness of imprisonment as an instrument of treatment or a means of deterrence, since privation of liberty was viewed as inappropriate for many offenders for whom it was used and harmful for all of them, was a key aspect in the development of day-fine system.

**840**
**SHOULD WE PUNISH BAD BEHAVIOUR OR REWARD GOOD BEHAVIOUR? DISCUSSIONS ABOUT TAX EVASION DETERRENCE IN A STRATEGIC FRAMEWORK**

Pedro Sousa
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In crime deterrence, should we punish bad behaviour or reward good behaviour?
Crime deterrence is usually analysed in a framework in which decisions about whether or not to offend are taken in a context described by a static authority, fixed rules and sanctions. However, it is plausible to assume that authority can dynamically adjust its efforts to screening delinquent behaviour, as a reaction to changes in individual decisions. As well, it is also reasonable to admit a strategic behaviour by potential offender responding to a dynamic authority, emerging a scenario that must be analysed in a strategic game-theoretic framework.
Focusing on the case of tax evasion and analysing a strategic framework in which taxpayers choose about whether or not to tell the truth about their income in tax forms and in which tax authorities decide between inspect and not inspect those income declarations, we extend previous literature on deterrence applied to tax evasion behaviour, taking into account a reactive tax authority that adjusts its response to likely modifications of potential delinquent behaviour. Within that context and considering different risk aversion situations, we make predictions about taxpayer behaviour in response to variations on tax rate, marginal inspection costs supported by tax authorities, social norms, detection probability, and positive rewards paid to honest inspected citizens. Finding how often tax authorities should inspect tax forms, we show that, in certain circumstances, a positive reward is not an effective and efficient deterrence mechanism.

**841**
**PENAL IMPACT: TOWARDS BETTER PUNISHMENTS - AND BETTER PUNISHMENT**

David Hayes
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This paper starts from the position that retribution is a relevant aim of European sentencing and criminal justice, which requires the proportionate allocation of punishment according to the seriousness of the offence committed. It therefore requires an effective and accurate measurement of punishment. However, the paper argues that the current measures of punitive 'bite' tend to be too simplistic, focussing on the restriction of certain (human) rights or reductions in socio-economic living standards. Whilst useful as objective comparators, both measures are likely to routinely miss (or misconstrue) subjective factors that affect the proportionality (and indeed, the broader effectiveness) of sentences, and which tend to unfairly favour carceral modes of punishment over others. Rather it identifies pain as the base unit of (retributive) penal interventions and offers a qualitative, subjective vision of punishment/s based upon the analytical framework of 'penal impact'.

Whilst this paper does not and cannot purport to solve the riddle of sufficiently subjective sentencing, it argues for critical reflection on the objective measures used through qualitative studies of the penal impact of criminal justice upon offenders. Although research-intensive, such an approach would go some way towards improving the reflexivity of retributive sentencing and criminal justice, as well as offering a better representation of the punitive powers of alternative sanctions, which could begin to increase their legitimacy amidst (more or less) punitive populaces.

The focus of the paper is the English penal system, and deals with an analytical framework adopted by the author for his doctoral thesis. However, it is offered as a tool for (critical examination within) broader European penal discourse.

**584**
**ENGLISH EXECUTIONERS AND IRISH EXECUTIONS: AN UNTOLD STORY OF HIRED HELP**
David Doyle
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In 1956, an Irish government memorandum espoused the view that capital punishment was 'un-Irish' and 'a relic of barbarism'. Worse still, the author averred, 'The humiliating position in which we find ourselves is highlighted by the fact that we have to import an English hangman to carry out our executions'. A motley succession of professionally trained executioners had been employed in Ireland since the 1870s – Marwood, Berry, Scott, Binns, the Billingtons, Ellis, and the Pierrepoints – English specialists reviled by the Irish public. Yet although responsibility for conducting hangings in Ireland post-Independence remained, for want of a better word, 'colonised', little is known about the English hangmen who were contracted to arrange the "drop", why certain executioners, despite serious concerns about their capacity to exercise their duties in England, were subsequently employed in Ireland, why the Irish state was unable to find a willing executioner within its borders and the processes through which convicted Irish murderers succumbed at the hands of English executioners. The proposed paper aims to open up these areas of inquiry in an Irish context, where they have hitherto been unexplored.

**Keywords:** *Capital Punishment, Ireland*

**842**
## BEYOND PUNISHMENT: THE RISE AND DEVELOPMENT OF SWEDISH VICTIM SUPPORT

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In the last three decades, there has been a rapid growth of victim service programs, in Sweden, as well as in many other countries. Nonetheless, there is a lack of research on the origins and evolution of nongovernmental victim support organizations, such as the Swedish Association for Victim Support. This research project seeks to fill this gap by analyzing how the role and focus of the national association has evolved since it was formed in 1988. The first study of the project analyzed associations's annual reports from 1989 to 2008. The study showed that, in contrast to victim movements in other countries such as the United States, the association has followed a path that emphasizes support and assistance to victims, rather than tougher policies on crime. The association has consistently emphasized rehabilitation of offenders over punishment. In fact, punishment and offenders are almost completely absent in the annual reports. The association also repeatedly highlighted that many victims are offenders and vice versa. The findings for the study will add an important body of knowledge to the international research in this field. Scholars have called for studies examining how victim assistance programs have developed in different countries.

**843**
**AN INTEGRATED MODEL OF VICTIMISATION AS AN EXPLANATION OF NON-INVOLVEMENT WITH THE CRIMINAL JUSTICE SYSTEM**

Stephanie Fohring
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In Scotland only 38% of crimes are reported to the authorities while some 91% of referrals to Victim Support Scotland come from the police. Thus, the vast majority of victims are not coming into contact with victim services (unless self-referred). Research into non-reporting and non-use of services typically focuses on the characteristics of an incident meant to be indicative of its seriousness such as injury or the presence of a weapon. This explanation is however found to be lacking. This paper will highlight selected results of a larger investigation of the experiences of victims of crime in Scotland. Specifically, it will present a novel explanation for the continually low rates of reporting crime to the police, and carry this explanation one step further, to help explain why many victims do not seek out support services.

Through the innovative approach of combining advanced quantitative analysis of Scottish Crime and Justice Survey data with in-depth qualitative interviews this research has identified the victim's perception and labelling of an incident as a crime or not to be paramount in the decision to not only report crime, but to utilise available support services. This finding is then explained in terms of a motivation to avoid be labelled as a victim, demonstrated to be adverse for a number of both personal and social reasons. By identifying the victim label as a potential barrier to support, this research represents the initial step in overcoming it; highlighting the need for innovative modes of support.

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**844**

**A NEW POLICE TRIANGLE? A SYSTEMATIC REVIEW INTO THE LINKS BETWEEN VICTIMS' SATISFACTION WITH THE POLICE RESPONSE AND THEIR TRUST IN AND COOPERATION WITH THE CRIMINAL JUSTICE SYSTEM.**

Nathalie-Sharon Koster, Karlijn Kuijpers
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Victim reports are one of the most important sources of information for the police when it comes to investigating and solving crimes. Crime victims may be able to provide crucial and detailed information about the crime and - in cases of interpersonal crimes in particular - the offender. Through their cooperation with the criminal justice system, victims may contribute to increasing chances of solving crimes and getting offenders arrested. Tyler and colleagues argue that willingness to cooperate depends directly on the degree of citizens' satisfaction with the police response. In addition, they state that the relation between satisfaction with the police and willingness to cooperate can also be partly indirect, through public trust. More specifically, research has shown that satisfaction is an important indicator of public trust in the police and the criminal justice system in general, and public trust, in turn, has shown to relate positively to willingness to cooperate with the criminal justice system. The purpose of the current study is to systematically review prior research on this topic among crime victims in specific (instead of the public in general), given victims' important role in criminal proceedings. It is examined to what extent victims' satisfaction with the police response relates to victims' willingness to cooperate and actual cooperation with the criminal justice system, either directly or indirectly through its impact on victims' trust. Search terms were formulated based on the key concepts victim satisfaction, trust, and cooperation with the criminal justice system. Combinations of these search terms were entered in several databases. Full texts of eligible studies were obtained and systematically documented in a structured format. Findings of the systematic literature review will be presented and its implications and recommendations for future research in this topic will be discussed.

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**845**
# DETERMINANTS OF THE COMPLAINT IN MEXICO (2011)

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In Mexico, according to the National Survey on Victimization and Perception of Public Safety, 2011, only 13 percent of crimes are reported to the authorities, that is, 87 percent remain unknown.
We are far from a real knowledge of crime.
The reasons that affect the reporting of a crime are the type and severity of the offense, and the efficiency and confidence in the institutions responsible for public safety.
In surveys on perceptions of insecurity, most people lack confidence in authorities and say that reporting a crime is a waste of time.
However, using a linear regression model we explain that the determinants of the number of crime reports are feelings of insecurity and emotional distress, the stronger the distress the less the number of crime reports. Fear keep people and victims away from reporting. In states that are more affected by crime, there is a low number of crime reports.
Thus, as stated by Diego Torrente (2001), the feeling of insecurity  is an important element in the decision-making of citizens and, consequently, affects,  tolerance, attitudes and behaviors.
In order to increase the numbers of crime reports, the Mexican government must seek strategies to reduce the perception of insecurity among the population on those things that lead to fear.
Real and constant increase of crime reports is about quality of  life. In developed countries, reported rates of crimes are higher than those in developing countries.

# GREEN CRIMINOLOGY: DIFFERENT ASPECTS

**846**
## HERITAGE CRIME PREVENTION

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As an emerging paradigm, the concept of heritage crime requires considerable refining and exploration. There is a growing consensus that the wilful destruction of heritage is a crime which has aggravating factors related to the permanence of the loss: unlike a stolen television or a smashed car window, insurance does little or nothing to negate the harm caused.

Heritage assets are deemed special by organisations which work to protect them, but not everyone shares this view. Criminals view the opportunities associated with heritage sites in the same way as they view any other criminal opportunity: as a way to make money, to gain pleasure, or to otherwise benefit. In practice this means that crime patterns are likely to be as predictable for heritage assets as for any other site. It also means that prevention activity which is successful elsewhere may be transferred to heritage assets with much the same effect.

This talk presents initial discussions around the issues of crime prevention for owners, managers, and tenants of heritage assets. The talk is based around issues raised in a forthcoming book 'Heritage Crime: Progress, Prospects and Prevention' by Louise Grove and Suzie Thomas, due to be published by Palgrave Macmillan in 2014.

**847**

**PREVENTION AND REDUCTION OF MERCURY POLLUTION IN GLOBAL CONTEXT: WHY MINAMATA? PAST, PRESENT AND FUTURE.**

Noriyoshi Takemura
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Mercury and its various compounds have a range of serious health impacts including brain and neurological damage especially among young people. In Minamata, serious health damage occurred as a result of mercury pollution. This damage was caused by the Japanese national policy which prompted to mass-produce fertilizer and speed up food production. International effort to address mercury has been delivered a significant boost with governments agreeing to a global, legally-binding treaty to prevent emissions and releases. The Minamata Convention on Mercury provides controls and reductions across a range of products, processes and industries where mercury is used, released or emitted. However, the convention on mercury is indicated that there are a lot of 'loopholes'. After clearing the Minamata case, the meaning, feasibility, actual effects and other related problems of this convention are examined. Then prospects of prevention and reduction of marcury reduction in the global context in the future are examined considering the past and present situation of marercury pollutions all oiver the world.

**Keywords:** *mercury, pollution, damage, Minamata*

**848**
# ECO CRIME AND THE EXTRACTION OF FOSSIL WATER

Reece Walters
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It has been widely reported that one of the greatest challenges confronting the 21st century is the provision of useable water (UNESCO, 2010). More than one billion people worldwide do not have regular access to safe drinking water (WaterProject, 2013)The extraction of fossilised water from underground aquifers for agricultural and commercial use has profound global implications for climate change and long-term food security. The corporate mining or hydrology of non-replenishable reservoirs of 'paleowater' has increased expediently in recent years. Rather than adopt more costly water conservation strategies or implement more efficient water technologies for food and biofuel plantations, powerful corporations are exploiting the natural resources of biodiversity rich nations in what has been described as the 'privatisation of water'. This unsustainable and harmful mining of water occurs in a regulatory vacuum whilst contributing to increases in sea levels and jeopardises future food supplies. This paper explores the ways in which corporate power, often supported and sponsored by government initiatives, is mobilised to monopolise an essential global resource with devastating environmental and human consequences.

# PRISON LIFE AND IMPRISONMENT VIII.

**849**
## BANGED UP ABROAD: THE MENTAL HEALTH OF IRISH PRISONERS IN ENGLAND AND WALES

Paul Gavin
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Given that Britain is now deemed to be the prison capitol of Europe, this presenation will focus on the plight of a neglected and under researched group of prisoners within the prison system in England and Wales: Irish prisoners. According to the Ministry of Jusitce (2013), "Between June 1993 and June 2012 the prison population in England and Wales increased by 41,800 prisoners to over 86,000. The sentenced population increased after 1993 because the courts sentenced more offenders to prison each year between 1993 and 2002, and because offenders have been staying in prison for longer."The Irish are one of, if not the oldest 'minority group' likely to be found in the prison system in England and Wales (Borland et al, 1995) yet according to Cheyney (1993), when the needs of foreign prisoners are being considered, "Irish prisoners are never included. When foreign prisoners were discussed, it was a common reaction to suggest that the research should not be concerned with prisoners from Ireland." There has only ever been one official review of the position of Irish prisoners abroad and this was in 2007. The Report on Irish Prisoners Abroad (Flood, 2007) gathered information from Irish Embassies and Consulates throughout the world and it was estimated that there was a "minimum figure" of 800 Irish citizens in prison throughout the world with the cast majority being imprsioned in England and Wales. This figure is completely outdated as there are close to 1,000 Irish prisoners in England and Wales alone.

This presentation will consider my own PhD research to date and will discuss some of the available information on Irish nationals in the prison system in England and Wales. Statistical data will be examined in terms of offences, sentences and gender. Also aspects concering the mental health of Irish prisoners will be discussed, especailly incidents of self harm and suicide.

