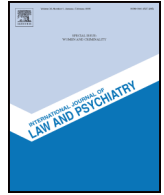




Contents lists available at ScienceDirect

## International Journal of Law and Psychiatry



## The care of Filipino juvenile offenders in residential facilities evaluated using the risk-need-responsivity model

Anouk Spruit\*, Inge B. Wissink<sup>1</sup>, Geert Jan J.M. Stams<sup>2</sup>

Department of Child Development and Education, Faculty of Social and Behavioral Sciences, Forensic Child and Youth Care Sciences, University of Amsterdam, Amsterdam, The Netherlands

### ARTICLE INFO

#### Article history:

Received 8 April 2016  
Accepted 18 April 2016  
Available online xxxx

#### Keywords:

Juvenile delinquency  
Philippines  
RNR model  
Forensic residential care

### ABSTRACT

According to the risk-need-responsivity model of offender, assessment and rehabilitation treatment should target specific factors that are related to re-offending. This study evaluates the residential care of Filipino juvenile offenders using the risk-need-responsivity model. Risk analyses and criminogenic needs assessments (parenting style, aggression, relationships with peers, empathy, and moral reasoning) have been conducted using data of 55 juvenile offenders in four residential facilities. The psychological care has been assessed using a checklist. Statistical analyses showed that juvenile offenders had a high risk of re-offending, high aggression, difficulties in making pro-social friends, and a delayed socio-moral development. The psychological programs in the residential facilities were evaluated to be poor. The availability of the psychological care in the facilities fitted poorly with the characteristics of the juvenile offenders and did not comply with the risk-need-responsivity model. Implications for research and practice are discussed.

© 2016 Elsevier Ltd. All rights reserved.

### 1. Introduction

The Philippines is a country with a high rate of youth delinquency (UNICEF Philippines, 2004). When a child gets arrested, the “Juvenile Justice and Welfare Act” (from now on RA 9344) is applicable. RA 9344 was implemented in 2006. Before the implementation of this law, Filipino juvenile offenders were imprisoned under very deprived circumstances (Amnesty International, 2003). Juvenile offenders could be detained with adults and were held from any form of education. Sexual abuse, torture, and harassment occurred on a daily basis (Amnesty International, 2003). Today, RA 9344 makes it impossible for juvenile offenders to be placed in custody with adults and protects juvenile offenders from violence and abuse. Additionally, this law provides juvenile offenders with the right to access individualized programs that focus on prevention, rehabilitation, re-integration, and after-care. International legislation also provides conditions on how to treat juveniles who are involved in criminal court procedures. First of all, the Beijing Rules (1985) state that judicial interventions should improve the well-being of children. Second, the United Nation’s Convention on the Rights of the Child (CRC, The United Nations, 1989) proclaims that judicial interventions should be as short as possible, with effective

care and effective procedures handling the situation of juvenile offenders. Finally, the UN’s Guidelines for Alternative Care (2010) state that all (residential) care settings should care for the needs of children.

In the Philippines, most of the crimes committed by juvenile offenders are mild offenses, the so-called “crimes of poverty” or property crimes (Knowles, 2010). Only a small minority of the juvenile offenders are arrested because of violent crimes or crimes with a sexual nature (Knowles, 2010). After arrest, police or *barangay* officers (local governmental units) will place the child into custody in police precincts, jails, or youth detention homes (Knowles, 2010). During custody, first, the age of the child is determined. Children of 15 years or below should be exempt from criminal liability and should be released immediately (RA 9344). In such a case, the local social welfare and development officer will select an appropriate program in consultation with the child and his or her relatives. If relatives either cannot be located or refuse to accept the child, or when the child is not safe with his or her relatives, the child must be released to a non-governmental organization (NGO), a *barangay* officer, or to the Department of Social Welfare (RA 9344). Since the process of locating relatives or alternative care can take a long time, children below the age of 15 years can be detained for a significant time as well, even though they should not have been arrested in the first place (Knowles, 2010). After the arrest, juvenile offenders can be placed in different residential settings, such as non-governmental facilities (NGOs), youth homes, holding centers, police precincts, or jails, depending on their background and the stage of their judicial process.

