

Juvenile Justice Department

It is the competent branch of the Italian Ministry of Justice for all juvenile matters, including child judicial protection as well as the prevention and treatment of juvenile delinquency.

It works out guidelines, monitors results obtained and coordinates initiatives on the national territory; it also runs all peripheral services of juvenile justice such as Juvenile Detention Centres (*I.P.M.*), Juvenile Classification Homes (*C.P.A.*), Youth Welfare Offices (*U.S.S.M.*) and Residential Communities, enforcing custodial and non-custodial measures on behalf of minors involved in criminal proceedings and their families.

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Juvenile Courts

Juvenile Courts have been created in 1934 by a royal decree.

They are cognizant for offences and crimes committed from the under-eighteens.

Juvenile Court and the Juvenile Supervising Judge for the juvenile offenders exercise the assignments of the Juvenile Supervising Judge until the offender, who committed the crime when he was under eighteen, turns 25.

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Criminal responsibility

Art. 98 of the Penal Code provides that “children who were already 14, yet under 18, when they committed an offence shall be considered as criminally responsible provided that they were sound minded”.

While this capacity is assumed for adults, it must be ascertained each time for children between 14 and 18 in connection with the offence committed.

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Presidential Decree No. 448 of 22 September 1988.

Adoption of rules on criminal proceedings against young offenders

It introduces the principle of detention as *extrema ratio* for young offenders and marks a decisive decentralization of imprisonment within the juvenile penal system as compared to previous ruling.

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BENCHMARKS OF RULES ON CRIMINAL PROCEEDING AGAINST YOUNG OFFENDERS

- Guarantee the minimum impact of the juvenile proceeding through the setting up and use of tools aimed at facilitate and assist the juvenile offender to fastly come out from the criminal circuit without stopping the educational measures in action.
- Adequacy of the criminal trial in order to guarantee and being consistent with the educational and responsibility purposes.
- Make the detention a residual measure both for the Precautionary measure and for serving a sentence

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BENCHMARKS OF RULES ON CRIMINAL PROCEEDING AGAINST YOUNG OFFENDERS

- The article 9 titled “Inquiry on the child’s personality” states that: the State’s Attorney and the Judge of the Juvenile Court acquire elements regarding the personal conditions and means of the offender, the family conditions and means (...) in order to establish his/her chargeability and the grade of liability, to assess the social impact of the committed offence and thus to take the adequate/suitable penal measures.
- The acquisition of the above indicated cognitive elements is realized through the Juvenile Services of Juvenile Justice Department and the Local Authorities Social Services

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BENCHMARKS OF RULES ON CRIMINAL PROCEEDING AGAINST YOUNG OFFENDERS



- Guarantee the personal rights of the juveniles: this means right to health and well growth, both physical and psychological, right to education and work, right to socialization and to any play activity, right to support and strengthening of the educational development, right to keep emotional ties
- Prepare and arrange a personalized educational programme

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JUVENILE SERVICES OF JUVENIL JUSTICE DEPARTMENTS

Juvenile Justice Centres (C.G.M.)

Juvenile Justice Centres are administrative decentralized agencies whose jurisdiction usually covers the territory of several regions and Appellate Courts districts. Their functions are: technical and financial planning, follow-up and supervision of juvenile justice services such as the Offices of Youth Social Service (U.S.S.M.), Juvenile Detention Centres (I.P.M.), Juvenile Classification Homes (C.P.A.) and Communities.

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JUVENILE SERVICES OF JUVENIL JUSTICE DEPARTMENTS

Juvenile Classification Homes (C.P.A.)

They accommodate arrested children till the first hearing for a maximum of 96 hours.

Service Staff writes a first report on the psychological and social situation of the child to provide the judicial authority with every useful element in case of application of a pre-trial measure.

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Juvenile Detention Centres (I.P.M.)

They are services where custodial measures are actually enforced, such as the pre-trial custody and detention after judgment.

IPMs ensure that the subjective rights of children are anyway protected; specifically the right to health, to a balanced psycho-physical growth, to the continuity of their education.

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JUVENILE SERVICES OF JUVENIL JUSTICE DEPARTMENTS

Youth Welfare Offices (U.S.S.M.)

They assist young offenders in the different stages of judicial proceedings and ensure the promotion and protection of their rights.

They gather useful information to assess the child's personality upon the State's Attorney's request.

They enforce alternative sanctions and supervise youths under probation during the stay of criminal proceedings.

