

Conference Children & Punishment – September 22, 2011

From the Children's perspective:

THE PURSUIT OF HOPE, CHANGE AND DIGNITY



- * It is an honour for me and the Association I represent, to be invited to make a speech at this conference today. Children & Punishment is a topic that very much concerns us and which has engaged many young people on several levels. Children are our future and our responsibility.
- * I'm here to talk on behalf of the children. My purpose is to try to put into words what many children experience in relation to punishment and especially prison.
- * Several young people in our country experience and have experienced different forms of punishment as a result of a crime they have committed. Many of them have strong opinions about what they believe could have been done differently for them and made a change into the right direction. Some of these youngsters talk from behind bars and some have come together and discussed punishment-related issues they have experienced in the past. All of them have clear perceptions about what they find good and bad.

PRESENTATION

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National child care Association Norway

National child care Association by National board
member Cecilia Dinardi

* **The National child care Association** is an association for children and young grown ups who are or have been under the child welfare care. We work for better rights for children under child care and we fight against stereotyping child care and children with a history of child care. Our highest aim/goal is to be a voice for the children and make it possible for them to be heard on important issues that regard the child care situation in our society.

* **During the 14 years** we have existed as an organisation, we have influenced several important matters regarding child care and we have cooperated with the government on many important issues. Over the years many young members have made important contributions for better understanding of children under child care. Several 16- and 17- year old boys and girls under child care (including myself), established small organisations at the early 90's which some years later became The National Association for Children under child care in 1997.

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Most young people that have come into trouble with the law have a hard and troubled past.

Most of them have been under child care.



The juveniles' background

- * It is well known that there is a significant link between the kind of upbringing and caring a child gets, and the basis on which this child will develop and make a future for it self.
- * Many children who come into conflict with the law have a past of neglect. Parents or other primary caretakers don't fulfill their obligations to care for, provide for, or adequately supervise the activities of their child. These children develop guilt and low self-esteem and broken relations occur in most cases. They also develop a big breach of trust. Neglected children I've been in touch with over the years tell me about their many struggles and challenges in life as a result of neglect.
- * Many children talk about how hard it is to "deal with the life they have". Many talk about hopelessness and loneliness because they struggle to build up a stable network and a good life.
- * Our organisation arranges a musiccamp every summer for youngsters who are at risk, many of them are boys and girls with behavioural disorders, anger issues or high levels of stress or depression. I have several times been at the summercamp as an assistant. What I always find most of these kids have in common is their eagerness to dream, and to wish for a happy and good life. However this eagerness is dazzled by an overwhelming hopelessness, sadness and a lack of emotional and social skills they haven't been provided with in their adolescence.
- * We are in other words talking about young people at their most vulnerable point in life which places them at a very high risk of becoming disadvantaged or even in conflict with the law.

3

A child has needs and a troubled child has special needs

The very nature of a child must be protected

The child welfare - the competent body to provide the most adequate care.



The child's right to be a child

- * Children have several human rights that protect the special needs they have because of their nature. Children need to be taken care of and they need an adequate environment so that they can grow up as healthy and confident young people. They need the guidance of parents who can give them the love, affection and boundaries they need.
- * Children with a neglect history will be needing even more caring and guidance. They will often need a long-time follow-up to ensure that they get the necessary tools to cope with adult life. When these children get into trouble and in worst case go to prison, they can risk being treated less as children and more as adults. This becomes easily a high risk situation since they are more weakly and more poorly prepared to be approached in an adult way.
- * Therefore, we need well-trained adults who have the needed education and knowledge of how to deal with these kids. The child welfare should have a significant follow-up function when it comes to
- * punishment of juveniles and they should secure that needs of child care are fulfilled.

4



Children should not be incarcerated with adults

National child care Association by National board
member Cecilia Dinardi

* Kids who get into serious trouble with the law need adult guidance. And they won't find suitable role models in prison. As an american sheriff said it in at conference about children & punishment some years ago; "put a 15-year old with murderers, rapists and robbers, and guess what he'll want to be when he grows up".