**Keywords:** *Irish prisoners, foreign prisoners, non- nationals, prisons, mental health.*

**850**
**RESEARCH IN THE PRISON SETTING: THE CASE OF PSYCHOLOGICAL INTERVENTION**

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A wide range of group and individual psychological interventions, such as offender courses, behavioural courses, therapeutic approaches and individual therapy, are widely considered within the forensic literature as holding a useful role in the prison system. Infact they are oftenacknowledged through the highlighted benefits of the supportive therapeutic relationship in the maintenance of health and psychological wellbeing in prison (Wills, 1991), and the reduction of distress in response to stressful events experienced in prison (Snow, 2002). This is alongside the possibility of psychological intervention in supporting the desistance process (Burnett, 2002). However despite this, very little research into psychological intervention has taken place in the prison setting. Further where research has been carried out, the research has usually taken place with specific aspects of intervention, such as drug programmes (Rouse, 1991), outreach clinics (Skipper et al., 2003) and specific intervention wings such as therapeutic communities (Rawlings, 1998; Hobson, 2000) as opposed to individual or group interventions. This is despite the fact that the Ministry of Justice (2012) suggest that all intervention should be based on '*sound evidence on what techniques and interventions help offenders to change*' with'*rigorous monitoring of the quality of programme delivery*'. Approaching the call for research in meeting the Ministry of Justice's requirements within and across psychological interventions in the prison setting, this presentation will initially present the case for the importance of research into psychological intervention in prison. This will be followed by an exploration of Evidence Based Practice (EBP) which can be considered as the current movement governing research in psychological intervention in the UK. However in discussing the use of EBP within prisons, this presentation will also attempt to pave the way for a consideration of alternative research methodologies and resultant methods which are appropriate to the setting and client group,in researching psychological intervention in prisons in the UK. Through this it is argued that research within the prison setting should act not just to promote interventions and create an evidence-based as such, but to provide an accessible body of knowledge for the prison staff, psychologists and psychological therapists working in prisons in the UK.

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**851**
# THE TREATMENT OF FOREIGN PRISONERS IN EUROPE

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Foreign prisoners are over-represented in the majority of European prisons. Although national legislation provides *de jure* equality for such prisoners, their experience of the penal system is often characterised by *de facto* discrimination. Foreign prisoners are likely to suffer isolation due to linguistic and cultural differences and their distance from loved ones. They often face uncertainties in relation to their immigration status which can have a significant impact on access to reintegration programmes and, consequently, their preparation for release. This paper discusses the situation of foreign prisoners in Europe and the evolution of regional standards governing their treatment. It focuses, in particular, on the latest Council of Europe recommendation governing the treatment of foreign prisoners (Recommendation CM/Rec (2012) 12 of the Committee of Ministers to member States concerning foreign prisoners) which replaces an earlier recommendation adopted in 1984. In addition to describing the drafting process (the author was one of the scientific experts responsible for drafting the recommendation for the Council for Penological Cooperation), the paper highlights the improvements this recommendation has made to existing standards and its likely impact. It also outlines and analyses the reasons for some omissions and deficiencies in the adopted recommendation.

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# GLOBAL CRIMINOLOGY NETWORK: CLOSED MEETING

**852**
## GLOBAL CRIMINOLOGY NETWORK: CLOSED MEETING

Jack R. Greene
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This panel is a closed meeting of the Global Criminology Network Steering Committee, a working group building connections among partner institutions for strengthening criminological research, the preparation of graduate students, and the advancement of a global criminological perspective. This working group reflects the interests of Northeastern University (Boston), VU-Amsterdam, and KU Leuven, each institution participating in a collaboration to advance global criminological research, graduate education and the preparation of the next generation of academic researchers. This meeting is a working group meeting; as such it is closed to general audiences at this time. The meeting focuses on creating a Global Symposium on criminological research, the creation of program linkages for the advancement of graduate education across the participating institutions, and the facilitation of cross-faculty collaboration in academic coursework, service to graduate student development and research advancement. It is anticipated that as this network broadens and develops it will engage other academic institutions, research centers and faculty for participation in these efforts.

# HOW TO IMPLEMENT MEDIATION INTO THE CRIMINAL PROCEDURE?

**853**
## RESTORATIVE JUSTICE PERSPECTIVES IN LITHUANIA
Ilona Michailovic
*Law Institute of Lithuania, Vilnius, Lithuania*

The most important goal of restorative justice is to restore damaged relationship between victim and offender, when offender compensates damage for a victim, apologizes, and victim has an opportunity to be heard, to express emotions incurred during a crime. Hereby, the preconditions for reconciliation between victim and offender are created.

In the European Union there is no country which has not applied some individual models of restorative justice in criminal cases, except for Lithuania. In most European countries, mostly applied model of restorative justice is mediation - intermediation seeking the reconciliation between victim and offender.

In the framework of the research project "Restorative Justice Perspectives in Lithuania" administrated by the Research Council of Lithuania the interdisciplinary team of researchers from the Law Institute of Lithuania creates a comprehensive scientific basis and preconditions for implementation of mediation in Lithuania.

Objectives of the project:

1. To define the concept and grounds of restorative justice and to form the scientific background for creation of restorative justice system in Lithuania.

2. To analyze the situation in Lithuania: applicable criminal justice models, existing elements of restorative justice, assumptions and interferences in the development of restorative justice ideas.

3. To identify and investigate the problematic fields of victim and offender mediation, focusing on the principles of mediation, stages of mediation process, criminal offenses, where may be applied mediation, the role of mediator in mediation process, legal significance and procedural form of mediation, some specific categories of mediation.

4. To formulate proposals oriented to legislation and law application, which will enable to apply and successfully use the institute of mediation in Lithuania.

**854**
# FROM RESTORATIVE JUSTICE TOWARDS A PROMOTIONAL AND RELATIONAL COMMUNITY

Gian Luigi Lepri, Anna Bussu, Ernesto Lodi, Patrizia Patrizi
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The aim of the this paper is to present the relational and restorative community model based on the works on ecological responsability of professor Gaetano De Leo (1996) and the findings of the European project *Freedom Wings, collection and dissemination of good practice in transnational collaboration in the field of restorative justice*. The model is based on the process of conflict managment through out the active partecipation of the community to repair the injury caused by the crime. The crime is first a relational act and then a transgression of a rule which provides a sanction. It can be considered rather as a behavior that produces pain in those who are victims and generates "conflict" because it evades the social expectations of the community, impacting on the perception of vulnerability and insecurity of individual and society. (Zani, Polmonari, 1996; Patrizi, 2003). At the citizen is recognized an active role in conflict management and more generally in the government of the community in which he/she lives, making him/her feel part of the system (Wright, 2010). The community can/must therefore be promoting lifestyles and relationships oriented to peace, well-being of the person and the community (Lent & Brown, 2008). It has been a purpose of Freedom Wings, consistent with principles of sustainability and solidarity of Europe 2020, to build an international network (with the involvement of Italy, Cyprus and Greece) to promote a debate of a community model based on the promotion of social cohesion through strategies to restore balance relational threatened by the commission of an offense. We will be presenting the findings of the multiagency and interprofessionals focus groups (experts within the juvenile and ordinary justice of the 3 countries) on the topics of restorative approaches and community justice. The main areas of the research were: characteristics of restorative justice, practices centered on the relationship and reciprocal commitment between subjects/systems involved, roles and functions of professionals involved in the restorative approaches, problems detected, perspectives of a "relational community."

# VICTIMS NEEDS AND RESTORATIVE JUSTICE: AN EVALUATION OF THE PENAL MEDIATION PROGRAM IN CATALONIA

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A team of researchers made an empirical evaluation of the Catalan program on penal mediation. Penal mediation is developed in Spain in difficoult circumstances because it lacks of explicit legal support and many criminal justice actors are reluctant ti implement it. Persons participating tin the program are adults which have been involved as victims or perpetrators in domestic conflicts and petty crimes, but in most cases with a high emotional impact. In order to assess to what extent the mediation process could meet the victims' needs, a sample of 100 victims have been interviewed. The evaluation was conducted not only from the prespective of the victims' satisfaction but also the emotional impact was assessed, according to different variables. The results of the research confirm the potentiality of restorative justice for victims. Most part of the victims were satisfied with the experience and their emotional state improved after the process. The results are consistent throughout different crime typologies, even in intrafamiliar conflicts, although material reparation and pacification are not easily achieved. The evaluation brings us also rellevant information about the improvements to be introduced.

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# PSYCHOLOGY OF OFFENDERS

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## PROFILING CRIMINALS: FROM LOMBROSIAN SKULLS TO NEUROCRIMINOLOGY

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Surveillance technology and profiling are playing an increasingly important role in crime prevention, prediction and detection. Most of the contemporary criminal profiling techniques use social categories to create profiles. However, advances in genetics and neuroscience and new brain image techniques are leading to new ideas about how to profile criminals on the basis of biological or genetic risk factors, which at first glance seems very similar to what Lombroso was doing in the 19th century.

It is clear that criminal profiling is not a product of the surveillance society and dates back to two centuries ago when criminology arose as an autonomous discipline. However, what is the relation between contemporary profiling practices which use biological risk factors and Lombrosian profiling? When investigating more in-depth the ideas behind the profiling assemblages then and now the picture becomes less clear and more messy.

Working from an interdisciplinary perspective including criminology, surveillance studies and science and technology studies the main purpose of this paper is to analyse the main methods and techniques suggested by Lombroso to criminally profile people in the 19th century (and the ideas behind them) and compare them to current developments in neurocriminology. This analysis will pay special attention to how technology plays a role in contemporary profiling practices.

**Keywords:** *surveillance profiling Lombroso neurocriminology risk*

# WOLF CUBS IN LAMB'S CLOTHING – COMPARISON OF PSYCHOPATHY IN JUVENILE OFFENDERS, YOUTH IN FOSTER CARE AND NORMAL STUDENTS WITH A SELF-REPORT MEASUREMENT

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**Background and aim:** Psychopaths are people who hide behind sanity, but pathologically differ from common people in defining traits at several domains, including affective, interpersonal and behavioral characteristics. These people are – among other things – callous, manipulative, egocentric, sexually promiscuous, they lack empathy, conscious, remorse and guilt, and do not consider consequences. On the other hand they are superficially charming and make a special and positive first impression (Cleckley, 1988; Hare, 1996). Similar to antisocial personality disorder, prevalence of psychopathy is higher in criminal populations (Hare, 1996).

Originally the Levenson Self-Report Psychopathy Scale (LSRP, Levenson et al., 1995) was developed to measure psychopathy in non-institutionalized population, and most of the connected literature concerns undergraduate student samples. In the last decades a claim raised for a reliable self-report assessment tool of psychopathy among inmates, therefore a new wave of research has started to analyze the utility of LSRP among different criminal populations.

Since psychopathic traits can be detected in early age, our study aims to follow this tradition by comparing results of LSRP in normal students, youth in foster care and juvenile offenders.

**Methods:** Our sample includes 515 adolescents (mean age 16.7 years; SD=1.18). Mean age of normal students was 16.5 years (SD=1.07), of youth in foster care was 16.4 years (SD=1.97) and of juvenile offenders was 17.1 years (SD=1.11). 100% of the samples was male. Among several other measurements, psychopathy was assessed with LSRP. One way ANOVAs were used to compare the groups.

**Results:** The analysis showed a significant difference among samples ($F_{(2,416)}$=21.057, $p_{(2,445)}$=13.513, $p_{(2,468)}$=25.659, p

**Conclusion:** In accordance with our hypotheses, special groups scored higher than normal students on LSRP even at early age. The research revealed a need for further psychometric analyses of LSRP as well.

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**INSANITY PLEA IN THE CRIMINAL LAW OF REPUBLIC OF SERBIA**
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In the Criminal Law of Republic of Serbia, legal definition requires a subjective element in the perpetrator of criminal acts apart from the objective one in order to establish that his actions were a felony. This subjective element is guilt which consists of responsibility, premeditation and awareness. This clearly says that if there is no responsibility, there is no guilt, and if there is no guilt, there is no felony. Therefore, the actions containing all the features of a felony, but done by a person who is insane or has diminished responsibility, should be referred to differently from the ones done by a sane, responsible person. Legal definition of responsibility is negative and it says that insanity is: Insane perpetrator is: a) a person who could not apprehend the significance of his acts or was unable to manage his actions due to b) insanity, temporary insanity, mental incapacity or other severe mental illness. Namely, law enforcement in the classical system of criminal sanctions cannot be the same for responsible perpetrators and for insane perpetrators, however neither the legislative, the law enforcement nor the legal theory have adequately and completely resolved this issue.

**Keywords:** *insanity, guilt, felony*

# POSTER SESSION I.

## OVERVIEW OF INTERNATIONAL SELF-REPORT DELINQUENCY STUDY (ISRD3)

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This poster presents the currently ongoing International Self Report Delinquency Study (ISRD3), an international collaborative study of juvenile delinquency and victimization among 7th, 8th and 9th grade pupils in more than thirty countries (in Europe, but also China, India, Indonesia, Cape Verde, Venezuela, USA). The goal of the ISRD3 is to observe and compare differences, similarities and trends in offending and victimization between countriues and to explore and thest theoretical issues related to juvenile delinquency (e.g. social control, self-control, Institutional Anomie Theory, Procedural Justice theory, Situational Action Theory) while maintaining relevance for policy purposes. The ISRD3 fieldwork takes place between November 2012 and Spring 2014.  The pupils are randomly selected from schools in medium or large cities. The ISRD3 questionaire is modeled after the ISRD2 instrument, with some modifications.  There are two versions of the ISRD3 questionnaire: paper and pencil and electronic (online). The computerized version is identitcal to the paper and pencil version, with additional follow-up questions (on offending and vicitmization) at the end.

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# POLICY, CULTURE, ECONOMY AND SCHOOL BULLYING AND VICTIMIZATION: INTERNATIONAL PERSPECTIVE

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Numerous studies indicate that school bullying is a serious problem that has negative effects on both bullying victims and bullies. Bullies are more likely to engage in delinquent behaviors in their adolescence, while bullied students suffer physical/psychological problems (e.g., depression, anxiety, suicide) and academic-related problems (e.g., school dropout, school avoidance, and learning problems). Despite the seriousness and importance of understanding the etiology of school bullying, relatively limited studies have been conducted to comprehensively examine the effect of macro-level predictors (e.g., policy, culture, poverty, or economic status). Moreover, very few studies have investigated cross-national differences on macro-level commitments. In this reality, the objective of the present study is examining the cross-national differences in the prevalence of school bullying and victimization by using macro-level cultural and institutional characteristics.

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# DO THE CRIME, DO THE TIME? AN EMPIRICAL STUDY OF PUBLIC SUPPORT FOR JUVENILE TRANSFERS TO ADULT CRIMINAL COURT

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Over the last few decades, significant changes have taken place in various countries with regard to how young offenders are dealt with. These reforms have gradually modified the nature of Juvenile Justice, thus consolidating the shift from a model in which education was the primary aim to a new paradigm where the notion of guilt has acquired greater importance. This shift, which legislators have justified by alluding to the expectations and demands of the general public, has blurred the frontiers which hitherto separated Juvenile Justice and Ordinary Justice. Owing to the important role now being played by public opinion in shaping criminal policy, this study aims to explore the support given by the general public in Spain to this transfer of young offenders, using the quantitative analysis of a sample of Spanish nationals, obtained by means of multi-stage stratified sampling and consisting of 1,000 subjects of 18 years of age or over. The results obtained confirm the widespread support for the transfer of juvenile offenders accused of serious offences. Equally, the data reveal the existence of a significant relationship between this support and particular sociodemographic variables as well as other variables related to the perception of the maturity of the young offenders. All of this reaffirms the complex and eclectic nature of the numerous constructs which, as in this case, constitute punitive attitudes.

