

PART A

Review of Current Processes

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Introduction to Literature

Criminal career research shows that the early age of onset of offending is that of between 8 and 14 years old, whilst offending prevalence peaks between 15 and 19 years. On the other hand, adolescents desist at the age of 20 to the age of 29 thus many children manifesting antisocial tendencies enter adulthood in a conformist way (Farrington, 1992). Desistence has also been attributed to marriage, job satisfaction, and internal migration to better neighborhoods (Laub and Sampson, 2001; Horney, Osgood and Marshall, 1995) which factors serve as crime preventers as against crime promoters (Eckblom, 2010). This said, the relationship between marriage and offending needs to be analysed in view of spouses' characteristics since a spouse who also manifests "antisocial tendencies" could encourage rather than discourage crime thus adopting the role of the "crime promoter". In other words, this is directly linked to the concept of assortative partnering which has been identified as a risk and/or mediating factor to the continuity of crime across generations of Maltese Families (Formosa Pace, 2015).

However, for most juveniles, according to Moffitt (1993, p.674) criminal activities tend to be temporary and situational whilst for a small minority this is "stable and persistent". Moffitt (1993, p.682) claims that if a child "steps off on the wrong foot", and remains on this unconventional path, the consequences may be perpetuated by persistent offending. In such a situation, it is difficult to make up for lost opportunities in acquiring conventional skills such as academic skills.

An exhaustive list of individual, family and social/peer risk factors have been attributed to their onset, development and persistence of offending. The underlying risk factors that render one susceptible to antisocial behaviour when young are carried into adulthood. Career criminals tend to carry with them the same traits that caused them problems during childhood. If a child failed to succeed at school and to acquire the basic skills to safeguard a stable job, then s/he finds it difficult to make up for lost opportunities.

Together with the accumulating problems, the options for change and the possibility of resorting to conventional methods are limited (Moffitt, 1993). Also, the consequences following one's antisocial behaviour may narrow opportunities for change.

It is claimed that the earlier the onset the longer the criminal career (Farrington, Lambert and West, 1998) whereas an early onset also renders one even more crime prolific (LeBlanc, 1990). It is highly likely that those who frequently offend during a particular age group also show high prevalence rates in other age brackets, so there tends to be a permanence of crime from childhood towards adolescence and into adulthood (Farrington, 1992; Tracy and Kempf-Leonard, 1996). One may change his/her offending behaviour, at age ten one can resort to shoplifting from the school canteen or a local grocery, than resorts to theft during teenage and may commit domestic violence as an adult spouse (Farrington, 1991; Verhulst, Koot and Berden, 1990). This could be compared to a "normal" career situation; a shop assistant is promoted to a supervisor and eventually to a managerial role.

Also, the "chronic offender population" stands to be relatively small sample of the population responsible for most crimes, starting early the long criminal career and engaging in crime on recurrent occasions (Farrington and West, 1993). However, Farrington (2008) points out that it is not known why chronic offenders differ in scale and style from non-chronic offenders. Offending stands to be one of the larger syndrome of antisocial behaviour and offenders tend to be multi-talented and resourceful (Farrington, 1991).

A relatively small number of young offenders commit offences which are serious enough, to result in detention. However, these children and youths usually have significant social problems and are often manifest risk factors such as that of having failed in the education system. Young offenders often persist and become career criminals, often with a plethora of social and economic problems which risk factors together with accumulated consequences of their behaviors and crime limit their opportunity for change (Moffitt, 1993). Farrington and West (1990) claim that problem children tend to grow into problem adults whom in turn bear problem children. This posits itself as a cycle of antisocial tendencies constituting what stands to be the antisocial syndrome. Thornberry, Freeman-Gallant, Lizotte, Krohn and Smith (2003), "in their study on intergenerational antisocial tendencies as a series of behavioural patterns, claimed that such tendencies, inclusive of crime, are transmitted across generations of families" (Formosa Pace, 2015, p. 18).

In the Formosa Pace's (2015) study a total of 10,888 conviction tickets served between 1950 and 2010 by 5,093 individual Maltese male and female inmates interned at CCF,

either sentenced or awaiting trial were accounted for. For every three inmates registered at CCF, one belongs to a crime family³. In other words, lives are linked through crime as convictions run and concentrate in Maltese families (Formosa Pace, 2015, p. 256). In other words, the family could serve as a crime network. This is catered for either through the provision of entrusted accomplices or incarcerated relatives acting as potential “crime promoters” (Formosa Pace, 2015, p.260). Findings from this study shows that having an incarcerated sibling, parent and/or spouse and exposure to a criminogenic environment, posits a risk to crime continuity. In this respect, crime continuity across generations of Maltese families is related to situations tied to the concept of a transmission of constructs linked to “readiness to offend” (Ekblom, 2010) and predisposition towards offending where crime is deemed as a “routine” activity to meet financial needs (Formosa Pace, 2015, p.265). In a nutshell, findings from this study point towards a scenario where children who belong to crime families are exposed to crime; this scenario posits a risk for crime continuity and the development of criminal careers at the individual level (Formosa Pace, 2015). This scenario could be enhanced by another phenomenon that of co-offending activity with parents and children as partners in crime. This phenomenon exists in Malta unlike to the situation in the UK where co-offending between parents and children is rare.

The following section outlines the policies and services that are available to adolescents and their families providing the reader with an overview the demand for such services.

Education Policies in Malta

There is no provision in the Education Act regulating young people who manifest challenging behaviour ending in prison. The only legislation that makes a remote reference is the Children and Young Persons Care Orders Act. The Educational Psycho-Social Services within the Student Services Department provides services that deal with situations related to bullying, anti-substance and caters for the provision of services related to guidance and counseling.

The anti-bullying service which is available to all schools, aims at helping students as victims of bullying as well as their perpetrators. This unit supports and guides students on problems they face such as stigmatisation, scapegoating and scenarios directly related to bullying. The programme primarily aims at raising awareness and prevention. In order to do this, work is done with parents, students and staff, aiming at empowering all involved.

³ *A group of individuals with identified restricted and/or extended familial relationships with other inmates at CCF (Formosa Pace, 2015, p. 8).*

The anti-bullying guidance teachers can serve as the fulcrum between all stakeholders involved. When bullying occurs the service acts as a go between, intervening with the student, parents and staff according to need. A whole school approach is adopted whenever situations of bullying accumulate within a particular school setting. The team helps the school identify the various forms of bullying and clearly distinguish where incidents, behavioural difficulties and/or conflict, rather than bullying occur. It is to be highlighted that referrals are received from both staff and parents via telephone, email and drop-in service. Services offered include assertive training, work with by-standers to raise awareness on their role. This is usually done through focus groups, role-play and challenging difficult behaviours. Friends are often used to help the situation, to assist in establishing mutual support. The service aims at giving support to perpetrators, helping them manage their anger and encourage self-control. A No Blame approach is used. The team liaises with various professionals such as the college principal, the school counselor, psychologists, teachers and staff working within learning support zones. Sometimes the police, members of Appo[[and other professionals are roped in. Nonetheless, awareness is raised in Schools and in the Media and the Community.

Bullying behaviour is addressed through various strategies that are necessary to identify bullying behaviour. Action is discussed amongst team members and revised accordingly. Interventions are held with individuals, groups, classes, staff and parents. During 2013 and 2014 respectively, a total of 254 and 280 cases were referred to the Anti-Bullying service mostly from primary schools followed by boys and girls attending to secondary schools. The tables below (Table A.1a & Table A.1b) outlines referrals in 2013 and 2014, distinguishing between the level (primary/secondary) and sector (Independent, State, Church) from which referrals hail from.

Table A.1a: Referrals to Anti-Bullying Services in 2013

	Primary	Boys' Secondary	Girls' Secondary
State (Malta)	83	74	36
Church (Malta)	14	11	7
Independent (Malta)	2	3	0
State (Gozo)	11	4	4
Church (Gozo)	4	0	1

Source: Department of Education, Malta

Table A.1b: Referrals to Anti-Bullying Services in 2014

	Primary	Boys' Secondary	Girls' Secondary	Co-Ed
State (Malta)	94	80	44	20
Church (Malta)	7	6	3	0
Independent (Malta)	1	0	0	2
State (Gozo)	15	4	2	0
Church (Gozo)	1	1	0	0

Source: Department of Education, Malta

With regards to substance misuse related issues, during the year 2014, a total of 141 referrals were received at the Anti-Substance Abuse Service. The tables below (Table A.2a, A.2b & A.2c) summarise the referrals received in 2014 distinguishing between the types of substance misuse as well as the school sectors referring students to the Anti-Substance Service. In summary, the figures below show that those at risk that tend to be mostly males aged between 13 to 16 years old whose dependency is related to marijuana followed by cigarettes and alcohol.

These cases involved a total of 494 sessions, including individual sessions with the students, meeting with parents/guardians, Senior Management Team, Guidance Teachers, Social Workers (Youth in Focus) and the Police Drug Squad. Other professionals such as Prefects of Discipline, Trainee Counsellors and Counsellors amongst other professionals from the psych-social teams from respective colleges were also involved. Case conferences are often organised to discuss the best possible way forward to help the student. Some of the cases needed to be referred to Sedqa (Appo[[]]), Youth in Focus or Caritas (Malta) so that the student will be given further assistance accordingly. It is to be highlighted that to date in Malta, no institution caters for delivering a programme that addresses the needs of minors (under 18 years) whom either would benefit from a day care or institutionalisation (24/7) in order to address their dependency issues in a therapeutic manner.