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JUVENILE SERVICES: INSTITUTIONAL GOALS

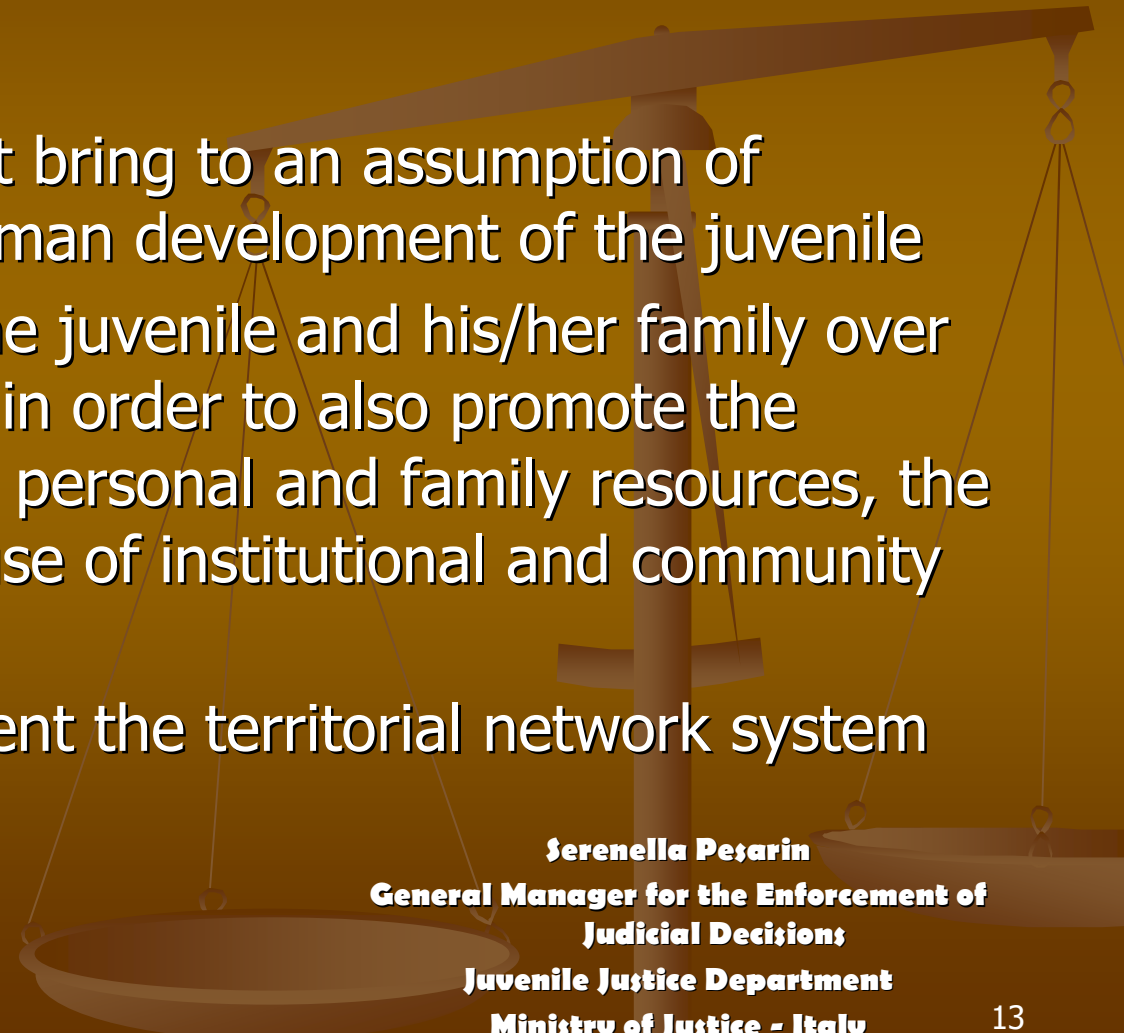


- Give execution to the Judicial orders
- Assist the juvenile offender in any phase of the juvenile proceeding, providing him/her with support and clarifications regarding the same juvenile proceeding
- Establish and guarantee steady contacts with the Judicial Authority in order to provide it with cognitive elements regarding the juvenile offender, his/her personal condition and situation, his/her family situation and his/her social situation in addition to any resource and Local Authorities Social Services

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JUVENILE SERVICES: INSTITUTIONAL GOALS

- Set up measures that bring to an assumption of responsibility and human development of the juvenile
- Provide support to the juvenile and his/her family over the entire penal trial in order to also promote the development of their personal and family resources, the knowledge and the use of institutional and community resources
- Activate and implement the territorial network system