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**DELINQUENCY AND VICTIMIZATION OF INSTITUTIONALIZED YOUNG FOREIGNERS IN PORTUGAL**

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This poster aims to present and discuss the preliminary results of an ongoing project on juvenile delinquency and victimization, whose main objective is mapping the phenomenon at a national level, providing a characterization of the trajectories, practices and discourses of the young foreigners who are under educational measures or living in host homes for children and youth.

The relationships between victimization, delinquency and institutionalization are eminent in trajectories of young people who suffer with processes of criminalization of poverty. The ethnic and gender differences in delinquency and victimization are also well established. First, ethnic groups tend to be over-represented in many countries of the world, either as offenders or as victims. Secondly, regarding gender, there are hegemonic historical patterns that associate males with aggression and violence, and females with the figure of the victim, denying them the position as aggressor. However, we know surprisingly little about the nature and causes of these relationships and differences when interconnected.

Accordingly, the reading and discussion of the data collected will have as theoretical references the relationship between delinquency, victimization, and intersectionality, which will enable us to establish interdependencies between some potentially vulnerable identity categories such as ethnicity, gender and class.

Váradi

**863**
**ASSESSING THE FACTORS THAT MAY INFLUENCE THE RE-OFFENDING BEHAVIOUR OF YOUNG GIRLS IN THE YOUTH JUSTICE SYSTEM FROM A NARRATIVE PERSPECTIVE OF YOUNG GIRLS AND CRIMINAL JUSTICE PROFESSIONALS**

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This research is focused on the factors that influence the re-offending behaviour of young girls in the Youth Justice System, from a Narrative Perspective of young girls and Criminal Justice Professionals. The motivation for this research emanates from a desire to investigate an under researched contemporary area of Youth Justice and to link academic and practice perspectives, which highlights the importance for this research. Most policy, research and programmes on female offending has primarily focused on adult women (18+) and interventions for young girls who have committed a crime are centred around boys. It is important to say that young girls' are the forgotten group in the Youth Justice System.

This research has used a progressive, integrated research methodology, where the validity and reliability of inductively generated research findings was constantly checked throughout the data collection and analysis process known as a grounded theory approach. This research has focused on giving these young women a voice by using a narrative life story approach; as the views of young people are rarely heard in the Youth Justice System. This has resulted in 64 interviews with young women and 17 with practitioners that work with these young women in the Youth Justice System.

Emerging themes have drawn together the research findings into an explanatory framework, which highlights the urgent need to identify gender specific support for young girls in the youth justice system due to their vulnerability and differing criminogenic needs. A statistical analysis of re-offending rates for young girls in the United Kingdom has found a static variation, questioning the use of new developments such as laws, policies and programmes for young girls who have offended. Interviewing these young girls has also supported this analysis and found a range of factors resulting in re-offending from broken down family relationships, drug and alcohol addiction to child sexual abuse. Importantly, it was found that once girls were institutionalised, this resulted in a continuation of offending, as life behind bars became a better life. In addition, Judges also resorted to a custodial sentence once a young girl had custody on her records. Many young girls who had been sexually and physically abused resorted to prostitution or had violent and sexually abusive partners because being raped and violently abused became normalised for them. Practitioners that were interviewed supported this view and felt young girls need a sense of belonging to a positive role model, which was often not available for these young offending girls.

This research will therefore contribute to wider youth justice policy and practice, in an attempt to bring the issues surrounding young girls in the Youth Justice System to the forefront of policy and practice. Emerging themes from the interviews will therefore continue to be fully saturated and linked to current academic findings, which will draw together an explanatory framework to determine change.

# DOUBLE-BLIND STUDY DESIGNED ACCORDING TO NIEHAUS'S ASSESSMENT CRITERIA, APPLIED TO CHILDREN AGED BETWEEN 3 AND 7 YEARS OLD

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Purpose: Using Niehaus's modified and integrated Assessment Criteria (28 instead of 19 attributes), this double-blind study seeks to investigate and evaluate statements made by children aged between 3 and 7 years old. Additionally, Undeutsch's extended Hypothesis of individual attributes of children aged between 3 and 7 years old was investigated to establish the extent to which it could be confirmed, using statements made by those children expressing various basic perceptions.

Method: 4 different types of statements were designed (true vs. intentionally false statements; suggestive and based on reality). 109 interviews (N=88) were carried out with children aged between 3 and 7 years old. Four assessors with various levels of experience evaluated the interviews. The results were statistically evaluated (SPSS, Version 15) using first the Kruskal-Wallis H-Test and then the Mann-Whitney U-Test for a paired group comparison, as a post-hoc Tests to control for significant differences.

Results: The first results of the paired group comparisons (adjusted according to Bonferroni) were able to confirm the Undeutsch Hypothesis relating to various positive attributes, such as General Attributes (Logical Consistency, $p=0.002$), Non-motivational-Attributes (description of non-verbal interactions, $p=0.001$) or Motivational Attributes (admission of gaps in one's memory, $p=0.001$). The experience of the assessors played a significant role.

Conclusion: The results indicate (consistent with current literature) that the Attribute System is suitable to help in identifying false statements even in children aged between 3 and 7 year old. Limitations appear in the application of the system if the speakers are allowed ro refer back to personal experiences.

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**FROM PERSONALITY DIMENSIONS TO PERSONALITY DISORDERS**

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**Background and aim:** Based on the current diagnostic system the Cluster B (dramatic) personality disorders include antisocial, borderline, narcissistic and histrionic personality disorders. Evidence has been found regarding the high comorbidity of these disorders as well as the role of the impulsivity in these disorders. In general, personality disorders, and especially B Cluster disorders, are overrepresented in the prison population. Psychopathy has a high prevalence in this population as well and based on its characteristics it also can be regarded as a personality disorder. Personality disorders can be conceptualized as extreme variants of personality dimensions. The most well-known personality classification is the Big Five, which contains five dimensions: extraversion, agreeableness, neuroticism, conscientiousness and openness to experience. Empirical data demonstrate the significance of the connections between these dimensions and personality disorders, and the specific patterns of the dimensions can serve as reliable predictors of the disorders. The aim of our study was to analyze the relationship among Big Five personality dimensions, the B Cluster personality disorders and psychopathy.
**Methods:** Our sample includes 176 inmates from a Hungarian national prison (male 79%; mean age 34.5 years, SD=11.12). The following measures were used: Five-Factor Nonverbal Personality Questionnaire (structured, non-verbal instrument); Structured Clinical Interview for DSM-IV Axis II. Disorders; Psychopatic Personality Inventory – Short Version. Regression analysis was used to examine the connections.
**Results:** Based on the regression model, antisocial disorder ($r^2$=0.157) showed negative relationship with agreeableness and positive relationship with extraversion. Borderline disorder ($r^2$=0.243) showed negative relationship with agreeableness and conscientiousness and positive relationship with neuroticism. Narcissistic disorder ($r^2$=0.157) showed positive relationship with extraversion and negative relationship with agreeableness. Histrionic disorder ($r^2$=0.093) showed positive relationship with extraversion and negative relationship with conscientiousness. Psychopathy ($r^2$=0.216) showed positive relationship with extraversion and negative relationship with agreeableness and conscientiousness.
**Conclusion:** In line with the former results thegeneral Big Five personality dimensions are proper for prediction to the B cluster personality disorders and psychopathy.

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# CALLOUS-UNEMOTIONAL (CU) TRAITS, BEHAVIORAL AND EMOTIONAL PROBLEMS AMONG HIGH-RISK ADOLESCENTS

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**Aim of the study**

There is a growing evidence that the callous-unemotional (CU) traits may designate an important subgroup of antisocial youth characterized by a lack of empathy and guilt and callous use of others (Frick, 2009). Existing research also suggests that youth with CU traits show deficits in the processing of negative emotional stimuli (Kimonis et al, 2006; Viding et al, 2012).The main purpose of our study was to investigate the behavioral and emotional difficulties associated with CU traits among high-risk adolescences.

**Methods**

The sample consisted of 102 male adolescents between the ages of 14 and 19 (M=16.34; SD=1.32).The participants were recruited from three foster homes (n=34) and two detention centers (n=68) in Hungary. CU traits were assessed using the Inventory of Callous-Unemotional Traits (ICU, Frick, 2003), prosocial behavior, emotional and behavioral problems were measured by the Strengths and Difficulties Questionnaire (SDQ; Goodman, 1997), and the emotional processing deficits were assessed using the Emotional Pictures Dot-Probe Task (Loney, 2003; Kimonis et al, 2007).

**Results**

According to the results, there were significant correlations between ICU Total Scores and three of the five SDQ subscales. The results of linear regression analysis revealed that SDQ subscales significantly predict ICU Total Score (Conduct Problems:ß=0.347, Hyperactivity-Inattention: ß=0.216, Prosocial Behavior: ß=-0.372) even controlling for age and group (foster home or detention center). The model explained 55.3% of the variance of ICU Total Score. Distress facilitation indices were also significantly associated with CU traits (r=-0.203), Conduct Problems (r=-0.207), Hyperactivity-Inattention (r=-0.208) and Prosocial Behavior (r=0.246).

**Discussion**

Our finding suggest that the presence of CU traits among high-risk adolescence is associated with hyperactivity/inattention, conduct problems, low prosocial behaviours and deficits in the processing of emotionally distressing stimuli. The current study supports previous findings that CU traits comprise emotional and behavioural problems (Frick, 2009; Hawes et al, 2009, Viding et al, 2012). Deficits in emotional processing support the 'unemotional' characterisation of youth with CU traits (Blair et al., 2006; Frick, 2009) and the absence of significant negative association between CU traits and emotional problems might be explained by the secondary variant of CU traits.

**Keywords:** *psychopathy, CU traits, emotional processing, prosocial behaviour*

# RELATION OF CALLOUS-UNEMOTIONAL TRAITS TO AGGRESION AND PROSOCIAL BEHAVIOUR IN YOUNG ADULTS

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Callous-unemotional (CU) traits are the hallmark of the construct of psychopathy (Cleckley, 1976; Hare, 1993). Relationship between CU traits with antisocial behaviour and aggression has been largely investigated, and the proactive form of agression has been consistently linked to psychopathy. Due to the specific emotional (e.g. lack of guilt or remorse) and interpersonal features (e.g. lack of empathy) of psychopathy, we hypothesized that CU traits would negatively relate to prosocial behavior. Based on the work of Boxer et al. (2004), we differentiated between three types of prosocial behavior: the altruistic behaviour and the reactive and the proactive forms and also hypothesized that 3 dimensions of CU traits, such as callousness, uncaring and unemotional behaviour would differently relate to both the three forms of prosocial behavior and the two types of agressive behavior (reactive and proactive ones).

In our study university students (N=151, 85.4% female) participated for extra credit, and CU traits were assesed with the Inventory of Callous-Unemotional traits (ICU; Essau et al., 2006), and the Aggressive and Prosocial Behavior Questionnaire (Boxer et al.,2004) was applied.

Regression analysis revealed that altruisric behavior was predicted by the Unemotional factor of the ICU (ß= -.212) and Reactive prosocial behavior (ß=-.312) was predicted by the Total score of the ICU even controlling for gender and age. Proactive agression was found to be predicted by the Callousness factor of the ICU (ß=.154) controlling for sex, age and reactive agression. In contrast with our previous expectation proactive prosocial behaviour was not predicted either by any ICU factors or by the total score of the ICU.

Our findings proved the well-known relationship between proactive aggression and psychopathic traits, and also revealed that lack of altrustic behavior (defined as a voluntary act without expectation of personal gain) was related to CU traits, especially to the unemotional facets of psychopathy. This finding is in accordance with previous results indicating low emotional reactivity to distress cue in psychopathy. The finding that reactive prosocial behaviour defined as a prosocial act toward a peer when placed in a positive mood by that peer was negatively related to CU traits may indicate that positive interaction with peers has no rewarding value, but reactive prosocial behavior needs further investigation.

**Keywords:** *psychopathy, CU traits, aggression, prosocial behaviour*

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# ASSESSMENT OF THE FACTOR STRUCTURE AND RELIABILITY OF THE BUSS-PERRY AGGRESSION QUESTIONNAIRE IN A HUNGARIAN PRISON SAMPLE

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The assessment of aggression is an important theoretical and empirical issue, especially with regard to high risk populations, e.g. offenders. Reliable and valid measures of aggression are needed both for aggression research and for the development of risk assessment tools and evidence based techniques and practices for the prevention and treatment of aggression.

The Buss-Perry Aggression Questionnaire (BPAQ) is 29 item self-report measure of trait aggression, generally regarded as having good psychometric properties. It has four scales: physical and verbal aggression measure the behavioural, anger the emotional, and hostility the cognitive components of aggressivity. It has mainly been tested in general population and in samples of students, but a growing body of results shows its applicability in high risk samples as well.

We tested the psychometric properties of BPAQ and the 12 item short form of it (BPAQ-SF) on a samples of male (N=136), female (N=100) and juvenile (N=103) prison inmates in 6 Hungarian penal institutions. We assessed the factor structure, reliability and – using some behavioural and demographic measures – the validity of BPAQ and BPAQ-SF.

Our results show that physical aggression and anger scales have adequate reliability, however hostility and verbal aggression scales exhibit poor levels of reliability. Outcomes of the conducted confirmatory factor analysis suggest a bad fit of the four-factor model in the sample of males, which cannot be substantially improved by omitting the two negative scored items. In case of BPAQ-SF, data show a good fit to a three-factor model where anger and verbal aggression form a common factor. In sum, our results indicate that only the physical aggression and anger scales of the BPAQ are reliably measures of aggression in prison sample. Psychometric properties of BPAQ-SF are more adequate than those of the original questionnaire, but we found no support for the four-factor model. Limits of the study and future recommendations are discussed.

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**869**
**THEORY OF MIND FUNCTIONING IN CRIMINAL OFFENDERS**

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The aim of our study was to investigate the offender's theory of mind functioning. We examined 40 offenders: 20 violent and 20 deceptive offenders compared with the control group (N=20). To measure the theory of mind we administered the Faux Pas Recognition Test (Stone et al., 1998), the Reading the Mind in the Eyes Test (RMET, Baron-Cohen et al., 2001) and the Faces Test (Baron-Cohen et al., 1997). According to our results deceptive offenders perform better than the violent and the control groups in affective theory of mind tests, especially the RMET and the basic emotions of the Faces Test. We did not find any difference in the attribution of complex emotions on the Faces Test in the two offenders' groups. The Faux Pas results showed a difference between violent and deceptive offenders in detection of a faux pas. False belief understanding behind committing a faux pas was better in deceivers than in the violent group. Understanding of the affective consequences of the faux pas slightly differed in the two offender groups; deceivers performed better at this dimension of the Faux Pas task. Our results suggest that deceivers are better than violent offenders at mental state attribution, particularly in affective theory of mind tasks. These results can encourage further research in this area, and are fruitful for evolving training and therapeutic methods in order to develop offenders' social skills.