Table A.2a: Referrals from State Secondary Schools in 2014

State Secondary Schools																	
Year	No. of Referrals	Age	Gender		Type of Substance Abuse												
			M	F	Marijuana	Alcohol	Cigarettes	Ecstasy	Cocaine	Heroin	Presc. Drugs	Energy Drinks	Inhalant	Meow Meow	At Risk	Alleged	
2014	127	11	4			2	1	1				1				1	
		12	5	2			1					1				5	
		13	14	11		4	13			2		1			1	4	3
		14	30	23		7	27	1		1		2		3	4	4	9
		15	18	14		4	9	1		3					7	3	
		16	3	3			3										
		17															

Source: Department of Education, Malta

Table 1.2b: Referrals from Church/Independent Schools in 2014

Church / Independent Secondary Schools																
Year of Referrals	No. of Referrals	Age	Gender		Type of Substance Abuse											
			M	F	Marijuana	Alcohol	Cigarettes	Ecstasy	Cocaine	Heroin	Presc. Drugs	Energy Drinks	Inhalant	Meow Meow	At Risk	Alleged
2014	12	11	1											1		
		12		1				1								
		13		3											1	2
		14		4	2	1	1							1		
		15		3	2	2	2	1								1
		16														
		17														

Source: Department of Education, Malta

Table A.2c: Referrals from State Primary Schools in 2014

State Primary Schools			Type of Substance Abuse										
Year	No. of Referrals	Age	Gender		Alcohol	Marijuana	Heroin	Presc. Drugs	Energy Drinks	Inhalant	Meow Meow	At Risk	Alleged
			M	F									
2014	2	10											
		9											
		8	2		2								
		7											

Source: Department of Education, Malta

Welfare Policies in Malta

This section outlines the procedures employed when children are taken out of family setting, the available support services and also refers to the child protection national policy.

1) Children taken out of their home

When the Department for Social Welfare is constrained to take a child out of his/her home environment since s/he is deemed to be at risk, certain procedures must be followed. In these cases the National Standards for Out-Of-Home Child Care (2009) apply. The standards are divided into three parts consisting of 17 areas which are outlined below:

Standard Area 1: decision-making and admission process

This area includes the following standards:

Standard 1: The support given to the child and family during the decision-making process

Standard 2: The help given to the parties to enable them to participate in the decision-making process

Standard 3: A professional decision-making process ensures the best possible care for the child

Standard 4: Caring for siblings together

Standard 5: The move to a new home is well prepared and sensitively carried out

Standard 6: An individual care plan is used while the child is not living with their family

Standard Area 2: care-taking process

This area includes the following standards:

Standard 7: The placement of the child must match the child's needs, life situation and original social environment

Standard 8: Contact with the family is maintained

Standard 9: Care givers being qualified and having adequate working conditions

Standard 10: The relationship between the child and the caregiver is based on understanding, respect and individual attention

Standard 11: The child is empowered to actively participate in a responsible manner in making decisions that directly affect their life

Standard 12: Care must be given in appropriate living conditions

Standard 13: The child will be well prepared for independent living

Standard Area 3: Leaving-care process

This area includes the following standards:

Standard 14: The leaving-care process is thoroughly planned and implemented

Standard 15: Communication in the leaving care process is carried out in a useful and appropriate manner

Standard 16: The child is empowered to participate in the leaving-care process

Standard 17: Follow-up, continuous support and opportunity for contact are ensured

2) Appoġġ offers the following family services:

i) Pediatric care in the Cottonera region, in Birkirkara, Msida, Qawra (including home based family therapy) and Valletta. These services offer projects in the community, mostly targeted at children, adolescents and the family. ii) Generic social work, such as parental support and guidance. iii) Other projects include Home-Start Malta, Home-Start Gozo and Programm Ulied Darna. 41 professionals work in these services, 25 of whom work directly with the children and adolescents.

Sedqa offers Family Therapy Services for the families of drug addicts. It also has a Drugs Community Team and an Alcohol and Gambling Community Team.

3) The Child Protection National Policy (1999)

The Child Protection National policy applies to all educational establishments.

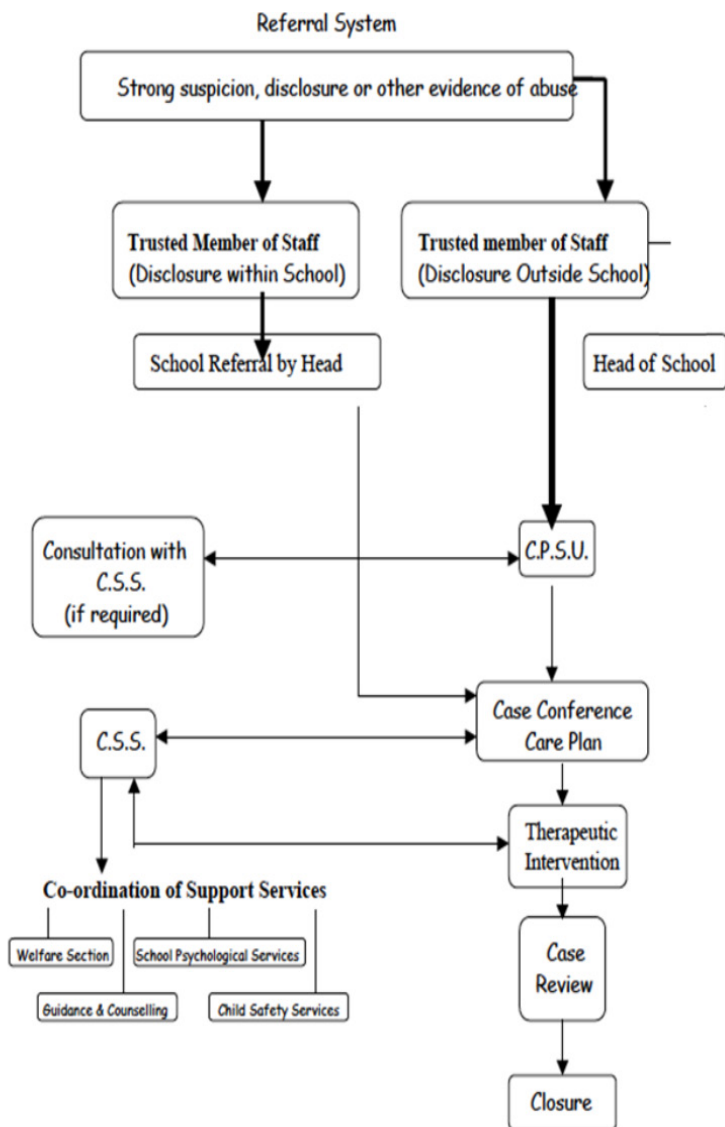
The duty to follow the Child Protection Procedures applies to:

- i) All staff of educational establishments, both teaching and non-teaching.
- ii) Advisory/support staff in educational establishments.
- iii) All contract workers within educational establishments (as stipulated in contracts of employment).

Abuse is defined under 4 main headings: neglect (such as starvation, lack of care, leaving the child at home unsupervised); physical abuse (which includes physical or likely injury to child); sexual abuse (including pornography, voyeurism and exhibitionism) and emotional abuse. Referral from the schools is mandated. All schools have to have a designated member of staff for such cases. When a member of staff suspects abuse, they must inform the head of school and the designated member of staff. The case is referred to social workers in the Child Protective Services Unit. No member of the educational staff must contact the child or the family. Confidentiality must be kept at all times. Figure A.1 below depicts the referral process employed by schools in the Maltese Islands.

A total of 1206 cases directly related to child protection services, were worked between January and June 2015 (FSWS: unpublished data). Success rates information is not available, however FSWS has formulated tools to measure outcomes and are currently piloting them. Once these are finalised, they will be utilised to contribute to an assessment of success rates. The table below summaries the number of cases related to child protection between 2010 and 2014, which in total represent 6,609 cases.

Figure A.1: The Referral Process



Source: MFSS, 2015

Table A.3: Number of child protection cases followed by year

Total number of cases worked with at Child Protection Services	
Year	Number
2010	1069
2011	1654
2012	1377
2013	1135
2014	1374

Source: FSWS (unpublished data)

The section below outlines, the cases in which youths were involved in criminal activity, which resulted in their appearance before the juvenile court. This is followed by a description which refers to the incarceration of youths at CCF in the last decade (2000 and 2010).

The Local Context: Juvenile Delinquency and Crime

Moffitt (1993) claims that if a child “steps off on the wrong foot” and remains on this unconventional path, the consequences may be perpetuated by persistent offending. In such a situation, it is difficult to make up for lost opportunities in acquiring conventional skills such as academic skills. All children deserve access to a good education that will enable them to find work and develop their potential. Unfortunately, often prisons do not have as their primary focus education but rather focus on security, community safety and incapacitation of offenders. However, if we want these youths to be able to secure employment, they must leave the custodial centres with some form of qualifications and discipline that enables them to find, secure and maintain a job.

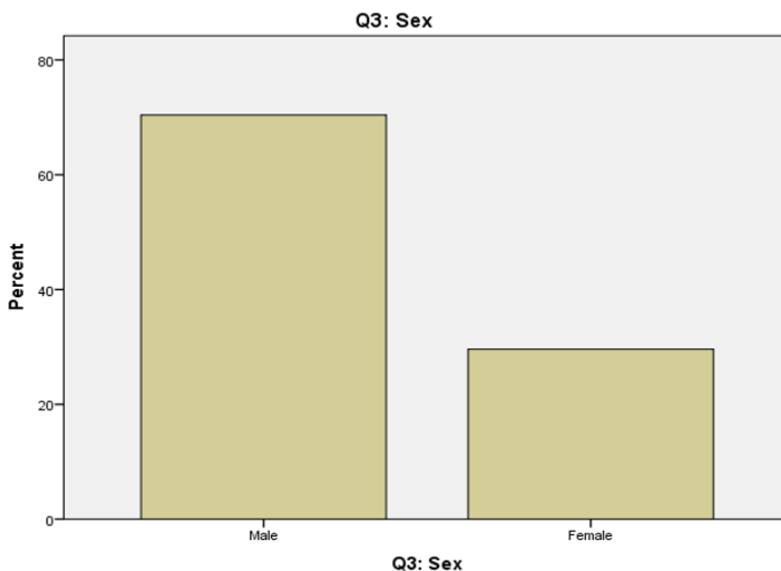
The discussion that sits in the following section is based on data analysis carried out over a number of years as linked to juvenile courts and the Corradino Correctional Facilities. Data sources pertain to Testa, S., (2012), Formosa, S., (2007, 2014), and Formosa Pace, J., (2003, 2014).

