

Juvenile justice practices in Europe can inform practices in the US

31 July 2018

Vermont recently moved to extend the jurisdiction of its juvenile courts from age 18 to 20, and three other U.S. states (Connecticut, Illinois, and Massachusetts) are considering similar proposals. This comes amid growing awareness that 18- to 25-year-olds are a developmentally distinct group that should be treated differently by the justice system. New research examined juvenile justice in Europe, where most countries have special laws or procedures for this age group; the findings can inform U.S. policymakers.

The study, by researchers at the Harvard Kennedy School and Columbia University, appears in *Justice Evaluation Journal*, a publication of the Academy of Criminal Justice Sciences.

"Europe has a long history of special practices and laws for young [adults](#), so we looked at Germany, the Netherlands, and Croatia to determine what lessons might be learned in terms of providing more developmentally appropriate responses to youth," explains Sibella Matthews, an Australian attorney and recent graduate at the Harvard Kennedy School, who coauthored the study. "While these three countries have their own distinct approaches to youth justice, they also share similarities worth examining as U.S. policymakers reform their approach to emerging adults."

The researchers found that Germany, the Netherlands, and Croatia all apply juvenile sanctions, facilities, and in some cases, courts, to youth ages 18 or older. The Netherlands and Croatia rely on judicial discretion, meaning that they allow judges to decide whether to apply juvenile or adult sanctions. In Germany, all cases involving youth under age 21 are handled in youth court, and although judicial discretion is applied, most cases result in juvenile sanctions, especially those involving more serious offenses.

The three European countries also tend to divert more juveniles and young adults from formal court

processing and prosecution, have higher minimum ages at which juvenile laws can be applied to children, and rely more on educational or rehabilitative approaches to youth involved in delinquent or criminal behavior, the study notes. These countries also tend to have greater confidentiality protections for youth and young adults, and rely less on incarcerating youth in adult or juvenile facilities as a sanction for criminal behavior.

"Justice for young adults is a relatively new field, but interest has been growing quickly in the last few years," says Vincent Schiraldi, a senior research scientist at the Columbia School of Social Work and co-director of Columbia University's Justice Lab, who coauthored the study.

"It is appropriate for the United States to seriously consider adopting the strategies we found in these European countries to serve adolescents and young adults in a manner that is developmentally appropriate."

Adopting these approaches could also help avoid the harm that can be caused by prosecuting very young children and missing the opportunity to serve older adolescents, the authors note. Furthermore, young adults are over-represented in the U.S. justice system and have the highest rates of recidivism, so reforms could improve outcomes for [youth](#) as well as public safety.

Provided by Crime and Justice Research Alliance

APA citation: Juvenile justice practices in Europe can inform practices in the US (2018, July 31) retrieved 27 September 2021 from <https://phys.org/news/2018-07-juvenile-justice-europe.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.