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**DIAGNOSIS OF PSYCHOLOGICAL RISKFACTORS FOR JUVENILE DELINQUENCY**

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The German adaption of the Reynolds Adolescent Adjustment Screening Inventory (RAASI) by Hampel & Petermann (2012) is a brief self-report measure of emotional and behavioral problems including antisocial behavior, anger control, emotional distress, and positive self. Thirty-two items reflecting feelings, or actions are rated by the participant on a scale of 0 (never or almost never) to 2 (nearly all the time).

To examine the validity of the measure in a broader – nonclinical – sample of more than 3000 7th and 9th graders results of the screening were compared to other measures of typical riskfactors of juvenile deviant behavior like violence-related attitudes, parental violence, low empathy, low self-control and self-reported delinquency.

The correlation of riskfactors with the psychological measures is examined. The main purpose of the study is to test how far the SPS-J can be used as parsimonious instrument to differentiate between groups of non-offender, minor offender, and serious offenders, defined by Latent Class Analyses.

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**871**
**THE ROLE OF COMMUNITY IN REINTEGRATION**

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Research done in southern countries shows that family plays a main role in the process of desistance. The support of the family during imprisonment reinforces the motivation to change and help the person to feel able to carry out a conventional life. However, some of the former imprisoned persons do not have a family that may act as a causal agent in the process of change (Cid and Martí, 2012). Based on this finding, the present research is aimed at understanding whether other communitarian organizations –like third sector organizations, churches and volunteers– may play similar roles as the ones developed by families. Besides, one of the basis of the reintegration is located in the same community, that is to involve the community in the process of reintegration of the person. The study that will be presented is based on interviews of former imprisoned persons that have been in touch with these kinds of communitarian organizations and will try to illuminate pathways to desistance in which the family is not the key actor. The implications of the research for reentry policies will also be underlined.

**872**
**SITUATIONAL FACTORS IN HOMICIDES IN PRISON**

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Homicides of prisoners by other prisoners in English and Welsh prisons have been neglected by research, perhaps due to their rarity. This research sought to fill this gap, by examining homicides that had occurred between 2000 and 2011 in England and Wales, looking for patterns, and seeking to suggest explanations. The sample size of 18 prevents generalisation, but nonetheless, patterns and consistent themes emerged from analysis of the data.

This poster focuses on one part of the research, the situational aspect. Patterns regarding time, day and location within the prison were found in the research, and these in turn informed the wider key themes of prisoner safety, and the challenges in ensuring it; the similarities and differences between prison suicides and prison homicides; the magnifying effect of prison on 'minor' frustrations; stigmatisation of those low in the hierarchy, and a perennial issue in prison research: power.

**Keywords:** *Prison, homicide, imprisonment*

**873**

# THE INFLUENCE OF LEGISLATION ON RELATIONS OF (EXTREME) INSTITUTIONAL DEPENDENCY - FORMS OF AUTONOMY AND PARTICIPATION IN PRISONS AND HOSPITALS

Ineke Casier

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In this poster I will present my current research project "the influence of legislation on relations of (extreme) institutional dependency - forms of autonomy and participation in prisons and hospitals". The project investigates the dynamics of relations of (extreme) dependency, with special emphasis on forms of autonomy and participation that occur in two types of 'total institutions': prisons and hospitals. Prisoners and patients are subjected to the rules of the institution of which they are inhabitants, without (directly) choosing to be in that position (contrary to other total institutions, e.g. monasteries). Moreover, certain groups of inhabitants of total institutions, such as prisoners and patients, may become extremely dependent on the institution and its staff. Over the past few years, legislation was developed in Belgium to strengthen the rights and means for autonomy and participation for both prisoners and patients (e.g. the Belgian Prison Act of 2005, the Rights of Patients Act of 2002). Through a combination of extensive legal analysis and ethnographic research we want to understand the complex mechanisms of regaining autonomy and the place of legislation in these mechanisms. Participant observation, semi-structured interviewing and document analysis will be used to gather data in these two settings. The data will also be reviewed in the light of the current human rights discourses and notions of 'human dignity'.

**874**

**QUALITATIVE DIMENSIONS OF REGIMES IN OPEN COLLECTIVE RECEPTION CENTERS FOR ASYLUM SEEKERS AND THE ROLE OF PUNITIVISM.**

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In Belgium **asylum seekers and certain categories of illegal aliens** can benefit from material, non-financial support in **collective open institutions.** These reception centers can be considered as **special moral places**: **dependency** of residents from staff, formal and informal interactions and **relations** do play a prominent role between both groups, together with the way residents are treated and approached. Concepts as **values, norms, security, order, control and well-being** are undoubtedly **connected.** The focal point of the research are the **values and norms** that stand out in open reception centers, their impact on the quality of life and their mutual interaction with **rules, regime, relationships** between staff and residents and the **process of sanctioning.**

Reception centers do show **"total" characteristics** due to the **control of presence** of the residents, the **hierarchic differences** between staff and residents, the **enforcement of house rules and sanctions**, the **dependency** of the residents on the institutional organization and the fact that **all spheres of life** fall under the same authority. In order to comprehend in depth the characteristics and the professional and organisational culture of the reception centers, the formal aspects are described on the basis of the secondary resources available: house rules, internal regulations, existing procedures etc. together with participant observations and interviews of the managing directors of three reception centers. Due to the **permanent contact** between staff members and residents and the dependency of the former from the latter, their mutual relationships play a prominent role together with the type of treatment of residents. Relationships are determined by the way staff members and residents interact on formal occasions (e.g. laying down rules and regulations) and in informal encounters. The point of view of the residents themselves on their relationship with staff members is reflected in the results of questionnaires following the MQPL-method. Additional information can be found in different kind of secundary resources like incident reports reflecting infractions on house rules and transboundary behaviour. The Act of 12 January 2007 does stipulate **seven types of formal sanctions** that can be enforced by the director of the reception center in case of infringing the rules and regulations of the center. Although the Act stipulates that the sanction has to be decided in an objective and impartial manner, the practical implementation of these sanctions remains the discretionary competence of the director of the reception structure. Consequently and following the historical evolution of the reception center, each institution has their **specific decision process and sanctioning culture**. For each of the considered reception centers the level of punishment of transboundary behavior is studied by analyzing the sanction-documents that are signified to the residents involved, together with the reports of residents who are disciplinary transferred between institutions.

**875**

**WINDOW OF OPPORTUNITY: SOCIAL ACCEPTANCE AND LIFE TRANSFORMATION IN THE REHABILITATION OF IMPRISONED SEX OFFENDERS**

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The purpose of this qualitative research was to examine the change process experienced by imprisoned sex offenders during incarceration, from the standpoint of emerging positive criminology perspective. The participants were 38 males incarcerated in two prisons in Israel who had been convicted of various sexual offences. In individual in-depth, face-to-face interviews, most of the participants reported that they had experienced personal and social changes during their current imprisonment, which they attributed to the support they received from sources both inside and outside the jail, particularly spouses, parents, therapists, and religious or spiritual figures. These supporters expressed their personal and social acceptance of the prisoners, which included features of reintegrative shaming. The research findings suggest that positive changes can be achieved under harsh conditions, such as imprisonment by means of exposure to human strengths, thus supporting the positive criminology approach. Research finding may have theoretical and practical implications for the rehabilitative practice.

**876**
**ELDERLY PRISONERS: DOUBLY PUNISHED?**

Diete Humblet
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The prison population as a whole is growing, and so is the number of elderly prisoners. Whilst they still remain a small group in Belgian prisons, the societal and penal mechanisms behind this evolution allow us to assume that this is an important trend which will continue, in Belgium and in other Western countries. Until now, the group of elderly prisoners has received little attention in Belgian research. However, this new trend raises specific challenges for the prison life of elderly prisoners. Specific pains and suffering may result from prison architecture, which seems primarily designed for offenders who are young, energetic and fit (e.g. cells and stairways are unfit for wheelchair patients or otherwise disabled prisoners). Moreover, the services and programmes provided by the prison are poorly adapted to the needs of elderly prisoners (e.g. sports and fitness infrastructure, outdoor exercise, prison labour, education, reintegration programmes, etc.). In addition, whilst prisoners are already a marginalised group whose health problems and care needs exceed those of the general population, recent international research highlights that elderly prisoners face specific physical and mental health needs. Nevertheless, empirical studies focusing on elderly prisoners in Belgian prisons are almost non-existent. Only two Belgian prisons have a specialist 'elderly' unit. We therefore wish to study the specific health needs and pains experienced by elderly prisoners in Belgium in interaction with different prison regimes. In this poster, we will be presenting an overview of our research, which aims to reveal age-specific issues that elderly prisoners face in prison and analyse the interaction of these issues with different prison regimes and categories of prison staff, in order to check the validity of the concept of 'institutional thoughtlessness' for Belgian prisons. In order to answer the research questions as well as to achieve an in-depth understanding of this topic, the study will employ a mixed-methods case study design.

**877**
# LIFE TRAJECTORIES OF WOMEN IMPRISONED IN MEXICO

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This poster exhibits a theoretical review, the design of research under way and some preliminary results on the trajectories of women imprisoned in Mexico. The main interest is in learning about the contexts, the processes and the actors that intervene in these experiences, as well as the key problems from the notions of captivity of imprisoned women (Willingham, 2011). For this purpose, the following stages have been considered: before and during their detention, their experience in custody, the execution and the fulfillment of their sentences in a correctional facility.

Criminological literature confirms that women have not been a priority theme in the study of delinquency and that in the majority of research into life in prison, there continues to be an absence of gender perspectives. Consequently, we have committed to delving deeper into the vital paths of female inmates considering the complexity and multidimensionality of the criminal justice system and the Mexican penitentiary system.

The methodology used is of a qualitative nature and is carried out in two phases. In the first phase a documentary review of the sentences and the dossiers is carried out at the Interdisciplinary Technical Boards to determine how to influence the decision of authorities in the vital experiences. In the second phase, in-depth interviews of 45 female inmates are carried out at diverse centers for assimilation into society in the country, both of mixed gender and exclusively for female populations. During the first and second phases we resort to non-participant observation of the hearings at which judgment will be pronounced. The triangulation and combination of these methods will allow us to validate information and obtain different perspectives (Davies, 2011).

# LONG-TERM LIVING IN AN INSTITUTION: COMPARATIVE STUDY BETWEEN RETIREMENT HOME AND DETENTION CENTER

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Retirement home and detention center: two institutions seeming very different at first sight. Nevertheless, in my practice as a clinical psychologist, I was able to notice a lot of similarities that I want to question today.

In front of apparently opposite social problems (namely on the one hand crime which implies an aggressor's status, and on the other hand dependency which implies a victim's status), society sets up *total institutions* (GOFFMAN, 1968)[1], working in the same way. In these structures, that could be called heterotopias (according to FOUCAULT, 1984), namely "*sorts of places that are outside all places, although they are actually localizable*"[2], socials problems are partially excluded from society, and have to be handled by professionals.

Despite these professionals and residents (old people or people who are sentenced to a long detention) have a common purpose, they pursue it with different overviews. In this way, while professionals may sometimes feel they don't have enough time to carry their mission out, residents mention a temporality that seems to be infinite, within which new projects can be unthinkable (LHUILIER, LEMISZEWSKA, 2001)[3]. (AMYOT, MOLLIER, 2002)[4].

This mechanism is one of the illustrations of confinement's effects on individuals. Indeed, living in an institution involves a transformation of the daily environment, which can have identity consequences (FREUD, 1921)[5]. (KAES, 1988)[6]. Each, in their own way, residents and professionals are confronted with it.

With these elements, I hypothesize that although retirement home and detention center take different populations in, psychic and institutional mechanisms are similar. To test this hypothesis, semi-structured interviews will be realized in these structures (in France and Canada). It will be proposed at the same time to residents and professionals.

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**879**
**PUNITIVENESS OF A STATE WITH HIGH SOCIAL PROTECTION: CRIMINALIZATION PROCESSES IN BELARUS**

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Many criminologists have pointed out the influence of liberal economy policies in the way in which social protection has been decreasing and punitive and repressive policies are increasing. Scholars have analyzed the latest punitive spins in some European countries, offering a wide range of explanations. However, the criminal policy in a country like Belarus has not received any attention from criminologists and has been neither explained nor analyzed.

According to the Belarusian authorities, this country is a real guarantor of social rights, for example, in economical affairs the public sector prevails over the private and this allows having a very low rate of unemployment; Belarus also guarantees universal and free education and health care. Official data shows that Belarus has one of the lowest crime rates among European countries.

Nevertheless, the criminal policy in Belarus is highly punitive: it is the only country that maintains an active death penalty in Europe; the prison population level is one of the highest in the world; and the relative number of police officers exceeds security forces in other European countries.

This poster pays attention to various processes of criminalization that are developing in two ways: 1) concerning people that have been tag as criminals, and 2) concerning some behaviors as dangerous. Special attention is paid to the analysis of Belarusian criminal law and to the way in which rules of law are applied by the CJS.

**880**
**RESPONSES TO OVER CRIMINALIZATION IN ESTONIAN CRIMINAL POLICY**

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Over criminalization in Estonian criminal policy is best described by the fact the fact that 25% of inhabitants have a valid criminal record for misdemenour and 6% have a record for a crime. As a result more than 50% of Estonian population aged between 15 and 74 have had a record in registry. The high number of different actions labelled as offences in Estonian laws has also been seen as a sign of over criminalization. Currently there are more than 140 laws in Estonia where offences are stated.

In 2011, the government initiated a policy directed against over criminilization. In the presentation the goverent strategy that aimed at reducing the number of offences stated in laws is analysed in terms of impacts. The government's approach has changed also in several other ways, such as creation of special provisions for juvenile offenders, liberalizing the system of punishments and creating more lenient conditions for achiving criminal records. The paper also puts in to context the government's controversial policy that opened access to criminal records for everyone through the internet.

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## THE MAYOR AS DIRECTOR OF THE LOCAL SECURITY POLICY? RESEARCH ON THE SAFETY DISCOURSE OF THE FLEMISH MAYOR

Tom Bauwens
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Belgian criminal policy is integrated in a so-called integral approach. Following this policy, the focus lies no longer purely on crime control, but should include all kinds of safety issues and security problems. Public nuisance, for example, or theft, organised crime and terrorism. But also environmental disasters or road safety are to be integrated, according to this approach. Not surprisingly, insecurity and unsafety often exceeds administrative domains or political levels and geographical borders, thus, a multi-level and multi-actor approach is deemed necessary.