Juvenile Court Records

The Juvenile Court of Malta and Gozo decided 875 cases between January 2007 and July 2015. The majority of cases were committed in the island of Malta where 91.8% of 803 juvenile cases were prosecuted in Malta, whereas only 8.1% of the cases (71 cases) were committed, presided and judged in Gozo.

Figure A.2 shows that in 103 months (between 2007 and 2015) the Juvenile Courts of Malta and Gozo decided 875 juvenile cases. From these cases 70.4% of the accused were male (616 cases) and 29.6% were females (259 cases).

Figure A.2: Sex distribution of Juvenile Offenders (2007-2015)



Almost half of the juvenile delinquents (48.6%) were 15 years of age, while slightly more than a quarter (28.2%) of the cases was committed by 14 year olds (Refer to Figure A.3). Crimes committed by 9 years old amounted only to 0.1% and by 10 year olds 0.5%. It is to be noted that in the year 2014, Article 35 of Chapter 9 was amended by Act no 3 of 2014 which states that “a minor under 14 years of age shall be exempt from criminal responsibility for any act or omission”. Hence from February, 2014 the age of criminal responsibility was amended from 9 years to 14 years of age.

Figure A.3: Age distribution of juvenile offenders

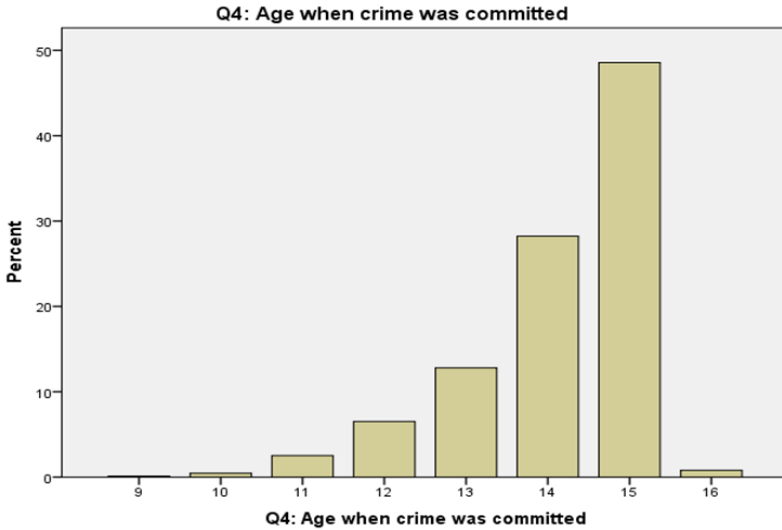


Figure A.4 shows the number of offences by month. The highest registered offences, with 84 cases, (9.6%) occurred in November and December, and followed by March with 81 cases (9.3%) and May with 80 cases (9.2%). The least amount of offences occurred in July with 59 cases (7.3%).

Table A.5 and Figure A.4 respectively describe and portray the offences as committed during weekdays. These statistics consider weekday from Monday till Friday before 4pm. Any offence committed after 4pm is considered as being an offence committed during weekends. Thus, for the purpose of these statistics the weekend starts from Friday after 15:31 to Sunday. Table A.5 and Figure A.4 clearly indicated that most offences occurred on Friday peaked with 15.4% (134 cases) followed by Sunday with 15.1% (131 cases). Also, offences committed during weekdays amounted to 63.7% (556 cases) while the crimes committed on weekends amounted to only to 36.3%.

Table A.4: Offences by month

Q10: Month

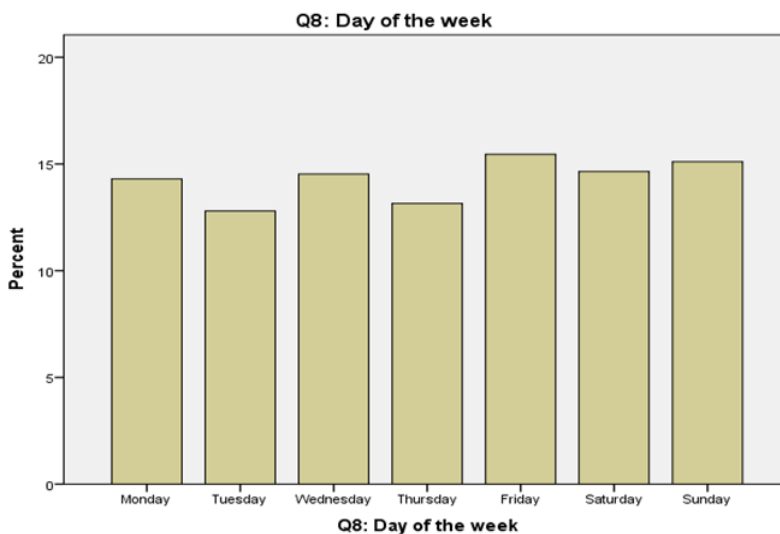
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	January	64	7.3	7.3	7.3
	February	64	7.3	7.3	14.7
	March	81	9.3	9.3	24.0
	April	62	7.1	7.1	31.1
	May	80	9.1	9.2	40.3
	June	73	8.3	8.4	48.6
	July	59	6.7	6.8	55.4
	August	68	7.8	7.8	63.2
	September	70	8.0	8.0	71.2
	October	83	9.5	9.5	80.7
	November	84	9.6	9.6	90.4
	December	84	9.6	9.6	100.0
	Total		872	99.7	100.0
Missing	System	3	.3		
Total		875	100.0		

Table A.5: Offences – distribution by week days

Q8: Day of the week

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	0	3	.3	.3	.3
	Monday	124	14.2	14.3	14.6
	Tuesday	111	12.7	12.8	27.4
	Wednesday	125	14.3	14.4	41.7
	Thursday	115	13.1	13.2	54.9
	Friday	134	15.3	15.4	70.3
	Saturday	127	14.5	14.6	84.9
	Sunday	131	15.0	15.1	100.0
	Total		870	99.4	100.0
Missing	System	5	.6		
Total		875	100.0		

Figure A.4: Offences – distribution by week days



The highest amount of offences committed during weekdays occurred during school time with 249 offences (28.7%). These amounts are followed by the offences committed during weekend nights 145 offences (16.7%). Other significant highlights are the offences committed during weekday nights, which amount to 12.3% of the offences (107 cases) and with 104 offences weekday after school hours which amount to 12% of all the offences. Tables 1.6a depicts the distribution of offences by time whilst Table A.6b outlines how “time” was categorised in the analysis of data.

Table A.7 shows the location where these juvenile offences took place. The frequencies include locations found both in the island of Malta and Gozo. The majority of the offences took place in San Pawl il-Bahar with 97 cases (11.1%), and San Giljan followed with 42 cases (4.8%), Valletta with 41 cases (4.7%) and Santa Venera with 38 cases (4.3%) and Birzebbugia with 37 cases (4.2%), Hamrun with 31 cases (3.5%) Mosta with 29 cases (3.3%), Qormi with 27 cases (3.1%) and Msida with 26 cases (3.0%).

Table A.6a: Offences – week day time distribution

Q15: Weekday Time

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Weekday	60	6.9	6.9	6.9
	Weekday Early Morning	8	.9	.9	7.8
	Weekday Schooltime	249	28.5	28.7	36.5
	Weekday After School Hours	104	11.9	12.0	48.4
	Weekday Night	107	12.2	12.3	60.8
	Weekend	31	3.5	3.6	64.3
	Weekend Daytime	68	7.8	7.8	72.2
	Weekend Afternoon	97	11.1	11.1	83.3
	Weekend Night	145	16.6	16.7	100.0
	Total	869	99.3	100.0	
Missing	System	6	.7		
Total		875	100.0		

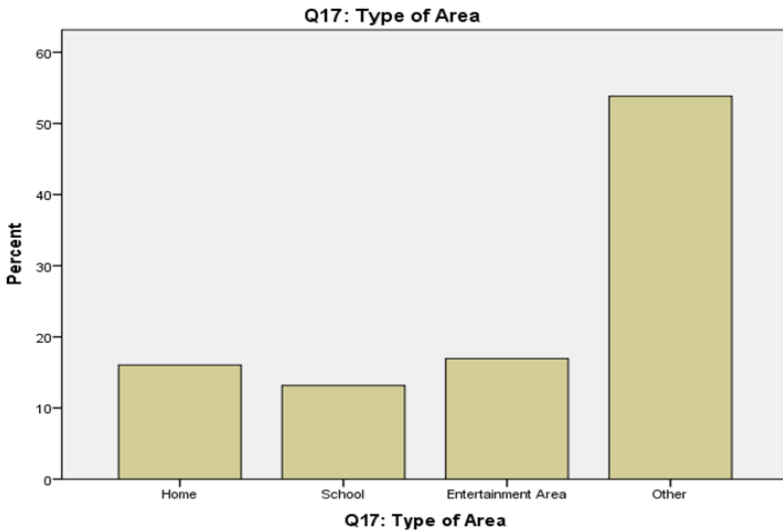
Table A.6b: Time categories

Time	Weekday or Weekend
06:00 - 07:30	Weekday early morning
07:31 - 15:30	Weekday school time
15:31 - 20:00	Weekday after school hours
20:01 - 05:59	Weekday night
06:00 - 15:30	Weekend daytime
15:31 - 20:00	Weekend afternoon (Saturday or Sunday) or weekend after hours (Friday)
20:01 - 05:59	Weekend night
No time but on weekday	Weekday
No time but on weekend	Weekend

This indicates that cases of juvenile criminality are distributed differently across geographic distinct locations but there is a higher concentration in areas that are popular for entertainment and leisure areas. Similarly, in the Island of Gozo the highest number of crimes occurred in Rabat with 10 cases (1.1%), Ghajnsielem with 7 cases (0.8%) and Zebbug with 6 cases (0.7%). However, when the minor went on to commit a second offence in another location; San Pawl il-Bahar had the highest frequency in this category with 7 offences (0.8%).