It is clear that international legislation and RA 9344 are not fully implemented in governmental facilities since there are still reports of

\* Corresponding author at: University of Amsterdam, PO Box 15776, 1001 NG Amsterdam, The Netherlands. Tel.: +31 6 55402942.

E-mail addresses: a.spruit@uva.nl (A. Spruit), i.b.wissink@uva.nl (I.B. Wissink), G.J.J.M.Stams@uva.nl (G.J.J.M. Stams).

<sup>1</sup> University of Amsterdam, PO-Box 15776, 1001 NG Amsterdam. Tel.: +31 6 55402888.

<sup>2</sup> University of Amsterdam, PO-Box 15776, 1001 NG Amsterdam. Tel.: +31 6 55402899.

juvenile offenders who are imprisoned with adults and experience different forms of abuse (Bilog, 2014; Knowles, 2010). For NGOs, it is known that due to financial or political reasons, these laws are difficult to implement as well (Nichter, 2008). Although both governmental and non-governmental facilities offer at least “constructive activities,” little is known about the content of these programs and interventions (Bilog, 2014; Knowles, 2010). As the CRC implicates, interventions provided by the NGOs and juvenile detention centers should be effective. At this moment, it is not clear to what extent the programs are effective and in compliance with the CRC and other international laws that protect juvenile offenders. Another problem is that the laws are rather vague about what an effective intervention should look like and what kinds of interventions are exactly serving the child’s well-being.

### 1.1. Risk-need-responsivity model

A theoretical foundation of the programs in the residential facilities offered to the juvenile offenders is necessary. The programs should, therefore, at least be effective and contribute to the well-being of the children (Van Yperen & Van Bommel, 2009). The risk-need-responsivity model (Ogloff & Davis, 2004) describes directions for judicial interventions in order to be effective. It provides guidelines for the assessment and treatment of offenders, with positive rehabilitation as an outcome. The *risk principle* explains it is necessary to assess the risk of re-offending and to match the intensity of treatment with the severity of the risk (Ogloff & Davis, 2004). The study of Andrews and Bonta (2010) shows the importance of a proper risk-assessment and a right match between the intensity of the treatment and the risk of reoffending. High-risk offenders only showed a reduction in recidivism when intense levels of services were offered. On the other hand, when low-risk offenders were treated in intensive programs, the effect proved to be negative, that is, recidivism increased. Thus, low-risk offenders benefited more from minimal or even no intervention than from intensive programs (Andrews & Bonta, 2010). The *need principle* states that an intervention should focus on “criminogenic needs.” These are factors that are dynamic and related to delinquency and re-offending (Ogloff & Davis, 2004). For example, Ogloff (2002) found that problem solving skills, substance abuse, and pro-criminal attitudes, among other factors, were related to delinquency and re-offending. When the purpose of the treatment is to prevent reoffending, the intervention should focus on changing these criminogenic needs (Andrews & Bonta, 2010). The *responsivity principle* assumes that treatment should consider individual factors that might influence the intervention outcome (Ogloff & Davis, 2004). The way the intervention is delivered should be consistent with the abilities and learning style of the offender (Andrews & Bonta, 2010). Factors like motivation and mental abilities of the child and his or her educational environment should be taken into consideration (Ogloff & Davis, 2004). Even though the risk-need-responsivity model was developed for adult offenders research shows that this model is also applicable to juvenile offenders (Lipsey, 2009).