The central idea is that existing crime prevention policies should be expanded and create an umbrella, a 'local integral safety policy' which takes account of all the safety related policies, organisations and actors on the field. The application of this policy, then, should take place at the level of the municipalities, the sphere of government closest to the people and their problems. But the local reception of this policy remains nonetheless contested. Despite the fact that the Belgian federal government is promoting the implementation of a strategic plan concerning municipal integral safety for more then ten years, only very few of them actually adopted this policy. In a nutshell, the idea of integrated security is the adaptation of security as an all-encompassing and coherent line of policy, spanning over all the relevant municipal policy domains. But mapping this new field of local safety and security proved to be very difficult (Bauwens, Enhus, Ponsaers, Reynaert, & Van Assche, 2011).

During this (policy supporting) research, I became aware of the pivotal role of the mayor in the local safety policy. The mayor is appointed director of the local integral safety policy and bears the legal responsibility of safety and security in the municipality. (S)he has a privileged relation with the emergency services, which are organised on different administrative levels, and the public prosecutor's office. And as a local politician, (s)he is primus inter pares of the college of alderman and mayor, and considered head of the municipality, representing the municipality in the media and in other policy levels.

The mayor embodies the unifying link between these various domains, organisations and structures related to 'safety' and 'security'. To appoint them director sounds very sensible from an institutional, top-down policy perspective. But how do the mayors themselves perceive their role? How do they experience their duty and value their competences? And how do they deal with the multiple demands concerning safety and security? In my current PhD-research, instead of of trying to establish a map of 'municipal safety ans security' as a whole, I'm approaching the topic from the mayor's point of view. The mayor's perspective on the topic of 'safety' is clearly underdeveloped, yet seems to be crucial for the story. My aim to understand and, indeed, explain the lifeworld of the local mayor in regard to the topics of safety and security.

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**TRUSTWORTHINESS OF CRIMINAL COURTS. A REGULATION TRACK TO VOLUNTARY COMPLIANCE OF THE LAW AND CITIZEN COOPERATION, BEYOND THE THREAT AND COERCION.**

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Maintaining social peace by controlling criminal behavior stands as one of the main challenges of the institutions of justice. In front of this central issue, more important than traditional question concerning why people commit crimes, is the recognition of the conditions that encourage obedience to the law and cooperation with the authorities in the most of the population. Different theoretical approaches have tried to explain the motivations that encourage citizen compliance with the law and cooperation with the authorities and it can be distinguished between models of behavior based on instrumental valuations and normative models based on the values of self-regulation. In the field of criminal justice, the normative model based on Tyler´s *procedural justice*, is one that has shown greater explanatory power of the cooperative behavior of individuals. This model indicates that people are more willing to cooperate with reliable authorities considered to be using fair procedures. The problem is that most literature is from the United States and there is hardly empirical literature showing the Tyler´s model has been tested in the European context. In this sense, we found some approaches to the binomial *procedural justice* and *cooperation*, referring to police work, but in the case of criminal courts knowledge is still very limited. Therefore this study, using the database of the Fifth Edition of the European Social Survey (2010-2011), explores the ability of criminal courts to encourage cooperative behavior of citizens through judicial procedures perceived by the public as "fair". To do this, based on a thorough review of the literature, there has been a multivariate analysis trying to confirmed the correlation between cooperative behavior and instrumental models of behavior as well as the normative model based on the "justice" of the procedures. The results achieved, in accordance with Tyler´s contributions, suggest the existence of strong links between voluntary cooperation whit the Law and authorities, and some of the major components of trust in the courts, such as perceptions of fairness in the decision making.

**883**
**PENAL DEPORTATION IN SPAIN**

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The aim of this poster is to analyse the theoretical frame on penal deportation in Spain and the application of this measure by Tribunals.

In 1995 the Spanish Penal Code (CP) made possible to deport foreign people who are living in Spain irregularly if they commit crime (art. 89 CP). This precept has suffered several changes in the past decade, and it has provoke an important debate about the essence of deportation and how the penal system is used by the administrative system in order to control borders.

Two requirements have to be accomplished to apply deportation: living in Spain illegally and being sentenced to prison. Besides, the judge can consider the seriousness of crime and the personal circumstances. Once deportation is accorded, judges have to confirm if it can be executed, depending on the convict's nationality and if his country accepts him.

The main goals of this research are to know: a) how the criminal justice system proceeds in cases of deportation; and b) what happens during the process until deportation is executed.

This research is divided in two phases. The first one is a quantitative research, designed in order to know how many deportation are accorded and how many of them are executed o revoked and why. The second one is a qualitative research consisting in doing semi-structured interviews with judges, prosecutors and police officers in order to analyse how they proceed in cases of deportation: what are the criteria that they use to assess the offenders personal circumstances, the seriousness of the crime and that facts that permit to avoid deportation.

Whit this research we expect to quantify penal deportation in Spain and to analyse the procedure and application on this sanction.

**884**

# THE CONSTRUCTION OF NORMS IN THE DECISIONS OF THE IMPERIAL COURT OF JUSTICE

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In 1878, a lawyer of the Ministry of Justice in Berlin wrote: "(...) immediately after the unity of the language, the unity of legal life forms the basis for the inner unity of the nation". The *Reichsgericht* or Imperial Court of Justice was the supreme civil and criminal authority in the German Empire. The legislative reforms of the procedural law and the unified codes of substantive law stress the importance of legal unity, which was expected to consolidate the newly created nation. The 19th century corresponds to the birth of the *Rechststaat* or State of law and therefore is central to the study of the values of the bourgeoisie, which were favoured in the laws that were passed. The requirements for full legal capacity as well as the citizens to which they (don't) apply appear in a selection of decisions about deaf people. By making a decision about these cases, the judges also referred to the aim of a trial and to the values that they privileged.

Judgments passed in the criminal and civil senates of the Imperial Court of Justice during its first period of activity (1879 – 1918) shed light on the statute of deaf citizens in the German judiciary system. The points over which the court ruled shaped their legal capacity by addressing for example the question of a testimony given by a deaf witness who could not read, nor write, nor benefit from the translator appointed by the court. Should a deposition be considered as evidence, even if the witness could not take an oath? Judges underlined that the witness understood his role and the questions of the previous court. His oath could not be achieved due to objective motives, but the deposition brought crucial information to the verdict choice ("even more important and convincing than the flow of words of some sworn witnesses"). It is underlined that the purpose of a trial is to establish the truth, therefore even if deaf people couldn't be legally considered as witnesses, courts could still use their testimony.

Judges of the Imperial Court of Justice argumented that the law did not provide any special indication in the case of deaf, mute or deaf-mute people, as well as toward people who don't speak German. The comparison between different types of languages didn't consider any mental limitation, but only the absence of a shared oral language. Every citizen should therefore be treated equally as long as there is an understanding of the criminal nature of the act in the case of an accused person, and of the questions asked by the court. The form of the communication was not restricted to the oral language, thus leaving space in the judicial system to categories of citizens who used different means of expression.

**885**
# NEVER AGAIN - NORWEGIANS VIEW ON TERROR PREVENTION

Marit Egge Egge, Jon Strype, Gunnar Thomassen
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Norway is a high-trust society, and the level of trust in the Norwegian police is high compared to most countries. The stability over time suggests that trust is a stable trait of society that doesn't change abruptly. On the other hand, until July 22nd 2011, there have been no political orsocial incidents that really have challenged the trust relationship in the society.

The terror attack in 2011 was an event that potentially could influence trust in the police and the society in general, in a negative way. What we saw however, was an increasing trust in the police after the terror attack. This happened in spite of substantial criticism both in the media and in an official evaluation report.

When the level of trust is sustained, or even increased after a national trauma like the terror attack, it may relate to what extent people think it is possible to prevent attacks in the future. We have asked people which measures they believe are essential to prevent terror. In the poster we will present and discuss the results.

We collect our data from the project Police and public. Five waves of telephone surveys have been presented to representative samples of the Norwegian population (August 2011, November 2011, March 2012, August 2012 and May 2013), with approx. 1000 respondents in each survey.

**886**
**TRUST IN THE POLICE: DOES A MAJOR CRITICAL INCIDENT MATTER?**

Jon Strype, Marit Egge, <u>Gunnar Thomassen</u>
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In Norway, trust in the police has been very high and stable over time.  However, one should believe that a major critical event, such as the terror attack in Norway in 2011, and how the police performed during the terror attacks, could potentially influence attitudes toward the police. Immediately after the terror attack the public expressed support to the police involved in the incidents. However, critical voices soon emerged focusing on police judgments and actions during the attacks. Also, in August 2012 a governmental commission report stated that the police had failed critically in central and important aspects of the operations.

The objective of this poster is to discuss people's view of the police in the two years following the terror incident. We will present analyses of general trust in the police, as well as of how the police performance has been perceived.

Five waves of telephone surveys have been presented to representative samples of the Norwegian population (August 2011, November 2011, March 2012, August 2012 and May 2013), with approx. 1000 respondents in each survey. The trust measures from these surveys are seen on the background of comparable annual measures of trust in the police from the previous three years (measured by Norwegian Police Directorate).

Our study measures, for the first time in Norway, trust in the police in the aftermath of a critical event which has put the police to the test. One main result is that perceived police performance in major critical incidents does not appear to have a detrimental effect on trust; however, a closer look reveals some changes in the distribution of trust levels during the observed period. Another finding is that attitudes to police performance appear to be more sensitive to the temperature in the public debate than what general trust is.

**887**

# POLITICAL ORIENTATION AND PERCEPTIONS OF THE POLICE AFTER JULY 22ND 2011: ARE THERE ANY DIFFERENCES?

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In the aftermath of the terror attacks on the July 22nd 2011 there was a strong increase in trust in the police and other government institutions. People came together and expressed their support for the victims and democracy. However while the terror was perceived as an attack on the "Norwegian democracy" as such, it was also, more specifically, seen as an attack on the ruling government coalition and the Labor party in particular. It may therefore be that the events have had a stronger impact on citizens with a center-left political orientation.

In this study we analyze the development in trust and perception of police performance in the aftermath of the terror attacks on July 22nd 2011. Utilizing data from five measurement points spanning a period of almost two years, we compare two groups of citizens: Citizens with a center-left political orientation and citizens with a center-right political orientation. Findings in the study suggest that while both groups' perceptions were affected by the events, the first group was somewhat more affected. The "rally" effect in the immediate aftermath of the attacks seems to have been particularly strong among citizens with a center-left orientation.

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**888**
# MAPPING CYBER SECURITY INCIDENTS

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According to Finland's Cyber security Strategy 2013, the security of society is a key task of the government authorities and the vital functions of the society must be secured in all situations. Cybercrime is a growing form of borderless, loosely organized hidden crime. It often differs from other types of crime as e.g. victims, offenders and malicious software writers scatter all over the world. Thus, maintaining governmental situation awareness is extremely important but challenging.

The objective of this study was to analyse various forms of cyber threat in Finland and how they are monitored. This study is the first empiric research creating a general view of cyber security incidents in Finland, employing social science and criminology approaches.

The data includes 271 system break-ins, as well as automatic observations (approx. 1 000 000) on malicious software reported to CERT-FI in recent years. CERT-FI is the Finnish national computer security incident response team and the reporting point for security incidents. It promotes security in the information society by preventing, observing, and solving information security incidents and disseminating information on threats to information security. Both qualitative and quantitative analysing methods will be utilised.

**889**
**MAPPING FEAR OF CRIME.**

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This project offers a novel method of measuring fear of crime using a mobile application to record information on people's perceptions of safety, as well as spatial and temporal data. Fear of crime in the UK is most commonly measured by a series of survey questions included in the Crime Survey for England and Wales (formerly British Crime Survey). This method can result in inaccurate measures, and so current research calls for the measurement of frequency and intensity of instances of fear of crime. Further, collecting spatial information on fear of crime from environments other than people's places of residence can help give a more complete picture of this phenomenon, as it is an important factor in travel mode choices and behaviour. Further, the micro-scale spatial information can reveal local level variations in fear of crime, and potential hot spots, much like it was the case with crime data. Timestamps on reports can provide further empirical evidence for theories about fear of crime increasing "after dark", and combined with the specific spatial information can inform correlations with lighting levels and other built environmental attributes. Preliminary results show that people do attribute a location to their fear of crime events, and this information can be collected using a prototype of the mobile application, and then mapped. Resulting spatial data can be analysed to explore any correlations with recorded crime data, built environmental attributes, physical incivilities, and other relevant datasets. This pilot in London reveals that mapping fear of crime is not only feasible, but can be beneficial to inform interventions aimed at enhancing perceptions of public safety, and contribute to the empirical evidence base on fear of crime research.

**890**
# THE USE OF SOCIAL MEDIA IN FINNISH POLICE

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The Finnish police utilize social media in several different ways. By participating in social media police can support basic police operations such as crime prevention and pre-trial investigation. Also by being visible in social media the police can lower the threshold of approaching and contacting the police. In addition, social media is an effective way to increase both citizens' and the authorities' awareness of security issues.

Social media has recently gained growing attention and proven its effective role in crisis situations, e.g in school shootings, riots and terrorist attacks. Citizens are often first sensors in crisis situations, however their added-value involvement is often disregarded by First Responders (FRs) and Public protection and Disaster Relief (PPDR) organizations.

The Police College of Finland is currently undertaking research project that address social media as a critical new tool for crisis communication and management. The study will explore which social media services are used in the Finnish Police and how actively they are used. The project focuses on the bipolar use of social media and the citizen approach in different crisis situations. In addition, the research seeks to present possibilities for guidelines and operational development especially regarding preventive communication and crisis management. These aspects will be discussed on the basis of the EU-research project iSAR+ (Online and Mobile Communications for Crisis Response and Search and Rescue, financed by EU FP7 Topic SEC-2012.6.1-3). One of the main objectives of the iSAR+ -project is to produce effective guidelines for the use of social media and mobile technology in order to contribute to crisis response and search and rescue operations. The project also aims to e.g. research, experiment and analyze effective and efficient ways in ensuring the contribution of new media technology users to crisis response efforts. The Police College of Finland will also analyze costs and benefits of social media and act as an end-user. The collection of data for example via social media has already begun in Finland. Other Finnish partners in iSAR+ project are University of Eastern Finland, Emergency Services College and North-Savo Rescue Department.

**891**

**WHICH BURGLARY SECURITY DEVICES WORK FOR WHOM AND IN WHAT CONTEXT?**

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Domestic burglary is a high volume crime affecting many households. As well as substantial financial loss and damage to property, it causes high levels of anxiety about the possibility of being burgled. Surveys documenting public priorities about crime place burglary at the top. Burglar alarms and other security devices in principle deter potential burglars. Insurance premiums are discounted when a fully operating burglar alarm exists in the home due to claims about the effectiveness of burglar alarms and other security devices in the marketing literature, but no systematic research studies have been undertaken to assess their effectiveness in different areas, accommodation types and occupants' characteristics. The research proposed is precisely concerned with such an assessment. The primary research question is: *Which burglary security devices work for whom and in what context?*
 This study will identify the individual and combined security devices that offer cost-effective burglary protection to (a) the population in England and Wales overall; (b) specific population subgroups according to their socio-economic attributes; (c) the residents of Wales, each of the nine English regions and area types according to population socio-demographic profile and density; and (d) area types and population subgroups plausible combinations. It has been funded by the Economic and Social Research Council – Secondary Data Analysis Initiative of the UK.