In identifying the locations where these delinquent acts took place Figure A.5 indicates the offences committed in and close to leisure areas add up to 17% of all offences (148). Meanwhile the offences committed at home and at school amounted to 140 (16.0%) and 115 (13.2%) offences respectively. The category titled “other” gather all juvenile cases committed in areas there were not specified in the raw data and consequently could not be identified. Also, males tend to commit the most offences in leisure areas (78.4%, n=116). Crimes committed at home are attributed to 58.6% for males and 41.4% for females.

Figure A.5: Offence Location



There are considerable disparities as to where offences took place. Offences committed in Malta drastically outnumber the Gozo cases whether at home, school or leisure areas. Yet the unidentified locations where the crimes took place in Gozo were proportionately much higher as it represented almost all the cases (66.2%). Offences committed at home in Malta accounted for 136 cases (17.0%) whilst only 4 cases were committed in Gozo. The number of cases that occurred in schools in Malta was 104 (13.0%), while in Gozo there were only 11 (15.5%). The cases that were committed in entertainment areas in Malta amounted to 138 (17.2%), whereas in Gozo only 9 (12.7%) were tried by the Juvenile Courts.

Taking a closer look at from juvenile offenders hail from findings show that most juvenile offenders (n=81) in Malta reside in San Pawl il-Bahar, which is equivalent to 9.2% of all cases. In 6.1% (n=53) of the cases that occurred in Malta the offenders resided in Santa Venera, where a number of institutions and residential homes for youths are located. Moreover, this data indicates that around 12% of all the offenders (with an average of almost 4%) reside in Mosta, Birzebbugia and Valletta. From the island of Gozo, it resulted that most juvenile offenders reside mainly in Rabat (n=8 offenders) and Xghajra, Ghajnsielem and Marsalforn (with 6 offenders in each location).

At this point the analysis bears the question of what type of offences do juveniles commit? Taking a closer look at Table A.8, it is possible for one to observe that the first offence of 49.7 % (426 offences) of all the cases entailed offences against the person. These offences included slight or grievous bodily harm, reviling, threatening, private violence, harassment etc. Other offences include offences against public order (17.7%, n=152), theft (11.1%, n=95), offences against property (8.4%, n=72 offences), and traffic offences (11.1%, n=95 offences). The most prevalent offences affecting public order (sub-categories) were namely: disturbed public order and/or peace amounted to 5.9% (n=52); throwing of rubbish (1.8%, n=16); procurement or consumption of alcohol and smoking in an enclosed establishment and/or in prohibited place (12 offences each – 1.4%) and those who did not obey legitimate orders given by a public officer (11 offences - 1.3%). In addition, in a 103 month period, males were more likely to commit offences against the person (n=266) and offences against public order (n=109). The subsequent most common male offences were traffic offences (n=83), theft offences (n=70) and offences against property (n = 67). In comparison, females were more likely to commit offences against the person (n=160) and offences affecting public order (n=43) that were followed by theft (n=25) and drug offences (n = 9).

Table A.7: Adjudicated Cases by Offence Location – First Location

		Q6: Offence_Location_NUTS5			
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Attard	9	1.0	1.0	1.0
	Bahar ic-Caghaq	1	.1	.1	1.1
	Balzan	1	.1	.1	1.3
	Birgu	3	.3	.3	1.6
	Birkirkara	11	1.3	1.3	2.9
	Birzebbuglia	37	4.2	4.2	7.1
	Bormia	19	2.2	2.2	9.3
	Bugibba	1	.1	.1	9.4
	Buskett	1	.1	.1	9.5
	Dingli	4	.5	.5	9.9
	Fgura	5	.6	.6	10.5
	Floriana	21	2.4	2.4	12.9
	Ghajnsielem	7	.8	.8	13.8
	Gharb	4	.5	.5	14.3
	Gharghur	3	.3	.3	14.6
	Ghaxaq	5	.6	.6	15.2
	Gudja	5	.6	.6	15.8
	Gzira	24	2.7	2.7	18.5
	Hamrun	35	3.5	3.5	22.1
	Iklin	1	.1	.1	22.2
	Imqabba	3	.3	.3	22.5
	Isla	3	.3	.3	22.9
	Kalkara	7	.8	.8	23.7
	Kercem	2	.2	.2	23.9
	Kirkop	20	2.3	2.3	26.2
	Lija	4	.5	.5	26.6
	Luqa	2	.2	.2	26.9
	Marsa	15	1.7	1.7	28.6
	Marsalforn	2	.2	.2	28.8
	Marsaskala	24	2.7	2.7	31.5
	Marsaxlokk	1	.1	.1	31.7
	Mellieha	21	2.4	2.4	34.1
	Mosta	29	3.3	3.3	37.4
	Mqabba	3	.3	.3	37.7
	Msida	26	3.0	3.0	40.7
	Mtarfa	9	1.0	1.0	41.7
	N/A	4	.5	.5	42.2
	Nadur	7	.8	.8	43.0
	Naxxar	18	2.1	2.1	45.0
	Paceville	2	.2	.2	45.3
	Paola	10	1.1	1.1	46.4
	Pembroke	13	1.5	1.5	47.9
	Pieta'	6	.7	.7	48.6
	Qormi	27	3.1	3.1	51.7
	Qrendi	6	.7	.7	52.3
	Rabat	41	4.7	4.7	57.0
	Rabat - Ghawdex	10	1.1	1.1	58.2
	Rahal il-Gdid	4	.5	.5	58.6
	Safi	2	.2	.2	58.9
	San Giljan	42	4.8	4.8	63.7
	San Gwann	13	1.5	1.5	65.1
	San Pawl il-Bahar	97	11.1	11.1	76.2
	Sannat	4	.5	.5	76.7
	Santa Lucija	9	1.0	1.0	77.7
	Santa Venera	38	4.3	4.3	82.1
	Siggiewi	7	.8	.8	82.9
	Sliema	17	1.9	1.9	84.8
	Swieqi	1	.1	.1	84.9
	Ta' Gali	2	.2	.2	85.1
	Ta' Xbiex	6	.7	.7	85.8
	Tarxien	5	.6	.6	86.4
	Unknown	7	.8	.8	87.2
	Valetta	41	4.7	4.7	91.9
	Xaghra	3	.3	.3	92.2
	Xewkija	3	.3	.3	92.6
	Xghajra	5	.6	.6	93.1
	Zabbar	22	2.5	2.5	95.7
	Zebbug	20	2.3	2.3	97.9
	Zebbug - Ghawdex	6	.7	.7	98.6
	Zejtun	8	.9	.9	99.5
	Zurrieq	4	.5	.5	100.0
	Total	875	100.0	100.0	

In presenting the main categories of judgments, Table A.9 indicates that 17.1% of cases (n = 150) were not found guilty because of insufficient evidence and also a substantial number of cases (16.6%, n = 145) ended in ‘extinguishment of proceedings’ either because the victims forgave the accused or else because charges had to be dropped when the law was amended as stated before. Hence, in 2014 juveniles that were less than 14 years old at the time of the offence could not be prosecuted. Consequently, 25 cases (2.9%) had to be dropped by the prosecution 15.7% (n= 137) of all the cases were issued solely a Reprimand and Admonition, 14.4% (n= 126) were given a Probation Order only and 12.7% (n = 111) were given a Conditional Discharge Order only.

On the other hand, 12.1% (n = 106) were given combined orders which include all the above orders and other punishments which are incorporated with other orders for example a Probation Order together with a suspension of licence and a fine. A deeper examination of sanctions shows that combined orders that were given. Imprisonment for example was given only in 0.6% of cases (n= 5), however, together with the combined orders other 0.4% of juveniles were given imprisonment and others 0.4% were given a detention. Moreover, juveniles that were sent to prison after breach a probation order (commonly referred in Maltese a ‘*denunzja*’) were not taken in consideration.