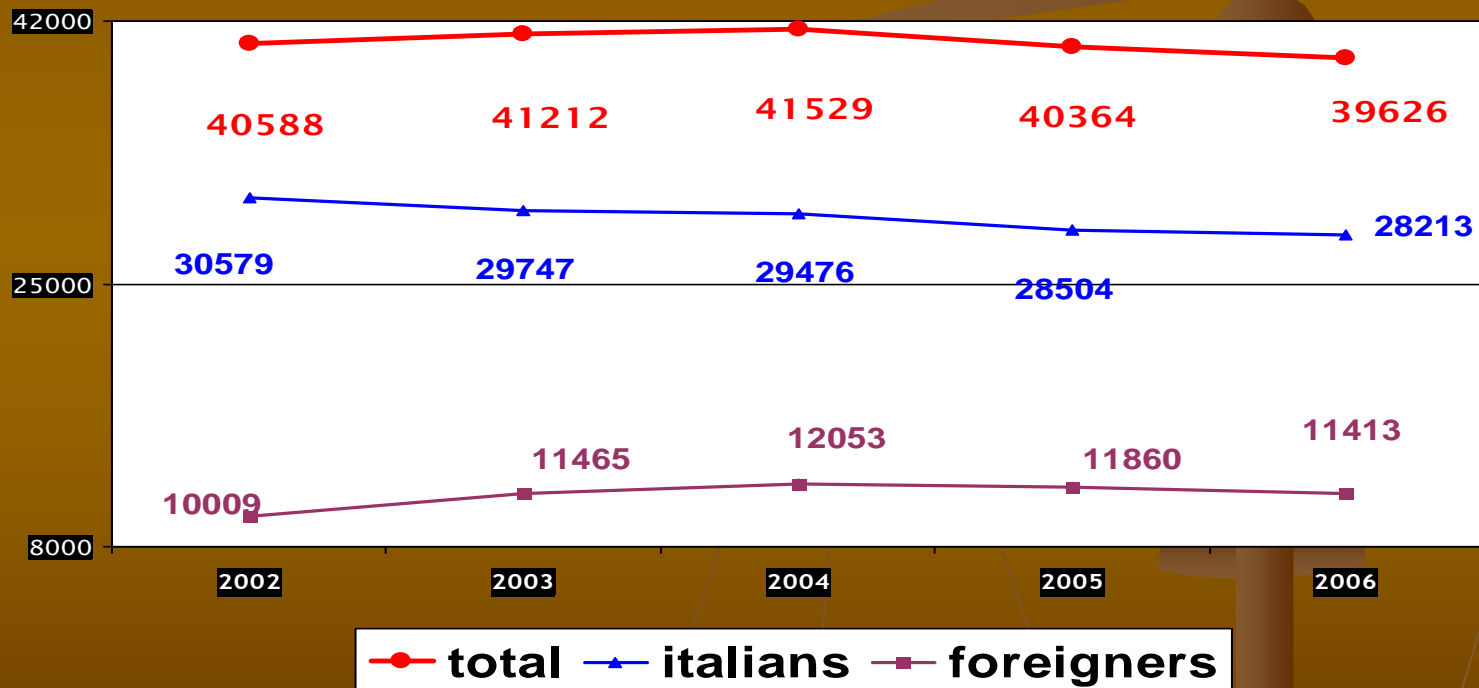


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STATISTICS

Young offenders denounced to the State's Attorney with the Juvenile Courts

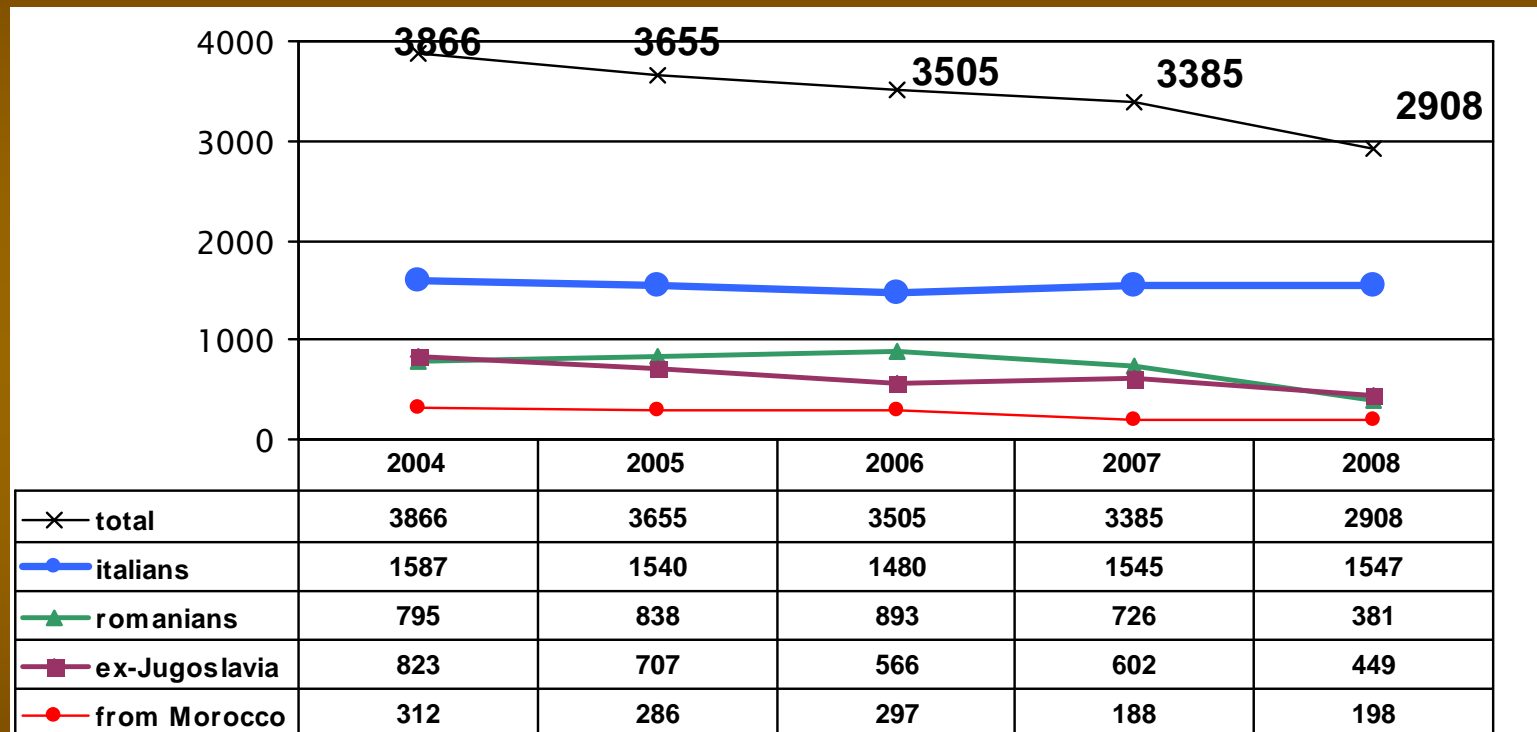
2002-2006