**892**
**PREVENTING TRESPASSER FATALITIES ON RAILWAY NETWORKS**
Matthew Ashby
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The railway network is an important public resource and part of the national infrastructure. Crime against the railway network has all the consequences of crime elsewhere, but even minor crimes on railway networks can cause substantial additional harm in the form of disruption to passenger journeys.

Although very safe for passengers, every year in the United Kingdom around 270 pedestrians are struck and killed by trains while trespassing on railways lines. Since trespassing on railways is a crime, primary responsibility for preventing these incidents lies with the police. Decisions about where to deploy fatality-prevention measures are currently based on the locations of past incidents.

The present study sought to improve the forecasting of the future locations of fatalities, using environmental variables and records of 1,061 deaths between 2007 and 2011. The study was in two parts: one to estimate the likelihood of fatalities, and one to estimate the associated costs taken as the delay compensation paid to railway companies. Three models were developed for this purpose. The presentation will introduce the results obtained with the three models, and discuss their potential application, for example as screening tools for those responsible for preventing fatalities and keeping the railway network running.

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**893**
**POLICE CLASSIFICATION OF ENDANGERED MISSING-PERSONS REPORTS AS INVOLVING POSSIBLE FOUL PLAY**

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Researchers are evaluating the conditions under which the police classify a missing-persons report as involving possible foul play. The police classification of a missing person as an endangered missing individual may help predict whether the incident is classified as involving possible foul play. The present investigation is part of the Missing Persons Project, which is based on a random sample of 998 missing-persons reports that were filed between 1991 and 2011 and published on major missing-persons websites, including the North American Missing Persons Network and the National Center for Missing and Exploited Children websites. This investigation tests the null hypothesis that the endangered missing classification is not related to whether the police classify the missing-persons incident as involving foul play. Each missing-persons report was coded using a protocol that contains 291 variables. The coded data were entered into a data file and Chi-Square and correlational analysis was then performed using Systat 13.1 for Windows program (2013). The null hypothesis was rejected. Among missing-persons reports classified by the police as involving possible foul play, the police were less likely to classify endangered missing persons (32.9%) as involving foul play than missing persons who were not classified as endangered missing (67.1%) (Chi-Square= 16.34, df=1, p<.000).  These results remained statistically significant after controlling for possible intervening factors, such as the missing person's gender and race/ethnicity.

**894**
## POLICE CLASSIFICATION OF FOUL PLAY IN MISSING-PERSONS REPORTS: BLACK/WHITE DIFFERENCES

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Investigators are investigating the conditions under which the police classify a missing-persons report as involving possible foul play. Socio-demographic characteristics of the missing persons may influence the degree to which the police classify the missing-person incident as involving possible foul play. The present investigation is part of the Missing Persons Project, which is based on a random sample of 998 missing-persons reports that were filed between 1991 and 2011 and published on major missing-persons websites. This investigation tests the null hypothesis that the missing persons' racial/ethnic status (Black or White) is not associated with the degree to which the police classify the missing-persons incident as involving foul play. Each missing-persons report was coded using a protocol that contains 291 variables. The coded data were entered into a data file and Chi-Square analysis was then performed. The null hypothesis was rejected. The police were more likely to classify White missing persons (29.7%) as involving foul play than Black missing persons (15.0%) (Chi-Square= 15.11, df=1, p<.000). These results remained statistically significant after controlling for possible intervening factors.

**895**
## DISTRIBUTION AND COST OF LEGAL AND ILLEGAL DRUGS IN CROATIA

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This paper will presents some of the results of the pilot project "Distribution and prices of legal and illegal drugs in Croatia (DCID2)". The aim of the project was to examine the availability and price of legal and illegal drugs on the Croatian territory in 2012, and also to examine the incidence of new psychoactive substances in the Republic of Croatia and their availability, retail price, and the reasons for their consumption. The project was conducted in cooperation with non-governmental organizations providing harm reduction programs in major urban areas in Croatia, and funded by the Office for Combating Narcotic Drug Abuse of the Government of the Republic of Croatia. This project was designed as a follow up study of the similar project conducted in 2011. The main aims of the previous and this project were the establishment of  a long-term model of gathering information on the prices and distribution of legal and illegal drugs in Croatia. Because of the valuble data obtained by the previous research, in this project we modified the questionnaire by adding some additional questions in order to receive more quality data. Since the project involved interviewing a hard-to-reach drug population, specific attention was payed to the quality of data which will be used in future Croatian national drug prevention strategies.

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**896**
**NEW TRENDS IN PSYCHOACTIVE SUBSTANCES CONSUMPTION – CROATIAN ON-LINE RESEARCH EXPERIENCES AND RESULTS**

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Survey was conducted in cooperation with the Faculty of Education and Rehabilitation Sciences of the University of Zagreb and the Office for Combating Drugs Abuse of the Government of the Republic of Croatia. Goal of this survey was to get an insight into consumption of the new psychoactive substances, whether or not they are on the List of drugs, psychotropic substances, plants used to produce drugs and substances that can be used in the production of drugs. It is known that there are new psychoactive substances in the drug market that were not so widespread in the past and have not been present long enough to provide information on their types, the extent of the consumption by the youth, expected effects and the modes of purchasing/buying them. The survey was conducted with the aim of providing basic information gathered from the youth/adults that experiment with the psychoactive substances. Methods: The survey was conducted in the year 2011. and 2013. with a sample of 1330 (year 2011.) and 1037 (year 2013.) active participants at the web page "forum.hr" with the on-line questionnaire jointed by the participants on independent and voluntary basis. The collected data were descriptively analyzed and interpreted in order to be used as guidelines for future similar surveys and monitoring the trends of new psychoactive substances available on Croatian market. Results have shown that participants were familiarised with the new trends in psychoactive substances consumption and that they had knowledge where to purchase "new drugs" and how to administer them. In conclusion, results and research experiences showed possibilities and limitations of used methodology in monitoring trends in drugs consumption in Croatian context.

**897**
**THE NORWEGIAN POLICE'S FIGHT AGAINST HUMAN TRAFFICKING**

Heidi Fischer Bjelland
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This doctoral research project (starting autumn 2013) will examine the Norwegian Police's combat against human trafficking. The project's main goal is to increase our knowledge and understanding of the police's work within this field of work. The investigation of human trafficking cases will be of particular interest.

I will present two different subprojects. The first subproject will examine various aspects of the police's work. Research topics will be how the police work against different types of human trafficking victims, how (or whether) they adjust their work when dealing with different ethnical groups, and the police's own understanding of the phenomenon human trafficking. More general topics to be covered are the police's priorities, co-operation and utilization of available registration systems. For this subproject, I will make use of both statistical survey data and in-debt interviews.

Today, few reported human trafficking cases lead to criminal prosecution. Hence, the second subproject will focus on the dismissed human trafficking cases. I will examine reported cases to look for factors that could possibly lead to dropping of a case. The study will be carried out through a document analysis combined with in-debt interviews.

**898**

# INVISIBLE MIGRANTS - RECENT CHALLENGES OF IDENTITY FRAUD IN THE EUROPEAN UNION

Veronika Nagy
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Connotations between migration and crime are frequently discussed in criminological debates, in particular in cases like transnational organised crime activities targeting illegal migrants. There are two major approaches reflecting on the role of migrants in these cases. On the one hand, migrants are defined as victims subjected to trafficking, smuggling, exploitation and identity theft. On the other hand, they are defined as perpetrators facilitating invisible networks worldwide, committing identity fraud or identity theft.

However, after the last EU enlargement, these approaches are shifting these connotations on threatening illegal migrants towards a fear from the westward flow of CEE migrants who are now fully European citizens with the right to move to any Western European country. This process also alternates organised crime approaches in the European internal security context, reshaping the role of migrants especially on administrative level.

Contrary to illegal migrants who are physically resident in receiving countries, but administratively mostly invisible, in a new form of current migration trends individuals are physically not present, but they are documented as migrants in the bureaucratic system. By selling personal data used abroad, and due to increasing opportunities for the criminal underworld to operate across borders, this bureaucratic form of westward migration extends rapidly. It is facilitated by growing availability of communications and information technologies and increasing mobility across national boundaries.

In order to understand how several EU citizens turned into `papermigrants` who actually never leave their home country, we need to understand the new dynamics of identity fraud and dependency relations in the recent EU context. In the major victimisation approach it is assumed that people are selling or sharing their personal data because they are not aware of the possible risks of Identity fraud.

In this poster session, based on my empirical findings in Hungary, I critically reflect on a new form a victimization. This new exploiting type of victim leads to the question: to what extent a growing awareness on potential risks of identity fraud are raising the market value of personal data in the most dependent social classes of the new EU states?

According to my hypotheses, the more a vulnerable person, - who is approached for selling his documents for ID fraud - is aware of the uses and abuses of his personal data, the higher will be the chance that he will sell his personal documents.

My argument is built on three levels. First, I will clarify the definition of identity theft and Identify fraud. Secondly, I will describe the classical approaches on the Identity fraud and the major assumptions on the role and experience of its victims. Thirdly, I will illustrate new forms of victimization by some cases I have collected in my fieldwork from migration narratives. Finally, I will reflect on the major changes in the prospective of victims.

**899**
**RELATIONSHIP BETWEEN GUARDIA CIVIL PERFORMANCE AND JUDICIAL RESULTS ON ORGANIZED CRIME IN SPAIN**

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The dynamic and adaptive features of organized crime block the police detection of the members involved in these groups and appropriate legal development in its approach that evolves as quickly as this form of crime. The consequence of this situation is the possibility of impunity of the criminals. For this reason it is necessary to study the legal and police activity to check their level of adjustment. This poster discusses methodological problems that appear along the study on police effectiveness in contrast with the results in court for each operation.

In short, the main goal of this research is to know the methodology to make comparisons between Civil Guard performance and judicial results on organized crime in Spain with the aim to make recommendations about good practices as regards this crime. In that respect, our sample was composed of police files of organized crime operations performed by Civil Guard and their respective sentence.

The results obtained bythis research allow create a database about police performance and judicial results. Firstly, now weaware knowledge about the full judicial path of police operations analyzed. And secondly, there have been a number of proposals for improvement some of the methodological problems collected along the research.

**Keywords:** *Organized crime, police performance, judicial results*
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**900**

**VIOLENCE AGAINST WOMEN IN SPAIN: RESULTS OF A MEDICO-LEGAL AND CRIMINOLOGICAL STUDY**

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The purpose of this work was to analyse the characteristics of gender violence from the medico-legal and criminal perspectives. The focus of our attention is on the followings aspects: to analyze the socio-demographic characteristics of victims and aggressors and the prevalence of different diseases associated with the abuse; to determine the prevalence of gender violence in its different varieties; to check the compliance with the protocols relating to the development of medico-legal documents and its impact in the verdict; the correlation between the tiles and damaging consequences described in the reports of injuries and forensic reports and its legal status.

Method

Files classified as gender violence from the prosecutor office of Santiago de Compostela (Galicia, NW Spain) were examined and analysed from 2007 to 2011. A descriptive statistical analysis, testing the possible association of variables was carried out with the statistical package SPSS.

Results

Most victims were young adult women, Spanish, married/divorced, with children and living in an urban population, belonging to a middle-low socioeconomic level. The aggressor was frequently a Spanish young adult with a component of violent personality and some type of substance addiction. Assaults usually occurred at night, during the weekends, and mainly took place at home. Many victims had chronic pain and sexual/reproductive problems such as menstrual disfunction, sexually transmited diseases and abortions. Depression was the most prevalent mental disorder. Proven facts and forensic reports showed that women suffered psychological and physical aggressions. Most injuries were superficial, needing scarce days for recovery and no hospitalization, corresponding to minor assaults.

This study showed the hegemonic role that victims play in the legal process and the remarkable higher incidence of minor offences. Even though the majority of the examined cases ended in conviction, the number of those with a not guilty verdict was considerable. Victim right to not testify seemed to be a relevant factor in order to explain the rationale of these verdicts. Therefore, it's essential that the judge can count on forensic reports of high quality in order to impose protection order, determine the legal classification of the facts, to evaluate de civil responsibility, etc. Due to this, we have monitored the compliance with the protocols and recommendations relating to the development of medico-legal documents relating to gender violence. The results have not been very satisfactory.

**Keywords:** *gender violence, victim, abuser, forensic evaluation, criminal analysis*
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**901**
# VIOLENCE AGAINST IMMIGRANT WOMEN: A SYSTEMATIC REVIEW ABOUT PREVALENCE STUDIES

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Violence against women has been widely documented over time. There has, more recently, a growing interest in the particular study of victimization among immigrant women, a heterogeneous universe, that share a common set of specifications that seems became them more vulnerable to victimization. This systematic literature review aims to document the forms of victimization experienced by immigrant women in the host country, and the respective prevalence. Search was conducted in five databases: PsycArticles, Pubmed, Web of Science, Scopus and ScienceDirect. We selected a total of 24 studies, published between 2003 and 2013, with quantitative design, developed with adults, aged more than 18 years, that estimated the prevalence of victimization with female immigrants in the host country. The studies were conducted mostly in America (67%) and Europe (33%), with immigrant women mainly from Asia and Latin America. The vast majority focuses its object study in violence by an intimate partner, with prevalence rates of physical violence, psychological violence and sexual violence. The high variability in prevalence rates in the various studies seems to be related to the adopted methodological issues, particularly the type and size of the sample and the instruments used to assess violence. We concluded on the need to develop studies to assess other forms of violence in immigrant women as well as document the co-occurrence of multiple forms of victimization, in the host country and over the lifespan of these women.

**902**

## DISCIPLINARY VIOLENCE AGAINST CHILDREN AND YOUTH IN AUTHORITY RECORDS AND IN CRIME PROCESS

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The objective of this doctoral dissertation is to investigate how disciplinary violence appears in Finnish police reports and in child welfare notifications and how cases of disciplinary violence proceed in crime process. The main interests are how the motive of punishing children appears in suspected cases of disciplinary violence against children and what kind is the authority decision-making process in cases of disciplinary violence. This study complements previous studies of violence against children by focusing specifically on disciplinary violence and by approaching it from a crime process and authority perspective.

The research questions are: 1) How does disciplinary violence appear in police reports? 2) If there is some evidence of disciplinary violence in reports of crime to the police how have these cases proceeded in crime process and on what basis? 3) How does disciplinary violence appear in child welfare documents? 4) If there is some evidence of disciplinary violence in child welfare documents how have these cases proceeded and on what basis?