Table A.8: Main Category of the First Offence

Q19b: Crime 1 Main Category

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Breach of Community Sanction Order	2	.2	.2	.2
	Drug Offence	10	1.1	1.2	1.4
	Offence affecting public order	152	17.4	17.7	19.1
	Offence against property	72	8.2	8.4	27.5
	Offence against the administration of justice	3	.3	.4	27.9
	Offence against the peace and honour of families and against morals	11	1.3	1.3	29.2
	Offence against the person	426	48.7	49.7	78.9
	Theft	95	10.9	11.1	90.0
	Traffic offence	86	9.8	10.0	100.0
	Total	857	97.9	100.0	
Missing	System	18	2.1		
Total		875	100.0		

Table A.9: Main Categories of Judgements

Q27: Judgement Main Category

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Abstention	10	1.1	1.1	1.1
	Care Order	1	.1	.1	1.3
	Combined	106	12.1	12.1	13.4
	Conditional discharge	111	12.7	12.7	26.1
	Detention	4	.5	.5	26.5
	Discharged	1	.1	.1	26.6
	Extinguishment of proceedings	145	16.6	16.6	43.2
	Fine (ammenda)	13	1.5	1.5	44.7
	Imprisonment	5	.6	.6	45.3
	Not Found Guilty	150	17.1	17.1	62.4
	Probation Order	126	14.4	14.4	76.8
	Reprimand and Admonition	137	15.7	15.7	92.5
	Sine Die	2	.2	.2	92.7
	Suspended Sentence	3	.3	.3	93.0
	Time-barred by prescription	16	1.8	1.8	94.9
	Withdrawn	13	1.5	1.5	96.3
	Probation	8	.9	.9	97.3
	Fine (ammenda)	16	1.8	1.8	99.1
	Personal Guarantee	8	.9	.9	100.0
	Total	875	100.0	100.0	

CCF Records

In terms of those juveniles who were incarcerated in CCF, between 2000 and 2010, 31 juveniles aged between 13 and 16 years were serving a sentence (Table A.10 – Figure A.6). 7 were female and 24 male with the years 2007 and 2008 registering the largest number of entries. 2007 also saw the highest number of female entries, over 40% of all female entries during the decade.

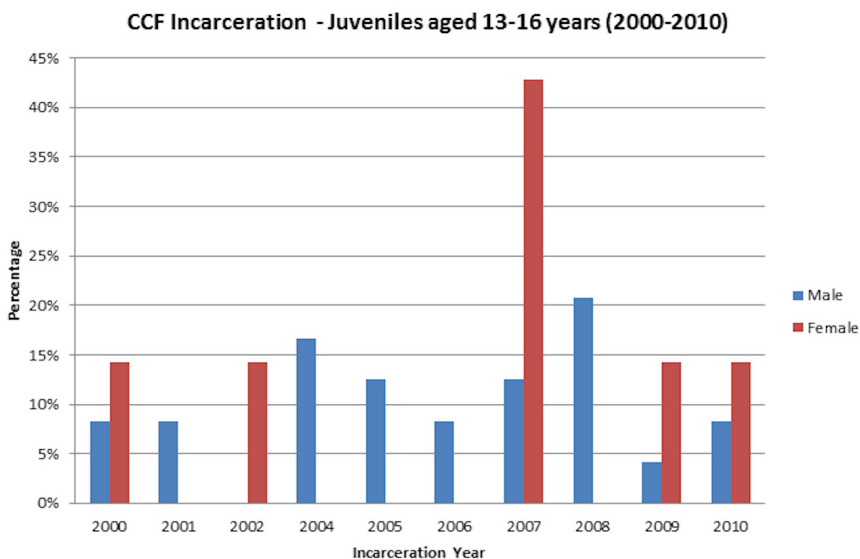
Note that the numbers in CCF pertaining to the older ages are greater than the figures emanating from the Juvenile Court data as juveniles who have committed offences with adults (over 16 years of age) appear in front of the criminal courts.

Table A.10: Incarceration by Sex – CCF juveniles 2000-2010

Sentence Year			
	Sex Counts		Total
	Male	Female	
2000	2	1	3
2001	2		2
2002		1	1
2004	4		4
2005	3		3
2006	2		2
2007	3	3	6
2008	5		5
2009	1	1	2
2010	2	1	3
Total	24	7	31

Sentence Year			
	Sex - Percentage		Total
	Male	Female	
2000	8.3	14.3	9.7
2001	8.3		6.5
2002		14.3	3.2
2004	16.7		12.9
2005	12.5		9.7
2006	8.3		6.5
2007	12.5	42.9	19.4
2008	20.8		16.1
2009	4.2	14.3	6.5
2010	8.3	14.3	9.7
Total	100	100	100

Figure A.6: Incarceration by Sex – CCF juveniles 2000-2010



In terms of age, the numbers increase with age, with very few at the earlier ages, jumping to 39% aged 15 and 48% aged 16 (Table A.11 – Figure A.7).

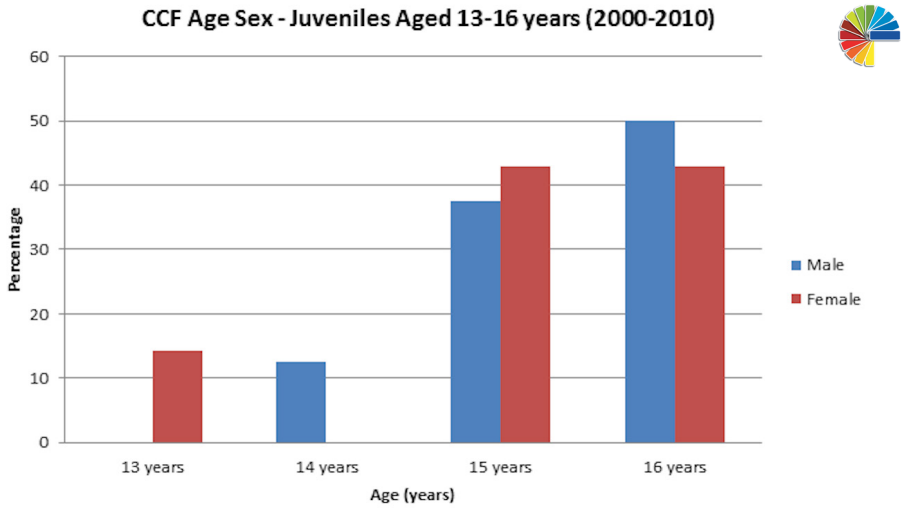
Table A.11: CCF Juveniles: Age and Sex Counts

Age	Sex		Total
	Male	Female	
13	0	1	1
14	3	0	3
15	9	3	12
16	12	3	15
Total	24	7	31

Table A.11: CCF Juveniles: Age and Sex Percentages

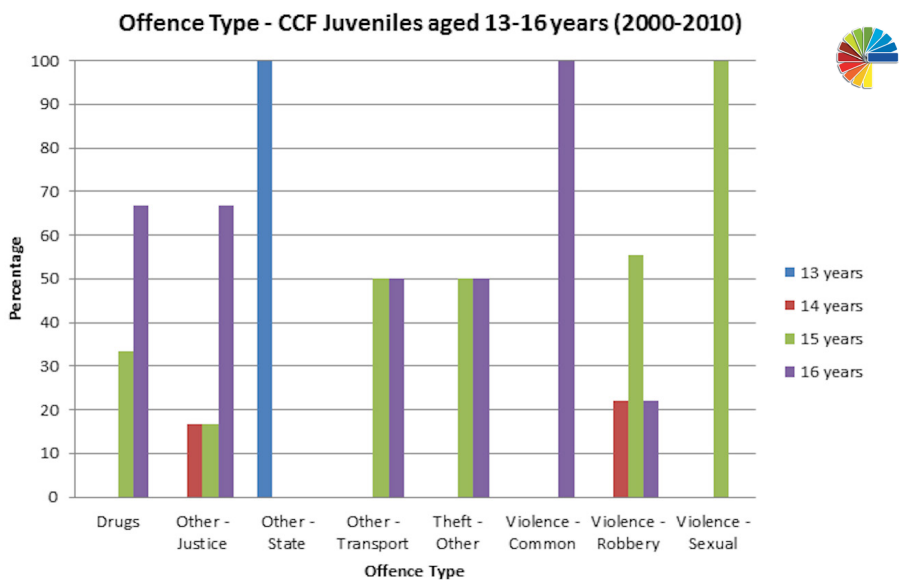
Age	Sex		Total
	Male	Female	
13		14.3%	3.2%
14	12.5%		9.7%
15	37.5%	42.9%	38.7%
16	50.0%	42.9%	48.4%
Total	100%	100%	100%

Figure A.7: CCF Juveniles: Age and Sex



Offences committed by juveniles are mainly related to violence-robbery and drugs, followed by others related to the administration of justice. The latter two saw increases as the juvenile aged (Table A.12 – Figure A.8).

Figure A.8: Offence Type: CCF Juveniles (2000 – 2010)



In terms of sentence length, one third received a short sentence, whilst the rest received a long sentence with one third being awarded a sentence longer than 1 year with 3 being awarded a sentence of 2 to 5 years (Table A.12 – Figure A.9).