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STATISTICS

Young Offenders received in C.P.A. 2004-2008



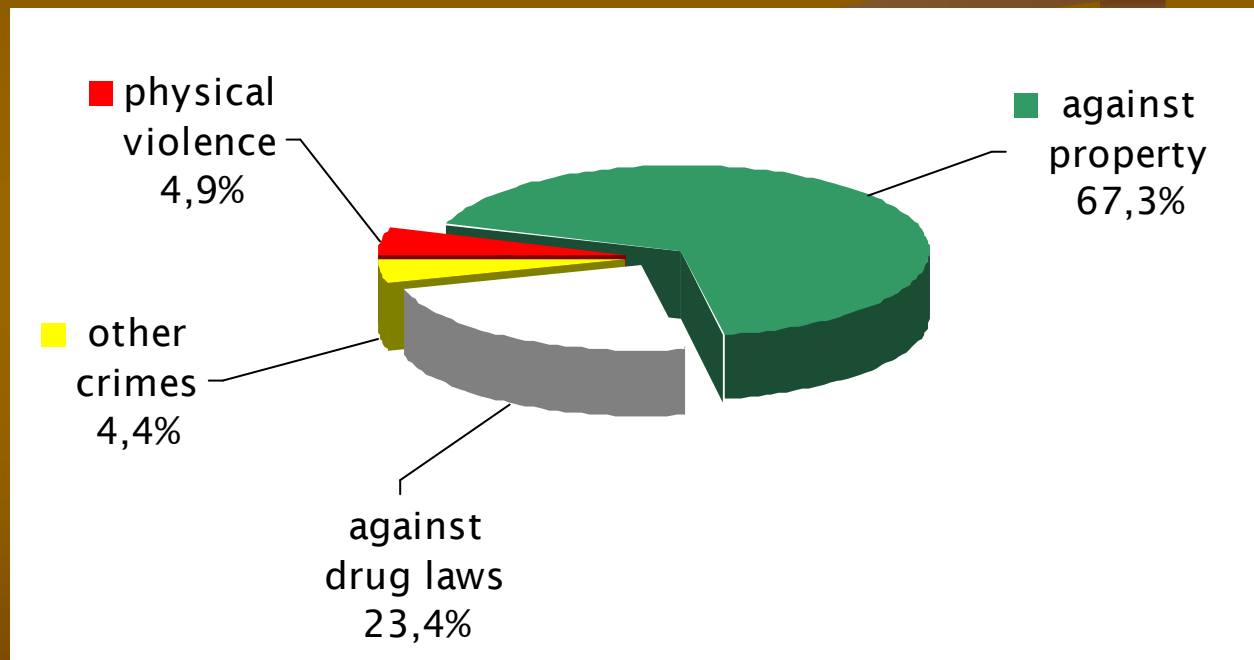
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Young Offenders received in C.P.A. by kind of crime 2008