The study is based on register-based data and document-based data which are gathered from reports of crime to the police and child welfare notifications from year 2011. For the register-based data, the police reports are collected from the Finnish Police Information System. Relating to these cases, also the pre-trial investigation documents are investigated. Child welfare notifications are not registered nationwide in Finland so the notifications of one municipality are investigated as a case study. Police reports and child welfare documents include both quantitative and qualitative data so the documents are analysed by using both methods.

As the research is still in progress, there are only preliminary results. This research, however, done from a Finnish perspective, will be a pioneer in this research area and will form a basis for future research.

**903**
## JUDICIAL DECISION MAKING IN CHILD ABUSE CASES: MEANINGS AND PERSPECTIVES FROM JUDGES AND PUBLIC PROSECUTORS.

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Legal procedures in child abuse cases are characterized by a specific complexity. Therefore, we can observe several difficulties in the child-judicial system relationship: proof achieving; testimony credibility assessment limitations; specificities of the forensic examination; a slow moving judicial system and the nature and impact of protection procedures. With this study we aimed to understand, from the judges and public prosecutors perspectives, the trajectories of the relationship between children at risk, child abuse and neglect and the justice system, as well as the meanings that these professionals assign to the different steps, actors and phenomena. This research aims to understand trajectories of the child-judicial system interaction, analyzing roles, and judicial decision-making. The main goals of this study are (i) to find out whether there are processual invariants in the trajectory during the contact with the judicial system; (ii) to understand the meanings assigned by the judges and public prosecutors to its work and decisions; (iii) to find out, from the Judges perspective, whether the child's contact with the justice, in this particular cases, produces phenomena of secondary victimization and in the cases where secondary victimization occurs, to find out in what way and how it actually occurs. Due to the study goals, we choose a qualitative approach. The data were collected through deep interviews, which contents were analyzed by the proceedings of the Grounded Theory.

**904**
**VIRTUAL PUNISHMENT AND VIRTUAL WORKING RELATIONS?: ELECTRONIC MONITORING IN EUROPE**

Marijke Roosen
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Developed in the 1980s and step by step implemented in European countries throughout the 1990s, electronic monitoring (ET) has come to stay. Although often portrayed as a humane alternative for prison sentences, ET is also confronted with non-believers. Current practices and literature show a range of ET modalities and practices, but also highlight important ethical considerations. However, penological knowledge on the use of technology in and for punishment is still little developed.

The aim of this research is twofold. First, we provide an international comparative analysis of the use of EM in different European jurisdictions. This first phase of the research will result in a critical analysis of different modalities of ET in several European countries, together with its possibilities, pitfalls and ethical concerns.

The second phase of the research focusses on the relationship between the controller/supervisor and the offender. To gain insight into this relationship, observation of diverse interactions will be conducted..

This poster will briefly present the background of the research, the research questions and methodology.

(Promotor: Prof. Dr. Kristel Beyens, Co-promotor: Prof. Dr. Sonja Snacken)

**905**

# ON THE EXPLANATION OF INDIVIDUAL PUNITIVITY: INTOLERANCE OF AMBIGUITY AND BELIEVE IN REDEEMABILITY AS INTERRELATED PREDICTORS OF PUNITIVE ATTITUDES

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Results of a recently finished empirical research project on explanations of individual punitive attitudes will be presented. Punitivity was conceptualized as attitude towards punishment of crime in general, measured via established likert-type scales. As an additional indicator of punitivity preferences for reactions in case of specific crimes and criminals were measured, using a vignette-technique.

Our central hypothesis was, that general intolerance towards ambiguity, a personality trait, is strongly linked to individual punitive attitudes towards crime. Theoretically the research is based on theories concerning the psychological explanation of social prejudices. Frenkel-Brunswik (1948, 1949) was the first to postulate that intolerance of ambiguity is a generalized trait of personality. At its core is the assumption that the content of one's socio-politico beliefs co-varies with ones overall personality structure. According to this, people vary in their tendency to perceive ambiguous situations, characterized by novelty, complexity or insolubility, as sources of threat. Under such conditions, crime and criminals will be seen as dangerous to ones personal integrity more easily and to a larger extent. Therefore a strong positive correlation between intolerance of ambiguity and punitivity was expected.

Additionally these theoretical considerations were related to Maruna and King's concept of "belief in redeemability". According to Maruna and King (2009) people believing that criminality is malleable show less tendency to harsh punishment. We supposed that this believe in redeemability is related to personality traits, particularly the intolerance of ambiguity as well. Furthermore we hypothesized that the effect of intolerance to ambiguity on punitive attitudes is mediated by "believe in redeemability".

The hypothesis outlined above were tested, using data of a student-survey (n=549). Results supported our theoretical considerations. Both hypotheses were confirmed.

On the poster the sample, measures used and the models tested will be presented in detail. Implications for criminal policy will be outlined.

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# ANALYSIS ABOUT COMMUNITY SANCTIONS FOR WOMEN OFFENDER IN SPAIN

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The present poster represents an incipient research about how works the community system service for female offenders in Spain. The aim of the research is to know offenders' profile and the work done by professional workers, in order to evaluate the suitability of current community sanctions.

Statics show that female crime rate is significantly lower than male crime. But, they note the growth of the number of women who have been placed on community orders in the last 20 years.

Criminology has few works analysing particular needs of these women. But, despite the shortage of specific studies, all of them seem to point out the necessity of knowing needs to adapt community sanctions for women. They argue that criminogenic lens applied to women's offending must be gender-responsive if systems are to be successful at addressing disadvantage and risk associated with offending behaviour (SHEEHAN, McIVOR and TROTTER, 2011)

The research has two parts. The first one, a quantitative study examining the characteristics of women who have completed a community sanction in the last 5 years in Catalonia: age, crime committed, job, drugs consume, family situation… The second one is a qualitative study that consists in semi-structured interviews to professional workers in order to know how they proceed and if their work is gender-responsive.

**907**

# MACROECONOMIC FACTORS AND THE PERCEPTION OF CRIMINAL JUSTICE IN SOCIETY: THE ROLE OF SHADOW ECONOMIES

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The purpose of our research was to investigate the relationship between economic factors and public attitudes toward contraband as well as emotional responses to the criminal justice system in Lithuania. Our analysis is based on a macro-economic analysis based on downswings in economic growth and its association with purchasing contraband. Interview data provides an individual explanation about perceptions of criminal justice in society. We argue that perceptions of criminal justice are based on the general economic conditions of society. In an economic downswing, individuals may be forced to take more risks in order to prosper or survive and that may be seen as "allowed" and "normal" behavior under those conditions. As such, perceptions of criminal justice (and what is crime) may be viewed with greater tolerance. Our interview results suggest that the black market is a form of proxy indicator for perceptions of criminal justice in society. Interview results show a much greater tolerance of contraband during times of economic hardship. Men, the poor, and those less satisfied with their lives were found to be more likely to buy contraband.

**908**
**CRIME IN RURAL AREA.**

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Urban and rural areas are spaces with different characteristics but with a common necessity: to ensure the safety and security of their residents. Nevertheless they need different solutions, according to the characteristics of their own. The reviewed literature shows plenty of studies related to cities' security, but not to rural space security. This contrasts with the necessity to guarantee secure life conditions to the whole population, their production means and properties, wherever they are. This work (whose scope of study is the region of Galicia, in Spain), arises from this lack of information, with the intention of resolve it. Starting from the hypothesis that there are differences between urban and rural crime, we suppose that these differences are related to the sociodemographic, economic, morphologic and geographic characteristics of each area. The main aim of this study is to learn about the kind of delinquency carry out in rural areas compared to urban ones, with the purpose to obtain empirical data that could help us in the design and application of preventive and control methods, according to each space.

In the presentation a comparative general picture about the official crime data of 72 municipalities (urban and rural) are shown, the relationship between these data and the sociodemographic and territorial characteristics of each one space; trying to explain how all these elements and conditions are interconnected for making possible that the criminal act happens. Finally, the next stages to continue deepening in the study and to set out possible improvements or solutions are sketched.

**909**
# CENTRE FOR THE PREVENTION OF YOUTH CRIME AT THE GERMAN YOUTH INSTITUTE (DJI)

Diana Willems
*German Youth Institute (DJI), Youth and Youth Services, Munich, Germany*

The poster presents core working areas of the Centre for the Prevention of Youth Crime at the German Youth Institute (DJI). It focuses on prevention strategies in Germany, e.g. working with(in) schools, on specialized approaches regarding alcohol and crime as well as on concepts dealing with young multiple offenders. Special emphasize is given to a current research project on violent male juveniles as addressee of Youth Services and Justice. Work in progress is a report on the status of violence prevention in the age of youth and adolescents, considering Youth Services, Schools, Police, Justice system and Child and Adolescent Psychiatry.

Set up in 1997, the Centre provides professionals, politicians, researchers and those engaged in education and training with information on the ideas, strategies and practices of youth crime prevention. The goals are to promote both innovative and tested approaches in preventive work, to establish standards of quality in that work and to encourage cooperation among institutions and individuals engaged in it.

**910**
**EUROPEAN CRIME PREVENTION NETWORK (EUCPN): CRIME PREVENTION ACTIVITIES ON EU, NATIONAL AND LOCAL LEVEL**

Belinda Wijckmans
*European Crime Prevention Network (EUCPN), Secretariat, Brussels, Belgium*

The poster will introduce the EUCPN, its strategies and crime prevention activities on EU, national and local level. The EUCPN was set up by Council Decision 2009/902/JHA on 30 November 2009 to promote crime prevention activities in European Member States, to collect and share knowledge, information and good practices in crime prevention, and to contribute to developing local and national strategies on crime prevention. The Network encompasses a Board of National Representatives, the Executive Committee and a Chair, the position of which rotates following the European Presidencies. The network is supported by a Secretariat which is hosted by Belgium in the project 'Towards a European Centre of Expertise on Crime Prevention', financially supported under the ISEC Programme of the European Commission. The target groups are practitioners and policymakers at local and national level, relevant EU and international organisations and working groups. Finally, the EUCPN is working closely together with researchers and experts in the field bridging the world of academics, policy-makers and practitioners.

The EUCPN supports crime prevention activities and good practices at the national and local level. Our work is made available through publications on the website (www.eucpn.org) and announcements in the newsletter. Among the products are a thematic paper series containing scientific papers on selected themes. Furthermore, every six months a European Crime Prevention Monitor is produced giving an overview of crime statistics and trends in the Member States based on international surveys and statistics. Finally, the EUCPN Secretariat also works on a toolbox series with manuals and best practices for local practitioners and policy makers.

Every year the EUCPN organises a Best Practice Conference and rewards the best European crime prevention project with the European Crime Prevention Award (ECPA).

**911**
# SCANDINAVIAN CRIMINOLOGY

Anette Storgaard
*Scandinavian Research Council for Criminology, Departement of Law, Aarhus, Denmark*

the poster introduces publications and activities within the Scandinavian Research Council of Criminology. Among other things the council arranges and coordinates all kinds of criminological research in the Scandinavian countries. The Council deliveres travel grants and research grants for your researchers and publish a peer reviewed Journal. Further the Council organises research seminars and seminars for practiotioners to meet at a yearly basis. In 2013 the subject for the research seminar is "Methodology in criminology"  and the contact seminar will be for prosecutors, judges and researhers from the Scandinavian countires, who will exchange research and practical experienses on sexual crime and punishtment.

 the working groups in the Council work witj among other subjects: Police, Migrant Labour force, Release from Prison, Drug related crime.

At the poster session there will be more information and flyers with general contact adresses etc.it will also be possible to get more information on Scandinavian criminological institutions and active criminological acacemic environments as well as studies at different levels.

**Keywords:** *Criminology, research, study*

**912**
# MASTER OF POLICE SCIENCE

Bjorn Barland
*Police University College Norway, Research Department, Oslo, Norway*

Norwegian Police University College has developed and are running an experienced-based 120 ECTS Master Program which commenced on September 2006. The intention of the Master program is to be an important deliverer in the on-going work of defining and developing the concept of police science. Police science is the intersection between the developing the police as a profession, and finding its place within fundamental disciplines of social science. On the one hand it is to develop the professional knowledge of the police to make them better equipped to execute their various tasks. On the other hand it is to develop Police science to improve the ability to critically reflect on the role and the activity of the police in a modern society. The master program is divided in to four main modules:

1. Methodology
2. Introduction to Police Science
3. Specialised courses
4. Master Thesis

The third module, specialised courses, offers three options for the students:

1. Policing the Community
2. Organized crime and terrorism
3. International policing

This poster will in particular focus on the specialised course International policing. The International Policing module aims to give insight into how the world of international policing functions, and has two main themes; a) International Police Cooperation and b) International Police Reform Missions. The first focuses on intelligence and investigative cooperation, and the latter on operational policing in terms of assistance to police reform in (post) conflict states.

This module has the future aim of incorporating students all over Europe to meet the requirements of the Bologna Process – European Higher Education Area (EHEA).The main objective of the Bologna Process since its beginning in 1999 has been to ensure more comparable, compatible and coherent systems of higher education in Europe, in particular facilitating mobility of students and staff, welcoming students from all over the world.

**913**

**INT. MASTER CRIMINAL JUSTICE, GOVERNANCE AND POLICE SCIENCE**

Robin Hofmann
*Ruhr-Universität Bochum, Center of Criminology, Bochum, Germany*

Degree:Master of Criminal Justice, Governance and Police Science
Duration:2-years (60 ECTS) | Language: English | Type: Part-time
Form of study:Blended-Learning (online), extra-occupational (advanced)
Send application to:application@macrimgov.eu
or apply online: www.macrimgov.eu
Offering institutions:Ruhr-Universität Bochum (Faculty of Law)
& University College Ghent (GaPS)
The international Master's program in Criminal Justice, Governance and Police Science is an advanced degree, which focuses on international security and justice perspectives, raising awareness and facilitating a broader foundation for better decision-making in the future with regards to the following topics: peace-making and peace-keeping efforts in post-conflict and transitional countries | Establishing rule of law, human rights standards and sustainable security | Capacity building in the law enforcement and criminal justice sector | Developing personal skills of professionals working within the respective fields | Supporting NGOs and civil societies in their functions to monitor and evaluate democratic police work and criminal justice based on human rights standards.

**Keywords:** *Master program Criminal Justice Governance Police Science Human Rights Peacebuilding*

**914**
**GENDER STEREOTYPES IN LYRICS AND THEIR RELATIONSHIP WITH INTIMATE PARTNER VIOLENCE**

Lorena Antón
*Universidad Pompeu Fabra, Department of Law, Barcelona, Spain*

The two main goals of this research are, firstly, to verify if gender stereotypes reflected in lyrics are reproduced in the speeches of men who have been convicted for intimate partner violence; secondly, to ascertain their relationship with legitimation discourses for this kind of violence. Our hypothesis is based on the idea that popular lyrics may contribute to normalize some gender stereotypes in the speeches of men convicted for intimate partner violence.