### 1.2. Risk factors and criminogenic needs of Filipino juvenile offenders

Since the risk-need-responsivity model states that interventions should target risk factors and criminogenic needs the current study is focused on identifying these factors in Filipino juvenile offenders. For Filipino children, some factors that are related to delinquency have been identified in previous studies. The report of Save the Children (2004) showed that poverty plays a major role in the manifestation of delinquent behavior of Filipino children. Poverty is directly related to criminal behavior because the crimes are committed to survive (Save the Children, 2004). In a more indirect way, poverty is also related to several factors that have been shown to increase the chance of getting involved in criminal behavior. First, poverty is related to domestic violence (Jewkens, 2002). Being a victim of child abuse or a witness of (domestic) violence are related deviant behaviors later on in life (Asscher,

Van der Put, & Stams, 2015; Holt, Buckley, & Whelan, 2008). Such a relationship also seems present in the Filipino context, since UNICEF Philippines (2002) found that 81% of Filipino juvenile offenders had a registered history of abuse and being a victim of child abuse or witnessing domestic abuse was related to more aggression in Filipino children (Maxwell & Maxwell, 2003). Second, poverty is related to several negative aspects of parenting (Grant et al., 2005; Raikes & Thompson, 2005). This can be explained by the high stress that parents face because of the economic deprivation they experience (Grant et al., 2005). The stress interferes with child-rearing styles and practices, which leads to negative outcomes in the children from poor families (Katz, Corlyon, La Placa, & Hunter, 2007). Parental behavior can have a significant influence on delinquent behavior of children, with the strongest links for parental monitoring, warmth, psychological control, and negative aspects, such as rejection and hostility (Hoeve et al., 2009; Wissink, Deković, & Meijer, 2006). Therefore, parenting behavior (or child-rearing style) is a potential criminogenic need of Filipino children.

Third, poverty increasing the risk for children to live with peers in a gang (Save the Children, 2004). Two out of five juvenile offenders admit being involved in a gang, and the majority of crimes are committed with peers (Knowles, 2010). Peer groups or *barkada* can have negative influences because youth experience peer pressure from their *barkada* for missing classes and dropping out of school (Shoemaker, 1994). Most Filipino juvenile offenders are from large families (Knowles, 2010), with an unstable family system (Save the Children, 2004). Because of the fluid family structures, peers can have great influence on the daily lives and morals of the children (Knowles, 2010). This context increases the chance of gang involvement and criminal behavior (Save the Children, 2004).

There are also other factors (related to delinquency) following from international literature and these factors might account for Filipino juvenile offenders as well. First, the report of Save the Children (2004) shows that drug abuse of Filipino juvenile offenders contributes to the manifestation and maintenance of criminal behavior. International studies show that inadequate problem solving skills or coping mechanisms (the way a person is reacting upon problems and stress) have been found to be related to substance abuse and delinquency in international studies (Hasking, 2007; Valentino, Lucki, & Van Bockstaele, 2010). Therefore, Filipino juvenile offenders might show inadequate problem strategies, leading to their involvement of drug use and delinquent behavior. Second, empathy was shown to be related to delinquency (Jolliffe & Farrington, 2004; Van Langen, Wissink, Van Vugt, Van der Stouwe, & Stams, 2014). Empathy is the drive to respond with an appropriate emotion to another’s mental state. It is about being affected by another’s emotional state by feeling personal distress or empathic concern. Many juvenile offenders are in “survival mode” (Save the Children, 2004), where the interests and needs of others are assumed not to be important, and where it is necessary to harm the rights of others in order to survive. Finally, developmentally delayed moral judgment has been found to be strongly related to delinquent behavior (Stams et al., 2006; Van Vugt et al., 2011).

### 1.3. The present study

The purpose of this study is to gain more insight into what programs for male juvenile offenders (age 12–18 years) in governmental and non-governmental (NGOs) residential settings should look like in order to be effective, and to find out to what extent residential facilities contribute to decreasing the risk of re-offending. The current study uses a unique and straightforward approach to assess the risk of re-offending of Filipino juvenile offenders, criminogenic needs of the juvenile offenders, and the characteristics of the residential care of Filipino juvenile offenders. The following criminogenic needs are assessed: child-rearing style of the parents, aggression, relationships with peers, coping mechanisms, empathy, and moral reasoning. Further, it is assessed to what

Download English Version:

<https://daneshyari.com/en/article/6554601>

Download Persian Version:

<https://daneshyari.com/article/6554601>

[Daneshyari.com](https://daneshyari.com)