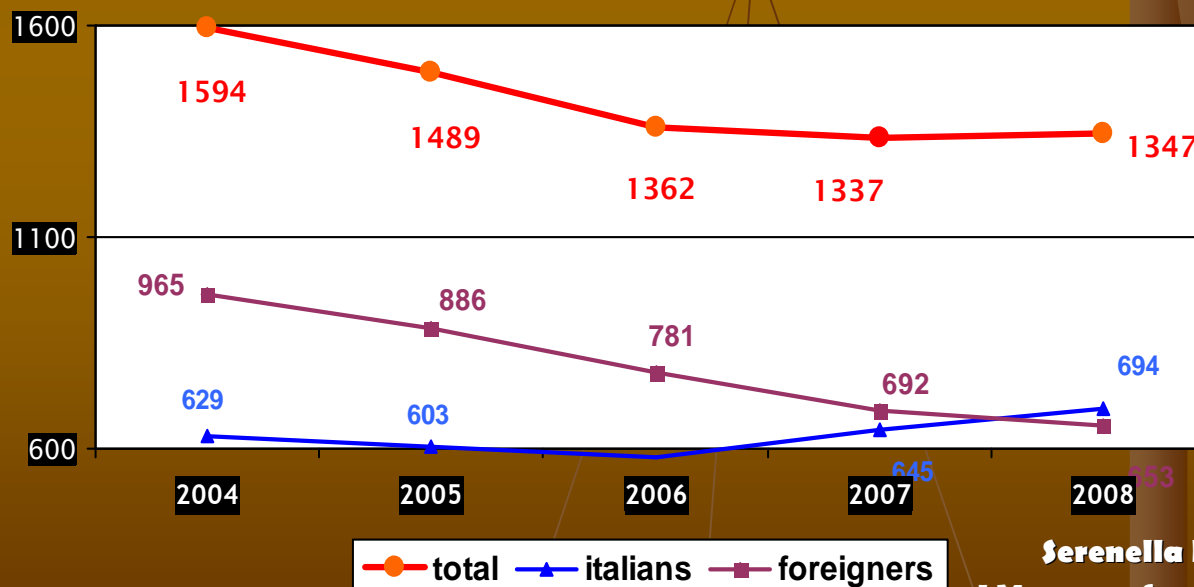


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STATISTICS

(LAST UPDATE: 2008)

Juvenile Detention Centers - young offenders received by nationality years 2004 - 2008