In order to reach our objective, our research will have two phases that will combine several qualitative methods. In the first phase, we will undertake fifty semi-structure interviews with convicted men for abusing their female partners and who are participating specific programs concerning madness control and gender expectations. In the second phase we will analyse the discourse, on the one hand, of lyrics of popular songs, and on the other hand, men's´ speeches around intimate partner violence (attitudes, legitimation, gender roles and stereotypes).

Our research will be conducted in different prisons of northern Spain (Barcelona, Burgos, León, Salamanca and Santander).

**915**
# SPATIAL DISTRIBUTION OF GENDER VIOLENCE: EXPLORING THE INFLUENCE OF IMMIGRATION

Miriam Marco[1], Enrique Gracia[1], Marisol Lila[1], Silvia Lladosa[2], Antonio López-Quílez[2], José Serrano[3]
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[3]*Valencia Police Department, GAMA Group, Valencia, Spain*

A growing body of scientific literature has highlighted the importance of contextual factors in explaining gender violence. However, few studies have examined the possible existence of geographic patterns identifying areas with higher levels of risk of gender violence, as well as those contextual factors that may explain this spatial distribution. This paper aims to analyze the spatial distribution of gender violence and whether that spatial distribution reflects a significant pattern depending on the nationality of gender violence victims (immigrant women vs. native women). Data were all protection orders for gender violence in a police district in the city of Valencia (Spain). The addresses in which the incidents corresponding to each protection order occurred were coded using their geographical coordinates. The analysis of the spatial distribution was made using the census tracts within the police district, and counting the cases of gender violence against women that occurred within each census tract. 5 groups of nationalities were established: Latin America, European Union Countries, other European Countries, Africa Countries and Spain. The spatial statistical analysis was made with a Generalized Linear Model (GLM) using the R-project software. The paper presents the maps showing the overall spatial distribution and the distribution by nationality, as well as the results of the spatial analysis that indicate the existence of significant geographic patterns.

**916**

**TOWARDS THE DEVELOPMENT OF SOCIAL SERVICES COORDINATION STANDARDS FOR VICTIMS OF VIOLENCE AGAINST WOMEN**

Fernando Vázquez-Portomeñe Seijas[1], Antía Regueira-Diéguez[2], Natalia Pérez Rivas[1], Gumersindo Guinarte Cabada[1], Ignacio Muñoz Barús[2], Marisol Rodríguez Calvo[2]
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Social services coordination results in integral and personalized answers and consequently in positive outcomes for victims of violence against women. Most states have created standards and guidelines designed to help them in gaining a quick access to necessary care and services appropriate to their needs (dependents, immigrants, with disabilities, with children or family burden, with addictions, unemployed...). The aims of this poster are the followings: to evaluate the advantages and disadvantages of different tools and instruments of intra-institutional coordination in order to improve the polyvalent and specialized assistance required by the victims of gendered violence; to present an empirical profile of the victims who can suffer a further abandonment due to the lack of coordination between basic primary social services and specialized social services; and, finally, to provide an overview of one of the most significant coordination mechanism in the Autonomous Community of Galicia (NW Spain): the women information centers network (CIM).

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**917**
## MEN VICTIMS OF INTIMATE PARTNER VIOLENCE IN PORTUGAL

Andreia Machado, <u>Marlene Matos</u>
*University of Minho, Department of Psychology, Braga, Portugal*

In the last decades, the focus of research and public attention in intimate partner violence (IPV) has been on women, neglecting other dimensions and other relational contexts such as violence against men. However, internationally developed research has demonstrated the relevance of victimization experienced by men that shows significant levels of physical and psychological impact. In Portugal, this phenomenon has not yet received any scientific or social attention. This study focused on the prevalence of the phenomenon in Portugal. Heterosexual men, 18 years and over, completed an online questionnaire about how they solve conflicts in their intimate or former relationships. Those who perceive themselves as victims filled another questionnaire targeted for the purpose of gathering additional information on IPV such as the description of the violent acts, the impact on men and what prevents them from leaving their relationships. Also information about the motives for their partner´s aggression and the needs of victimized men. The results will be presented. Increased awareness of the complex multifaceted processes and effects of IPV on male victims is vital to the development of services and support systems for this targeted population. Continue to ignoring the specificities of this issue will not prevent the necessary support and protection due to these victims.

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**918**
**RESULTS OF AN INTERVENTION WITH INTIMATE PARTNER VIOLENCE OFFENDERS: DIFFERENCES BETWEEN ALCOHOL ABUSERS AND NONABUSERS**

Alba Catalá-Miñana[1], Marisol Lila[1], Miriam Marco[1], Enrique Gracia[1], Luis Moya-Albiol[2]
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[2]*Universitat de València, Department of Psychobiology, Valencia, Spain*

One of the main research challenges in the field of the intervention with intimate partner violence (IPV) offenders is to ensure the effectiveness of the programs. The primary objective is to reduce violence against women through intervention with offenders. In order to achieve this, it is necessary to examine the changes in the participants and risk factors that may be affecting the intervention process. One of the risk factors associated with intimate partner violence is the abuse of alcohol by offenders. Therefore, the aim of this work is to determine whether or not alcohol use may interfere with intervention achievement, both in dropouts and in the process of change through treatment. The sample consists of 86 male alcohol abusers and 80 male nonabusers, all of them convicted of violence against women. Firstly, by using Chi-square and logistic regression, we examine whether or not alcohol consumption interferes with the program dropout rate. Secondly, by applying multiple repeated ANOVA measures we assess the changes from intervention on alcohol use, variables related to IPV (Perception of IPV, Tolerance towards IPV, Sexism, and Attribution of responsibility), psychological adjustment (Depressive symptoms), social support (Community social support), and risk of recidivism. Results reveal a higher percentage of dropouts among alcohol abusers. However, despite positive changes obtained in relation to risk of recidivism and success indicators, the interaction obtained from alcohol consumption is not significant. Finally, we reflect on the importance of focusing on the strategies of adherence to the intervention with alcohol abusers.

**Keywords:** *Dropout, Alcohol, Effectiveness of intervention with partner abusers, Success indicators, intimate partner violence*

**919**
**ANALYSIS OF INITIAL ATTITUDES TOWARD INTERVENTION IN INTIMATE PARTNER VIOLENCE OFFENDERS**

Antonio García, Marisol Lila, Miriam Marco, Elena Terreros, Vicente Pedrón
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In Spain, most intimate partner violence offenders who participate in batterer intervention programs attend these by a court order and not voluntarily. This fact causes an initial defensive attitude and rejection toward the intervention on the part of the participants. Several authors point out as a predictor of success the adherence and commitment of the participants to treatment in the early stages. Therefore, it is imperative that, at the beginning of the intervention, professionals create a climate of trust and collaboration, based on motivational strategies and alliance that facilitate adherence to the treatment, personal relations and motivation to change attitudes.

Contexto Program (Program of Research, Training and Intervention with men sentenced for violence against women in intimate relationships, Faculty of Psychology, University of Valencia) has developed a specific intervention protocol for motivation and change attitudes of participants. This tool includes a specialized individual interview, prior to group work, aimed to reduce initial attitudes of rejection and strengthen positive attitudes towards intervention: Motivational Interviewing.

In this paper we describe the main features of Motivational Interviewing, its structure and functions, and a category analysis of initial attitudes of the participants before and after the application of the instrument.

**920**
## INTIMATE PARTNER VIOLENCE: CONTEXTUAL AND PREDICTIVE FACTORS

Natalia Pérez Rivas[1], Antía Regueira Diéguez[2], Gumersindo Guinarte Cabada[1], Ignacio Muñoz Barús[2], María Sol Rodríguez Calvo[2], Fernando Vázquez-Portomeñe Seijas[1]
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The purpose of this paper is to report the findings of an empirical study focused on criminal and medico-legal aspects of intimate partner violence.
Method
Files classified as gender violence from the prosecutor office of Santiago de Compostela (Galicia, NW Spain) were examined and analysed. A descriptive statistical analysis, testing the possible association of variables was carried out with the statistical package SPSS.
Results
Even though the majority of the examined cases ended in conviction, the number of those with a not guilty verdict was considerable. Victim´s own testimony seemed to be one of the strongest evidence of the abuse but her final decision about whether she testifies is mainly influenced by contextual factors which we identified and analyzed in this study. We have verified that alcohol and / or drugs abuse play a significant role in the dynamic of the aggression and that offenders previous police or criminal records is a major factor in predicting future criminal conducts. Our data suggest also that aggressiveness and violence escalate during divorce or separation and that medico-legal documents are an important piece in gender-based violence criminal proceedings.

**921**
**CONTEXTUAL PREDICTIVE FACTORS OF ALCOHOL USE IN INTIMATE PARTNER VIOLENCE OFFENDERS**

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In the field of intervention with Intimate Partner Violence (IPV) offenders, many efforts have been made to improve the intervention designs. This has made possible the improvement of treatments intended to have an impact in reducing violent behavior. From an ecological perspective, these efforts have been aimed to encourage protective factors that hinder the use of violence and to reduce risk factors that facilitate violent behavior. Thus, it becomes necessary to identify the offenders' environmental circumstances that contribute to maintain these factors. With regard to this, one of the factors associated with IPV is alcohol abuse. It is considered a major risk factor, because it facilitates disinhibition of violent behavior. The goal of this work is to find out what circumstances in the offenders' environment can contribute to harmful alcohol use. We selected a contextual variable for each level referred to in the ecological model: macro level (Place of birth), situational level, (Accumulation of stressful life events) and relational level (Perceived support from close people). The sample consisted of 215 participants, 98 of these used alcohol in a harmful way. To determine the predictive power of the contextual variables on harmful alcohol use, a logistic regression model was run. Furthermore, to calculate the classification capacity of the model, a ROC curve analysis was performed. Results reveal that being Latin American (in comparison to being Spanish), living more stressful life events, and perceiving little support from close people, significantly predicted harmful drinking. A ROC curve analysis shows a high percentage of correct classifications. These findings provide important data on the circumstances that foster or encourage dangerous drinking behaviors among violent men. To understand these influences might help professionals design strategies to decrease the chances of resorting to the use of violence against women.

**Keywords:** *Alcohol use, Contextual factors, Ecologic Model, Intimate Partner Violence Offenders, Violent behavior*

**922**
# CHANGE OBJECTIVES IN INDIVIDUAL MOTIVATIONAL PLAN AT AN INTIMATE PARTNER VIOLENCE OFFENDERS PROGRAM

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In Spain, the Organic Law on Comprehensive Protection against Gender Violence 1/2004 establishes specific measures for intervention with men punished for violence against women. If the sentence imposed is not more than two years in prison and no criminal record, the convicted can be incorporated, by court order, to an intervention program for batterers. The success rates of these programs show inconsistent results. This fact is due to defensiveness and rejection of offenders towards the intervention caused by the mandatory sentence, poor assumption of responsibility, and being included in a resource perceived as intrusive, coercive and contrary to their own interests. These elements reduce the motivation to change and hinder participants' adherence to the aims of the intervention program.

The Contexto Program (Program for Research, Training and Intervention with men punished for violence against women at the University of Valencia) has designed a "Motivational Individualized Plan" as a tool to minimize defensiveness and rejection of offenders toward the intervention. This instrument seeks to reduce initial resistance and achieve a voluntary link to the objectives of the intervention through an improvement of motivation to change attitudes, punishable collaboration in setting goals and achieving optimal working alliance.

The aim of this paper is to present the main features and elements of the instrument. The role of the instrument is detailed and a category analysis of the main objectives of change displayed by a sample of punished men in their Individualized Motivational Plans is shown.

**Keywords:** *Motivation for change, therapeutic alliance, intervention with batterers, domestic violence*

**923**

**PRENATAL CHILDHOOD FACTORS CONTRIBUTE TO THE DEVELOPMENT OF SOCIO-COGNITIVE IMPAIRMENTS PARTICULARLY IN INTIMATE PARTNER VIOLENCE PERPETRATORS WITH HIGH ALCOHOL CONSUMPTION**

Angel Romero-Martínez[1], Marisol Lila[2], Alba Catalá-Miñana[2], Noelia Mata[2], R.K. Williams[3], Luis Moya-Albiol[1]

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Alcohol consumption has been linked with facilitation and high risk of recidivism in Intimate partner violence (IPV) perpetrators. Moreover, this type of violence has been related to two different factors such as a prior history of childhood abuse and to high prenatal androgen exposure. IPV perpetrators were distributed into two groups according to their alcohol consumption scores (high and low) in several scales. Bearing this in mind, we aimed to determine whetherthere were differences among IPV perpetrators inseveral cognitive-affective and neuropsychological parameters and hostile sexism and the 2D:4D ratio. IPV perpetrators with high alcohol consumption (HA) presented a long history of childhood abuse, prenatal masculinisation (smaller 2D:4D ratio), high hostile sexism, low perspective taking and poor neuropsychological performance (Wisconsin card sorting test and eyes test). Finally, particularly in the HA group, the history of childhood abuse was associated to high hostile sexism and low cognitive empathy. Moreover, the 2D:4D ratio was associated to low cognitive empathy. Hence, maltreatment during childhood and early androgen exposure are essential factors for the development of violence and the lack of adequate empathy in adulthood. Moreover, alcohol abuse may act as a catalytic factor in this relationship. All this implies a new type of intervention programs, focused on the rehabilitation of basic executive functions and emotional decoding processes and, especially, on the treatment of alcohol dependence.

**Keywords:** *Alcohol. Empathy. History of Childhood Abuse. Intimate Partner Violence. Sexism. Masculinization.*

**924**

# SKIN CONDUCTANCE RESPONSE TO STRESS IN INTIMATE PARTNER VIOLENCE PERPETRATORS AND ITS RELATIONSHIP WITH IMPULSIVITY, BASAL TESTOSTERONE LEVELS AND ANGER

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Intimate partner violence (IPV) perpetrators were categorized by Gottmaninto two groups depending on their skin conductance (SC) reactivity to stress. Whereas type I tends to show autonomic underarousal, type II present a preparatory hyperreactivity to confront stress. Moreover, impulsivity traits and testosterone (T) levels may modulate SC responses to increasing the risk of proneness to violence.In this study, SCresponse to stress was assessed by comparing IPV perpetrators with non-violent controls while performing a modified version of the Trier Social Stress Test (TSST). The former reported to have higher non-specific SC responses during the recovery period than controls. Nonetheless, there were no differences between groups in the case of SC levels. Furthermore, impulsivity and baseline T levels were associated with higher SC levels reactivity during preparation period only in IPV perpetrators, being both relationships mediated by anger expression. Our results confirm that our IPV perpetrators correspond physiologically to type II and point out the validity of SC responses to stress as a useful marker for detecting changes in impulsivity. Our findings contribute in the developing of effective treatment and prevention programs which should introduce the use of biological indicators for analyzing the risk or recidivism in IPV perpetrators.

**Keywords:** *acute stress, anger expression, impulsivity, intimate partner violence, skin conductance, testosterone.*