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* We are happy to se that our government realise the seriousnes of this matter and that the norwegian juvenile justice system seems to work with good punishment alternatives to avvoid this kind of dangerous situation for youngsters.

5



Prison time generates
more prison time

National child care Association by National board
member Cecilia Dinardi

* The boy I visited in prison last week tells me that during his prison sentence he has got several sentences for offending deputy jailers and other inmates. He explains that because of his anger issues he easily gets provoked.

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* A deputy jailer I was in contact with the same week could also tell me that it seems like juveniles have more trouble with controlling their impulses and that they can easily get into trouble and incur more sentences.

6



Prison should not be an option

National child care Association by National board
member Cecilia Dinardi

* On the basis of what I so far has described, we can see that there are meny important reasons for not puting children in prison.

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* Children have a much more complex and differents needs than adults and the prison facilities are not adapted to provide a proper care to young people.

7



Education possibilities, health assistance and job training

National child care Association by National board
member Cecilia Dinardi

- * In prison facilities some children describe several challenges with inadequate educational services, substandard conditions of confinement, undertrained staff, and inadequate aftercare.
- * One important strategy for improving the effectiveness of our corrections for youth is education. Without education, practical skills, programs that help change anti-social behaviour, and transition steps back into the community, what chances do these kids have of becoming productive members of society?

8



Follow-up after completed prison term

National child care Association by National board
member Cecilia Dinardi

- * Our society have several services and assistance for following-up juveniles. Still, we here of youngsters experiencing a lack of aftercare.
- * One of the biggest weaknesses they talk about is the lack of support and supervision for youth released back into society. Some juveniles are provided with random supervision, little services to help them readjust to society, they often return to dysfunctional families, and soon return to criminal activity.
- * On these cases the way back to criminal activities can easily get short.

9

Martin – 19 years old

Currently serving a sentence. Has been imprisoned more or less since he was 17.

Has a long history as 'child care child' and has been to 13 different institutions since he was 14.

«I'm not that angry anymore, but I've become disillusioned. When I get out there is nobody and nothing for me there»

- * Martin is in prison. He has a troubled past and is still struggling. He was diagnosed with ADHD at the age of 16. He describes prison time as “ok” but when we start talking closer, another reality appears. He tells about struggles with trusting anyone. In prison there's no one that has the capacity to give Martin the caring and closeness that he needs to build a relation and trust. On the contrary there are frequently stressing situations around him that affect him. Just by being confined in a small room for many hours a day is a big mental challenge for him. He explains that what helped the most when he was 17, was managing to sleep a lot because it makes time go faster, and you don't have to think and feel so much. The worst thing is being in the cell awake and thinking too much. He can sometimes be afraid he will hurt himself.
- * **Martin wants to remind us of the important values of tolerance and respect of human dignity on which our society is based.**
- * Martin tells me that the only people that has visited him is his father and his lawyer. He says that since he has moved so many times earlier and also from one prison to another, he doesn't know any-body else and doesn't have friends or other good role models that can give him some kind of support.
- * **Martin's message is that making a change is often the key to getting life in a better direction but that the change needs to be defined and identified.**

- * When I ask him if there is any kind of benefits that he may find by doing time in prison he says:
- * “The good thing is that since everone gave me up out there, at least I have managed to help my self here by finding a way to control my self, my feelings, my anger. I’m not so angry anymore and I suppose that’s good since that’s the reason that got me here in the first place.”
- * “The bad thing is that having to be in prison to cope with my anger and so on, has made me paranoid and fragile. I don’t trust anybody and get easily stressed everytime I hear footsteps approaching my cell. I also feel that there is no hope for me and I’m totally disillusioned. But I like to think that maybe in the future I can become someone, have a girl friend, a good job and good friends, sometimes I like to dream about this”
- * **Martins message is that he dreams of being happy.**
- * We must take positive steps within our communities, such as giving families in crisis access to agencies capable of providing a range of services. Parents must step up to the challenge and become part of the solution, giving kids the skills necessary to become productive members of society. The child welfare must be more involved and get capacity to help, guide and follow up this youngsters.
- * **With the help of caring and informed adults, it is possible to turn these kids around and help them fulfil their pursuit of hope, change and dignity.**