Table A.12: CCF Sentence Length

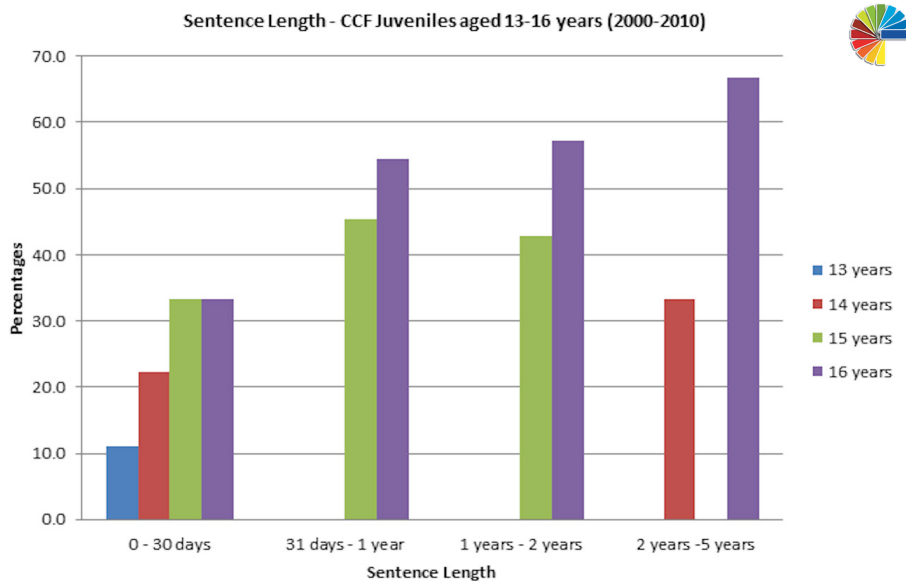
Sentence Length Counts

Age	0 - 30 days	31 days - 1 year	1 years - 2 years	2 years -5 years	Total
13 years	1				1
14 years	2			1	3
15 years	3	5	3		11
16 years	3	6	4	2	15
Total	9	11	7	3	30

Sentence Length Percentages

Age	0 - 30 days	31 days - 1 year	1 years - 2 years	2 years -5 years	Total
13 years	11.1				3.3
14 years	22.2			33.3	10.0
15 years	33.3	45.5	42.9		36.7
16 years	33.3	54.5	57.1	66.7	50.0
Total	100	100	100	100	100

Figure A.9: CCF Sentence Length



The following section provides a summary of secure settings for delinquent youths in Europe outlining particularly detention schools in Ireland and secures colleges in the United Kingdom.

Detention Schools in Europe

1. *Irish Youth Justice*

Three Detention Schools for children charged with a criminal offence and who awarded a detention sentence by the Law Courts. These are the Oberstown Boys School, Oberstown Girls School and the Trinity House School. The model promotes a therapeutic process and adheres to principals stipulated by the Standards and Criteria for Children Detention Schools and the Best Practice Guidelines in the Use of Physical Restraint in Ireland. Care, welfare, safety and security are paramount to the policy and procedures

adopted in Children Detention Schools. Behavioural management programmes are individualised modeled to provide care, a safe and secure environment but at the same time give due importance to the offence/s committed by the child, his/her offending issues and eventual re-integration to the community post-detention. In summary, the remit of such detention schools is that of improving the quality of children's lives through strategies that cater for the child best educational interests considering that age of children placed in detention schools.

2. Secure Colleges in the UK

There are three sectors of youth custody in the UK; Young Offender Institution⁴, Secure Training Centre⁵ and Secure Children's Home⁶ to date. Most of the existing detention centres catering for youth custodial provision are envisaged to be replaced. It is to be highlighted that 69% (re-offending rates were calculated between April 2010 and March 2011) of young people detained in youth custody re-offend within 12 months of their release. On the other hand, the youth offending population has fallen by 56% since the 2003 and 2004.

This said a Secure College will open in East Midlands in 2017. Provided that the setup of this Secure College proves to be successful, this college will serve as a focal point for a network of secure colleges across England and Wales. The British government is proposing a new model of youth custody; a Secure College which is intended to improve outcomes and ultimately reduced the expenses incurred in running youth detention to date. The proposed changes include intensive education programmes and services focusing on innovative and supportive care. A secure college is aimed to cater for a wider age cohort; between 12 and 17. The proposed Bill shall introduce secure colleges only in England. However, discussions with the Welsh government are ongoing which will eventually bring about the necessary changes and provisions in Wales. The Bill will give the Secretary of State the necessary powers to place and remand youth in Secure Colleges.

⁴ 7 establishments for boys aged between 15 and 17 years. These are operated by private providers. Host a total of 1,311 beds. Education: a total of 15 hours of education per week and an extra 10 hours of purposeful activity. 73% re-offending rates.

⁵ 4 establishments for boys and girls aged between 12 and 17 years. These are operated by private providers. Host a total of 301 beds. Education: a total of 25 hours. 70% re-offending rates.

⁶ 10 establishments for boys and girls aged between 10 and 17 years. These are operated by local authorities. Host a total of 166 beds. Education: a total of 30 hours. 76% re-offending rates.

A Secure College in Malta: An Overview

1) This section presents a discussion focusing on the perception of a wide range of professionals working with youths in view of the potential setting of a Secure College in Malta.

Penal institutions exist to control citizens, however, even Beccaria (1775) augured that “compassion and humanity shall penetrate the iron gates of dungeons” (chapter 29) explaining that these establishments should not create more wretchedness through the callous treatment of the citizens it holds. Beccaria (1775) points out that, penal institutions do not exist because they can erase the crime that has been committed, but their very existence should discourage other citizens from breaking laws (chapter 12). Beccaria (1775) insisted that it was better for society to invest in education and thus, in crime prevention, rather than in punitive measures.

Semini (1926) – Malta’s first criminologist – wrote about 12/13 year old boys ending up in the Malta prison, in the 1920s, sanctioning them for selling sweets or matches outside, without a police license. Semini (1926) protests against the treatment of these children (12/13 year olds), urging the authorities to consider the fact that these boys become abusive street hawkers out of necessity – to help their struggling parents, financially. He points to the fact that these so-called delinquent boys are not ill-intentioned but warned that, once society relegates them to prison life, these young boys may, very well, eventually become hardened criminals.

Semini (1926) even goes as far as to suggest that prison life actually trains inmates for further delinquency and crime. He blamed most of the delinquency/juvenile crime on deficiencies in the social structure of Malta (in the 1920s), insisting that sending the young to prison was inhumane, unfair and, not only futile but counterproductive. Semini (1926) praised police commissioner Bamford for setting up a reformatory for juveniles, agreeing with Bamford that: juvenile delinquency/crime was the consequence of poor parenting and the lack of social support, emphasizing that incarcerating children was not the answer. Semini (1926) explains how, in 1919, police commissioner Duncan had recommended the setting up of an industrial school and reformatory – which was later opened at Salvatore Fort and Barracks, Kalkara (Malta).

Bamford (Semini, 1926) insisted that the reformatory should principally be an educational institution, emphasizing the fostering of positive values, high ethical standards, psychological and physical health. Semini (1926) claimed that, through the

reformatory, deprived children could be reached and rehabilitated because this provision took children away from their deprived and depraved environments and put them in an environment wherein they could develop their full potentials: academically or otherwise.

Semini (1926) explained that the rehabilitation of these children could only start after they were provided with their basic necessities, like for example, proper food and clothes. He praised the government's initiative to establish the reformatory; however, Semini (1926) declared that it still was not enough. Interestingly, even as early as 1926, Semini pointed out that the courses offered at the reformatory had to be relevant to the needs of the boys, providing them with good prospects of finding decent employment once they left the reformatory. And even once they leave, Semini (1926) insisted that they still needed aftercare (help with finding housing and employment), because on the outside, left to their own limited means, surrounded by their former questionable environments populated by shady connections, they could either be tempted or feel impelled to revert to their earlier lives of delinquency and crime. Semini (1926) suggested that there should be 2 sections within the reformatory: one for court-sanctioned, criminal youths, the other for youths who were in danger of becoming criminals – because they lacked adequate guardians.

The evident need, for an institution like the one mentioned by Semini (1926), in the Maltese islands today, inspired the Department of Criminology (of the University of Malta) to come up with the idea of the SeCollege (secure college) project. The idea is to provide the young (11-16 years), who have challenging behaviour (have fallen out or are at risk of falling out with the criminal justice system), with a secure (strict discipline based on respect) environment, wherein besides finding structure, guidance and discipline, troubled youths (those sent by the law courts, those with a care order, those considered as police cases and those referred by child protection services) benefit from educational/vocational opportunities that enable them to find adequate employment, later on in their lives – thus removing their potential need to resort to delinquency/crime.

At SeCollege, care plans (individualised learning programmes) would be carefully designed (by a team of professionals through a multidisciplinary approach) for each student. Although the idea is to remove at-risk-juveniles (gender-segregated) from their criminogenic families / environments, this separation from their families is intended to be temporary – the time needed for these youngsters to de-learn damaging behaviours and learn how to live as good citizens are expected to. There would also be services provided (programmes) for the guardians/families of these children, like, for example, sessions on parenting skills. Separation from their families would be a last resort, and when needed, should be as brief as possible. The main aim is not to mete out punishment, but to give

the SeCollege youngsters a chance to acquire a good quality of life, away from harm: to prevent them from further inflicting it and/or suffering it. However, before embarking on this ambitious project, the Department of Criminology has conducted fifteen in-depth interviews with professionals who come in contact with juvenile delinquents/criminals in Malta and Gozo.

According to the Malta laws, people under sixteen are referred to as children or young persons (Children and Young Persons Act, 1980: article 2) whereas minors are those who are under 18 years of age (Civil Code, 1870: article 157). The Civil Code, (1870: section 157 as cited in UNHCHR, 1998) brands those of 18 years and over as adults. Yet, in some cases, children are considered as adults before they reach the age of 18. For example: (1) when they get married at 16 years (Marriage Act, 1975: article 3(1) as cited in UNHCHR, 1998), (2) when a, so-called child engages in business when they are 16 (Commercial Code, 1857: section 9 as cited in UNCHR, 1998), and (3) at 14, children are allowed to make a will (although, they are restricted to financial matters) (Civil Code, 1870: section 597(1) as cited in UNHCHR, 1998).

Also at 14 years of age, citizens are considered as criminally responsible – although, there was a time when they became criminally liable at 9. If the accused is under 16, and the act committed lacked ill-intent, s/he is not considered as criminally responsible. If however, the act was committed with ill-intent, and the accused is between 14 and 16 years, although deserving punishment, the law allows that the sanction meted out by the court to be decreased by one or two degrees (Act No. 3, 2014 as cited in Justice Services, 2014). The Maltese Juvenile Court Act (1980: article 2) considers citizens under 16 as children or young people.