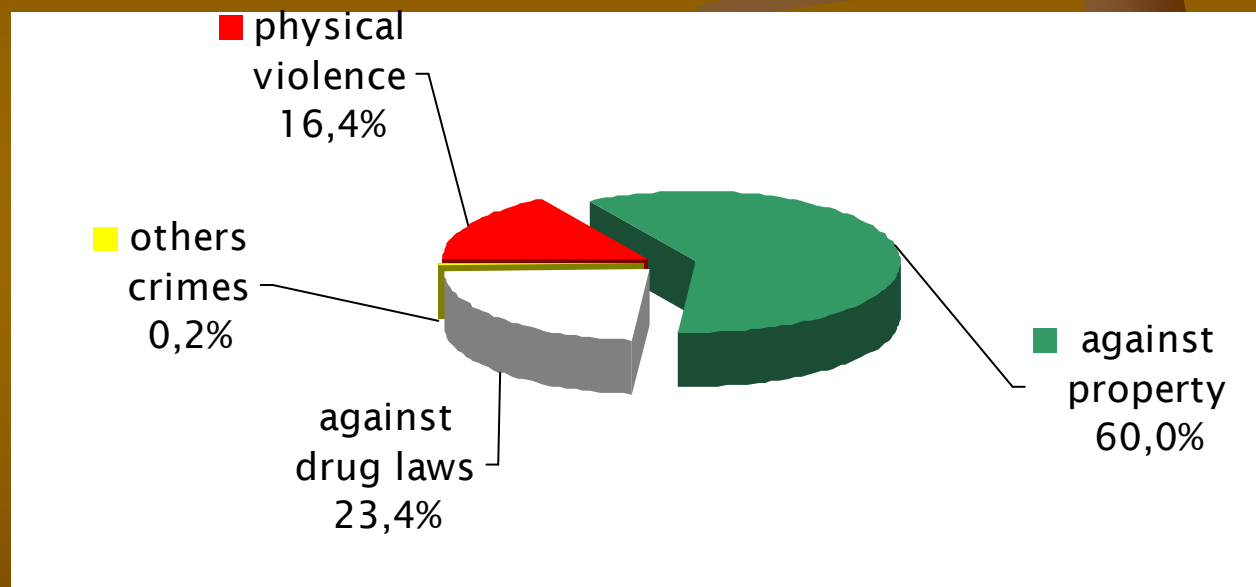
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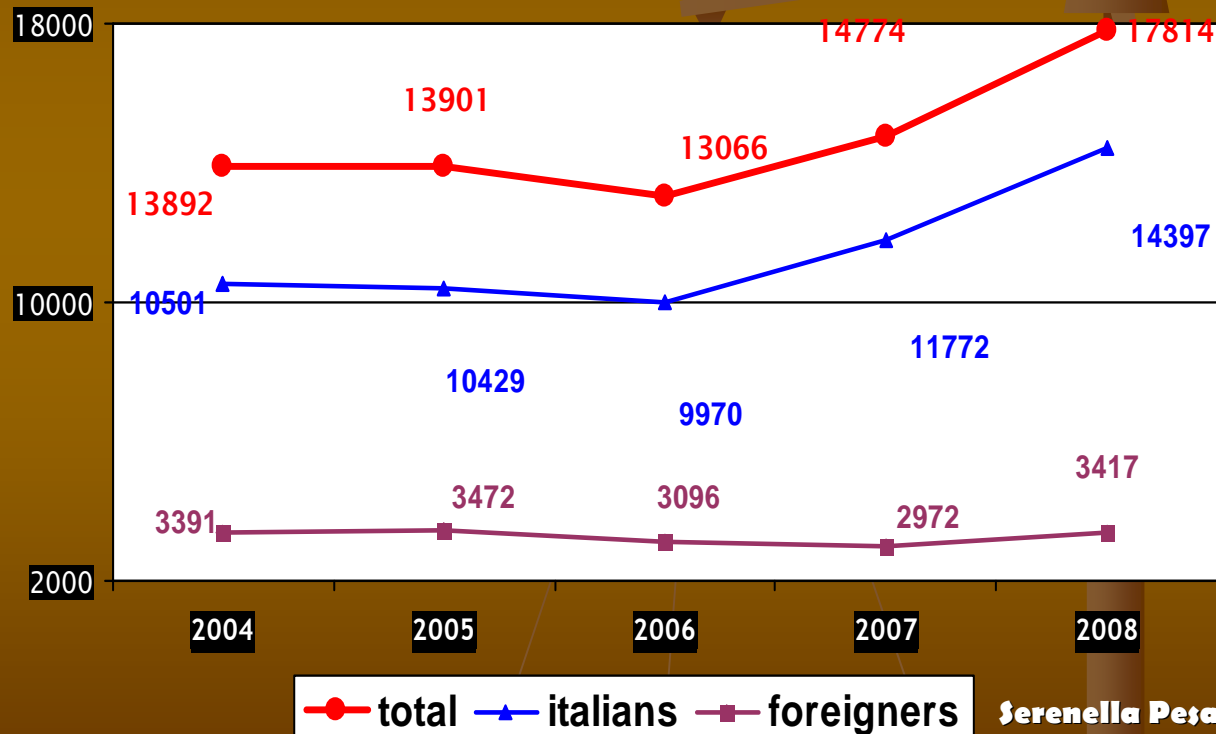
Juvenile Detention Centers young offenders restricted at December 31th 2008 by kind of crime