The interviews conducted (by the Department of Criminology in 2015 – referred to, henceforth, as the SeCollege research) with experts in the field, might indicate that the age at which individuals are engaging in delinquency/crime may be decreasing, even to under 10 years of age – in fact, one interviewee claimed that even at 5 years of age, some children already show signs of potentially become deviant and/or criminal later on. It is somewhat disconcerting that, some youngsters under the age of 14 years seem to be aware of the fact that now, the law cannot punish them – and reap benefit of the situation by engaging in deviancy/crime.

Woollaston (2014) reports that “Kids ARE growing up faster today - and it's all down to technology: Facebook and mobile phones causing children to mature more quickly, poll reveals”. In this UK poll (wherein 2000 parents of children between the ages of 8

and 12 participated), mentioned by Woollaston (2014), parents confessed that they are worried that their offspring are acting adult-like too soon, blaming it on peer pressure, the internet and on them being unsupervised while surfing/participating in the social media. Most of the parents who participated in this poll claimed that their children had a “mobile telephone, pierced their ears and had a TV in their bedroom at the age of 10” – and “Getting an iPad, choosing their own clothes and making their own breakfast were also luxuries listed that a typical 10 year old can enjoy” (Woollaston, 2014). So, it could be that even children in Malta are experiencing the same circumstances, acting grown-up at a younger age and thus, facing adolescents’ problems much earlier.

As regards gender differences, Clark (2013, p. 130) believes that “although female crime is on the increase the gender gap continues to exist” with women featuring less as offenders and within correctional establishments. However, Clark (2013) also points out how the public perceives women-crime “as being on the increase”. Yet, although the public might perceive that women crime is on the increase, the experts who participated in the SeCollege research clearly believe that, although girls too, are drawn to delinquency or/and crime, experience has taught the interviewees that boys are more likely than girls to engage in this behaviour and seem to be more prone to end up in trouble with the criminal justice system.

When it comes to the possible link between family situations and delinquency/crime, Abela (2009, p. 28) cites research claiming that “parental separation doubles the risk of serious problems for children”. In 2011, The Times of Malta reported that the amount of “separated persons rose by 168 per cent since 1995 (up from 4,120 to 11,045)” (Statistics and separations, 2011).

This could indicate that quite a number of families in Malta and Gozo might be experiencing problems, which implies that a considerable number of children in the Maltese archipelago might be experiencing difficulties in coping with the challenge of family break-ups. This could be quite worrying, when one bears in mind that “parental separation creates considerable stress in the children” who “may end up missing out on social interaction” with the consequence that they are not socialized in the way good citizens should be (Abela, 2009). In some cases, young people may be actually parenting their own parents (Ritchie, 2010) – taking on an adult role and missing out on learning and enjoying life in the way children and youngsters are expected to.

This in turn, could have negative effects on their psychological and moral development. Formosa Pace (2013, p. 143) points to the fact that there is a “long standing hypothesis...

that offenders are more likely to come from a broken home”. Therefore, returning to the SeCollege research, it comes to no surprise that most of the interviewees claimed that most of the troubled children/youngsters come from broken families. However, the experts emphasized that, what really mattered was not the type of family but the quality of the atmosphere it provided to its young. In other words, they claimed that even in families where the parents are still living under the same roof, if there is discord and communication breakdowns, the children/youngsters of the family are bound to suffer.

While discussing what could possibly be leading some youths (in Malta and Gozo) to a life of delinquency and/or crime, the interviewees consistently mentioned an evident lack of parenting skills – because their parents/guardians, for reasons that could be fuelled with good intentions, evidently fail to provide them with discipline and life-structure, leading them astray. However, over and above this deficiency in parenting skills, some troubled youths also have psychological as well as social problems and/or substance addiction. In fact, as regards psycho-social issues related to juvenile delinquency, interviewees mention: ADHD spectrum, suicidal tendencies, propensity to self-harm, promiscuity (resulting in teenage pregnancies), effects of witnessing and/or being themselves victims of domestic violence and the effects of the different types of poverty (financial, social, home/structure, love, education, employment prospects).

When it came to discussing addictions, although gambling does not seem rampant amongst the young, console addiction was mentioned repeatedly by the interviewees – as well as addiction to cigarettes, alcohol, and to an extent, soft drugs (which seem to be readily attainable in Malta/Gozo...and, in addition, particular designer drugs are even undetectable) – and, it seems, that most Maltese youths might consider soft drugs as acceptable. The interviewees agree that family problems, whether or not they are coupled with psycho-social issues and addictions, are not conducive to ideal learning environments, wherein children/youngsters can concentrate on their schooling, rather than growing up as quickly as possible. The interviewees concord that there is an urgent need to provide adequate, personalized schooling to these, so called, troubled youths – education that would be focused on life-skills, literacy skills and IT, with a realistic view for future employment (possibly with opportunities for participating in job apprenticeship schemes).

Zammit Marmarà (2008) draws attention to the “issue of sending children to prison (in Malta)”, stressing the fact that “prison is not a suitable place...for juvenile delinquents” while Formosa Pace (2013, p.141) states that the “number of juveniles brought before the Juvenile Court [in Malta] increased from 14 in 1986to 412 between July 2008 and

March 2012”. Faced with this worrying trend and the lack of a state-run reformatory-like institution for youths, even the authorities in Malta acknowledge that there is a “need for state homes for young offenders” (Bonnici, 2014).

The interviewees disclosed that, in Malta and Gozo, there are services provided to troubled youths (guidance and counselling, youth workers, social workers, psychologist, psychotherapists) and listed: Fejda, Joan Antide, St Venera Home (for girls), St Patrick’s Home and St Joseph’s Home (for boys), Dar Tereza Spinella (actually for adults, but it sometimes houses youngsters, as well), YPU (young people’s unit at Mount Carmel Hospital for patients who suffer from mental problems), Dar Osanna Pia (actually for adults, but it sometimes houses youngsters, as well), Suret il-Bniedem (actually for adults, but it sometimes houses youngsters, as well) and St Rita’s Home (for children).

However, with the obvious exception of the YPU, most of the homes are administered by the Church in Malta – which reportedly, tend to be quite selective, to the detriment of those children/youths that most need their services. And, although the interviewees listed the different professionals that work with juvenile delinquents/criminals in Malta and Gozo, they tended to agree that there is a painful lack of caring professionals (counsellors, youth workers, social workers, psychologist, psychotherapists, educators, criminologists) available to children/youths at risk.

In conclusion, all the interviewees agree that an adequately resourced SeCollege could be the answer to the problems that are constantly challenging our islands when it comes to countering juvenile delinquency/crime and rehabilitating young offenders.

2) This section presents a discussion focusing on the perception of Maltese nationals on juvenile delinquency, control of criminal activity also in view of the potential setting of a Secure College in Malta.

Findings presented here are based on data that was gathered through the 1000 interviews that were carried out in the Crime Victimization survey (CVS).

A section in CVS focused particularly on children engaging in crime. For the purpose of this research the term children refers to any person below the age of 18 years. It is to be noted that the legal definition of criminal liability⁷ was not accounted for.

⁷ A person is criminally liable at the age of 14 years.

In other words the main remit of this survey was that of focusing on the perception of Maltese citizens on crime committed by children rather than legal definitions. Consequently, respondents were free to answer as they wished referring to any person less than 18 years as a child.

Half of the respondents⁸ think that the laws that regulate the criminal activity of children need to be revised. On the other hand, only 6.5% of the interviewees think that these laws are good enough whilst another 15.9% think that they are adequate. At this point one questions to what extent respondents are informed about the laws that are aimed to regulate the criminal behaviour of children. This said, another question focused on querying about the potential involvement of children in crime. This question aimed at analysing the perception of adults on children; whether or not adults consider children as innocent, thus potentially legally compliant. The results show that only 12.7% of the respondents think that children do not commit crimes. More than two-thirds of the respondents think that there is a great possibility (37.9%) or a possibility (35.9%) that children could commit crimes. Another 13.3% of the respondents did not know whether or not children partake to crime.

Additionally, respondents were also asked whether or not they feel safe in a locality that hosts delinquent children. Findings show that more than half of the respondents revealed that they do not feel safe living in an area with delinquent children (26.3% - not so safe; 24.4% - not at all safe). On the other hand, 17.8% of the respondents feel safe living in zones that are characterised by the presence of delinquent children whilst another 31.5% claimed that they feel quite safe.

When asked whether there are enough institutions that cater for children involved in crime, only 3.6% of the respondents said that they think that there are a lot of institutions that take care of these troubled children/youths. Almost a fifth (18.5%) of respondents said that they think that there are enough institutions. Surprisingly around half the respondents (48.1%) said that there were few institutions that address the need of children involved in crime, whilst another 10.5% said that there no institutions that cater for the needs of criminal children. This said, 19.2% of the respondents lacked knowledge on the presence and/or absence of such institutions.

⁸ 1000 participants

Collectively, almost 60% of the respondents feel that there are not enough institutions that could look after criminal children. In summary, findings clearly indicate that the perception of respondents mirrors the local scenario which to date is marked by the absence of an educational, rehabilitative setting that addresses the specific needs of criminal children/youths.

When asked “do you think we should have a specialised school where children that are in danger of finishing in prison or in other institutions should go?” a staggering 76.8% answered yes. This could be explained in view of a potential scenario where respondents think that children need to be helped in the first place, rather than punished. Another potential explanation could be that respondents do not consider prison as a suitable detention setting for children/youth. In other words, findings clearly indicate that respondents are more inclined towards the establishment of a setting in which ‘treatment’ fosters rehabilitation and subsequently desistance from committing further crime.