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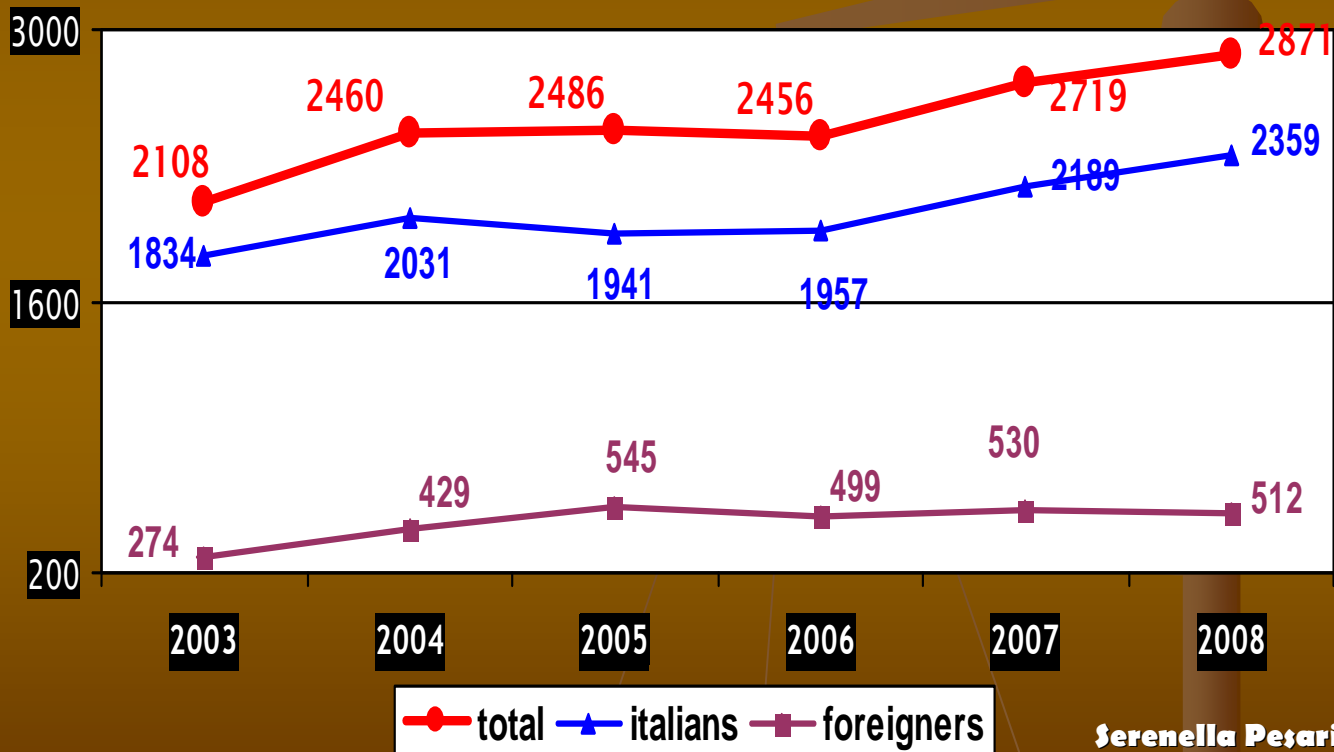
Juveniles Cases Handled by the U.S.S.M. 2004-2008



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Juveniles Cases Handled by the U.S.S.M.

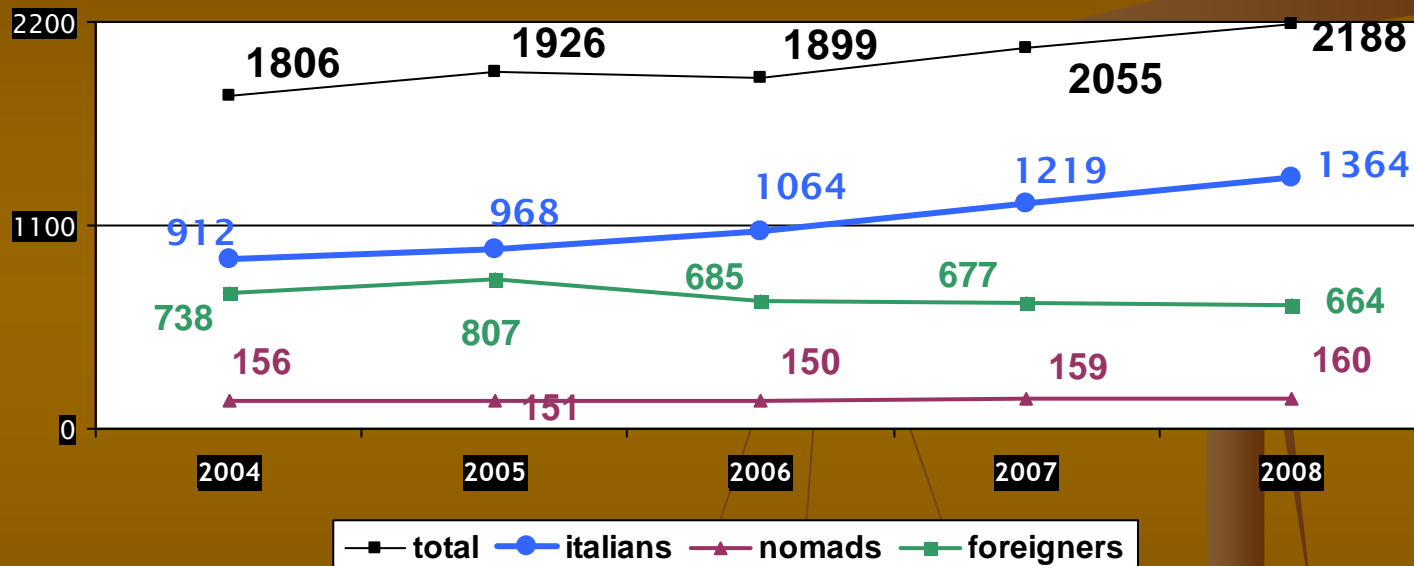
young offenders into "Suspended trial and submission under process"
by nationality
years 2003 - 2008