Respondents were also provided with a vignette that portrayed “the case of a young person, 16 years old who has been found guilty of stealing a TV from a house. This is the second crime he has committed. Which is the most appropriate sentence for such a case?” A number of options were provided which varied from community sanctions to imprisonment sentences. It was hypothesised that despite the age of the alleged offender, being his/her second crime, respondents would be more inclined to opt for prison sanctions. However, only 13.5% of the respondents preferred imprisonment as a custodial sanction, whereas interestingly 58.3% opted for a community service. Community service could be the best sanction for young offenders, however ironically this sanction is less frequently awarded by the law courts in general. This said, the general Maltese population seems to be more inclined towards a system that prioritises the interests of offenders.

On the other hand, those respondents who were more inclined towards custodial sanctions commented on having a prison setting specifically for children; having a place where children could be educated; the provision of rehabilitation programs; the set up of half-way houses and/or “controlling housing units” and organising boot camps. The provision of psychological help and probation orders were also mentioned. Additionally, the need for more services to control youngsters was highlighted by two-thirds of respondents. 60% of respondents specified that they wanted to see more police officers on the streets as their presence serves as a deterrent to crime.

Also, respondents were asked whether or not they wanted more punitive sentences for young people, interestingly 85.7% gave affirmative replies. This contrasts starkly with

earlier findings related to community service orders. In other words, punitive sanctions do not necessarily imply the provision of prison sentences but a system in which punishment addresses the criminal tendencies of young offenders focusing on treatment and rehabilitation that subsequently promote desistance. When asked what could be done for young criminals in order to desist from committing crime, the answers varied from more discipline, to more rehabilitation, to providing parents with adequate parental skills. Also, slightly more than three quarters of the respondents (78.2%) claimed that parents need to exercise more discipline over their children. Whilst it is expected that children are loved and looked after by their parents/legal guardians, same applies to discipline and control. This said, respondents pointed out a number of challenges that families face particularly making reference to the amount of time parents spend with their children, stressors and addictions amongst other social constructs that could represent the dysfunctional aspects of the family unit. With regards to discipline in schools, almost a half of the respondents (49.8%) wanted more disciplinary measures to be employed in schools.

Summary of Findings based on research from the Juvenile Courts' data & CCF, interviews with professionals and the Crime Victimization Survey

The analysis of the data gathered from the Juvenile Courts provides a thorough examination of the criminal trends of the last eight and a half years. This perspective evolved in an environmental approach where the dynamics of crime distinctly identified the kind of offences in association with a series of variables, such as gender, as well as time and place of the offences occurred.

The results show that specific locations experience different levels of juvenile crime. Concentrations of criminal activity were mostly distributed in San Pawl il-Bahar (11.1%), San Giljan (4.8%), Valletta (4.7%) and Santa Venera (4.3%) and Birzebbugia (4.2%). These results indicate that juvenile crime has different distribution across distinct geographic locations and that the concentration of criminal activity in these areas is not a random effect. Youth congregate in entertainment areas, like San Pawl il-Bahar and San Giljan, which attract large numbers of unsupervised juveniles and these locations and the surrounding ambient facilitate the increase and eventually generate more criminal behaviour (Block, 1990; Brantingham and Brantingham, 1993).

Looking at the localities where these juvenile offenders reside the main localities are the following, from the highest to the lowest: San Pawl il-Bahar, Santa Venera, Mosta, Birzebbugia and Valletta. Santa Venera is the second highest because there are a number of

residential homes for youths in this locality and this inevitable result in the occurrence of social disorganization. Problems of 'social disorganisation' were identified in the regions of San Pawl il-Bahar and Qawra region, where a good number of offenders are localised. Disorganised and unstructured communities have adverse effects on youths because they do not reinforce social controls, values and norms (Fitzgerald, 2009).

This data rendered possible also to look at crime patterns during certain hours of day. Recognising these patterns is important in order to implement potential preventive or controlling measures. The wave of crime increases during after school hours and at weekends may infer that juveniles lack structure in their free time that results in occurrence of deviant behaviour. Unstructured and unsupervised time also leads to wrongdoings by juveniles (Halpern, 2002 in Riley & Anderson-Butcher, 2012). However, the highest registered crime during weekdays was during school time (28.7%). Schools have been found to be generators or facilitators of crime during school hours. A total of 249 offences were committed during school hours in the eight and a half year period explored in this research. Some schools potentially do not have enough resources such as enough supervision to control offending and hence in these situations "the geographical concentration of youth increases the number of potentially volatile interactions" (Jacob and Lefgren, 2003, cited in Gottfredson and Soule, 2004: 3). Another substantial amount of crimes occurred at home (16.0%). Karmen (2001) delineated that usually this type of offence is significantly underreported due to the fact that certain families may want to keep their matters private. On the other hand, Formosa Pace (2015) explains that family members with an incarceration history could act as potential crime promoters and the planning of criminal activity could be catered for within the family unit.

The analysis carried out for this study, also demonstrates that 14 year olds (28.2%) and 15 year olds (48.6%) tend to commit more crimes, while the use of drugs was the highest amongst females (90%). Violence and delinquency are distinctive risk of serious criminality, social and mental health problems later in adulthood (Farrington, 1991; Robins and Price, 1991; Losel and Farrington, 2012). While Zahn-Waxler, Crick, Shirtcliff, and Woods (2006, cited in Mennis & Mason, 2012) concluded that girls are more at risk of using drugs when they experience breakdown of interpersonal relationships.

The results from the juvenile court data and CCF data need to be interpreted by taking in consideration a series of limitations that affected the final outcomes. The results cannot be generalised to show the overall national juvenile crime, due to unreported crimes, known as the dark figure of crimes, hinder the possibility of noting the real number of crimes and spot how many of these have not been brought before the courts because of

police discretion. Additionally the cases tried in the juvenile courts do not include the cases of juveniles between 16 and 18 years because the general courts decide these cases. This said, despite of these limitations, the data analysed for this research provides a valid picture of juvenile offending in Malta.

Furthermore, 31 juveniles predominantly males set foot at CCF between 2000 and 2010, whilst those belonging to the older age bracket (13 to 16 year olds) are more likely to get imprisoned. This said, the new legislation linked to the age of criminal liability (14 years) is expected to influence crime trends. Taking a closer look at sentence length, one notes that juveniles are more likely to serve a “31 day to 1 year” imprisonment term followed by the “0-30 days” incarceration period. Surprisingly, juveniles tend to be imprisoned for crimes related to violence-robbery, drug related offences and “other offences” (conversion of fines and unpaid legal fees). This finding is even more interesting in light of findings from the Formosa Pace (2015) study which showed that crime families specialise in crimes that involve the use of violence such as robbery and crimes that require planning such as drug offences. Additionally, it is to be highlighted that juveniles serving a prison term at CCF are located in a special division “YOURS” which could host anyone who is between 14 and 21 years old.

Nonetheless, respondents taking part in the CVS pointed out that laws that regulate the criminal activity of children need to be revised and that children need to be controlled in a more effective manner by their parents/guardians and at school. Additionally, almost 60% of the respondents highlighted the need to set up new institutions that could look after children who engage themselves in criminal activity. With regards to sanctions aimed at regulating criminal behaviour only 13.5% opted for imprisonment whilst around 60% would prefer community service for youths. This said, interestingly around 77 % agreed on the provision of a specialised school for children who are in danger of ending up in prison or in other institutions. This mirrors to a great extent the needs identified by professionals working with children, youths and their families.

Conclusions and Recommendations

Day-treatment centres and community-based services such as youth centres should organise activities during school holidays providing the possibility to reach more youths within the risk spectrum. Support services together with after-school services within the community are essential especially in crisis intervention; however they should be more accessible and available at all times. Since a discernible pattern of criminal behaviour is found in certain localities, priority should be given in policing resources and effective

crime prevention strategies. Even though certain locations have high crime rates, it does not mean that other locations do not need crime prevention strategies because no locality is immune to juvenile crime. Implementing crime prevention strategies and restorative justice practices should be at the top of the list for policy makers to provide effective and efficient programmes and services for juvenile delinquents promoting rehabilitation and preventing re-offending. Creating individualised screening and preventive programmes will effectively address youths at risk while a coordinated use of resources will yield to more efficient community and residential programmes.

The provision of preventive and intervention services for these young people at a national level requires adequate funding to provide multiple service interventions provided by well trained professionals coming from different disciplines that collaborate together in overcoming obstacles created by the current policies while helping youths to become law abiding adults. Some basic structure for some services already exist, however, implementing a multi-systemic approach to treatment that encompass family, school and other contexts is necessary in the treatment and rehabilitation of young offenders both in Malta and Gozo. Findings from SeCollege research point towards one specific lacuna; a residential setting for youths in crime for whom detention would therapeutically address their needs and subsequently their risk for re-offending is potentially decreased.

Tailor-made programmes have higher chance of bearing fruits than large-scale programmes. It is also vital that youths are given the chance to voice their suggestions about their care plan in order to feel part of the service. Additionally, residential homes should differentiate their purposes, functions and specialisations to address substance abuse, mental health problems, challenging behaviour and delinquency problems in a more effective manner. Findings from interviews carried out with a number of professionals hailing from education, welfare, criminal justice and mental health point towards the need for a secure detention setting for youths in crime. This also corroborates to a great extent with the perception of Maltese citizens about the treatment and control of juvenile crime which point towards the need of a specialised school. Interestingly, the news centre of the University of Texas in Dallas (2014) reported that a recent study (conducted by Piquero) showed that “having little hope for the future leads to more offending over time”. So, if Desmond Tuto is right, if “Hope is being able to see that there is light despite all of the darkness”. SeCollege would have to be the blazing torch that lights up the lives of the children/youths it houses.