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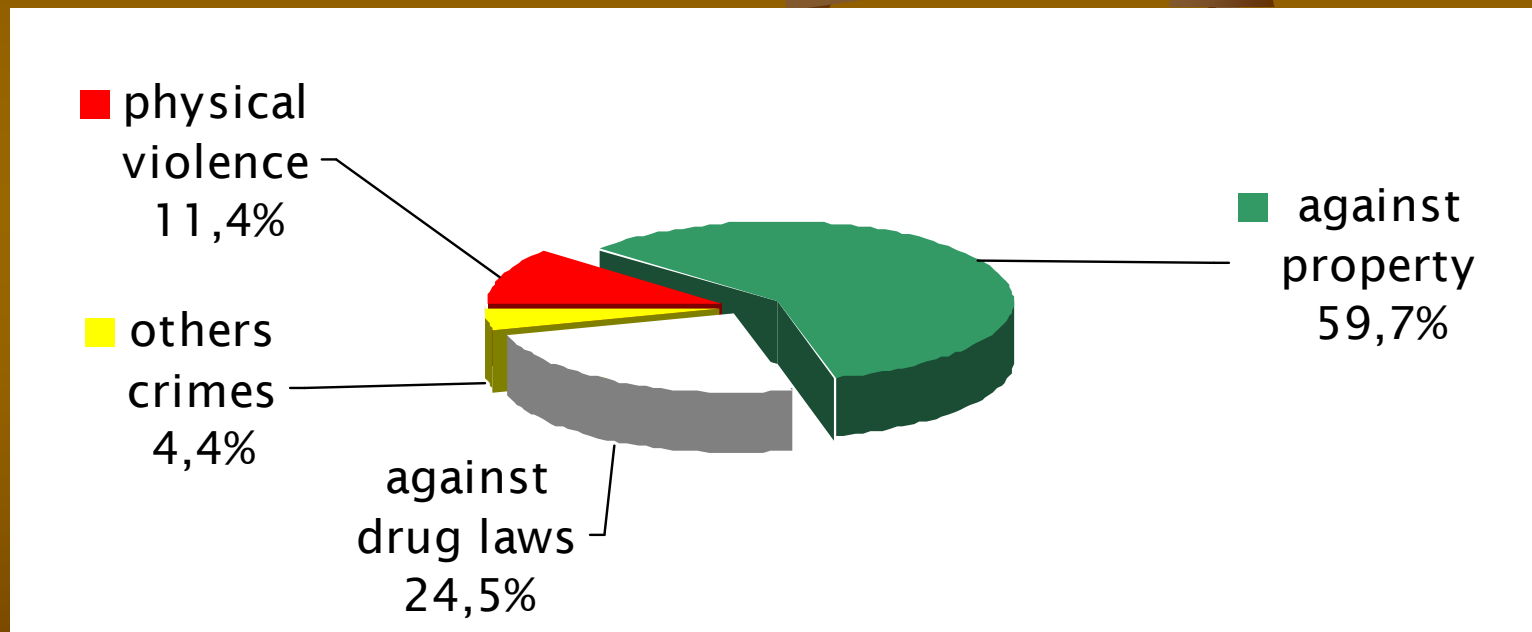
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Juveniles placed in Communities 2004-2008



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Juveniles placed in Communities by kind of crime 2004-2008



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