



KEEPING YOUTH AWAY FROM CRIME SEARCHING FOR THE BEST EUROPEAN PRACTICES

National Report

Italy



PROVIDUS
CENTRE FOR PUBLIC POLICY

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Section I – Setting the context

The Italian systems from the perspective of juvenile delinquency prevention

Both early and secondary prevention are devolved to all the public and private actors who operate in the juvenile justice, care and protection systems. However, as there is not a centralized intervention, the way in which activities from the perspective of delinquency prevention are implemented changes regionally and locally. Art. 114 of the Constitution provides that Italy is a republic divided into Regions, Provinces and Municipalities ('Comuni'). Regions and the other local entities have been given different forms of autonomy (legislative, administrative, and financial), regulated by the Constitution and all the agreements made between State and local entities on specific matters¹.

Italy is also characterized by historical differences between three macro-areas: North, Centre and South, with particular distance between North and South on many aspects, including wealth, financial investments, and consequently crime data and trends. These differences are recurrent also in the actual efficacy of the systems and programs aimed at preventing children from delinquency.

In order to better understand how juvenile delinquency prevention systems work in Italy, it is important to briefly analyse recent data that describes contextual elements to be taken into account, like the socio-economic situation, distribution of wealth, investment of public resources, youth crime data and trends. The present section will then describe the different components involved in juvenile delinquency prevention: juvenile justice and the systems for care, protection, education and health.

Recent socio-economic situation in Italy

¹Italian Constitution – Part II, Title 5, Organisation of the Republic:
http://www.governo.it/Governo/Costituzione/2_titolo5.html

The 2008 financial crisis has had considerably negative socio-economic consequences. According to the National Statistics Institute, between 2011 and 2012, 24,9% of the families lives in conditions of economic disadvantage with a strong concentration in Southern Italy where these families are the 41% of resident families (17.2% in the North-west, 13.5% North-East, 21.6 Centre). The worst situation is registered in Sicily (49,3%) and in Calabria (39%)². Data shows a similar situation about the distribution of income. Sicily registers the lowest average salary of 21.000 euros, which is more than 28% less than the Italian average. On the opposite side, we find some Northern regions - Lombardy, Emilia Romagna, Trentino Alto-Adige, and the autonomous province of Bolzano. The highest internal income inequality is instead registered in Southern Italy -Campania, Sicily and Basilicata- and in the central Region of Lazio³.

In line with this data, 58% of children aged 14 in Italy in 2013 declared to be unsatisfied of their economic situation. In the North, the percentage of satisfied children is higher (about 46%) than in the Centre (41.3) and the South (30.9), with the least satisfied in Sicily⁴.

Data regarding the public expenditure for welfare shows that Italy registered an expenditure of 30% of the Gross Domestic Product (GDP) in 2012, which collocates the country above the European average. It is worth noting that, in 2012, the 95.8% of this expenditure was for social protection and more than half of this was devoted to elderly people (52,3%). Only the 4,8% is for family/maternity and childhood, 3.2% for unemployment and 0.3% for other forms of social exclusion⁵. The situation changes when it comes to the expenditure of the local entities (municipalities) for social assistance, which is a crucial part of the welfare system. In Italy, in fact, social assistance is under the authority and competence of municipalities, which manage social services and interventions, while programming is usually under the responsibility of Regions⁶. In 2010, the expenditure of municipalities for social assistance was 0.46% of the GDP. It mainly addressed families with children (about 40%), people with disabilities and

²Italian National Statistics Institute (ISTAT), National Statistics on Poverty 2011-2012: http://noi-italia.istat.it/index.php?id=7&L=0&user_100ind_pi1%5Bid_pagina%5D=105&cHash=f9da21e3d1b20b7e00161ab74a4b77cc

³Italian National Statistics Institute (ISTAT), Income Inequality 2011-2012: http://noi-italia.istat.it/index.php?id=7&L=0&user_100ind_pi1%5Bid_pagina%5D=106&cHash=29ac81a438d2d4e9ea76d6a161f87bb0

⁴Italian National Statistics Institute (ISTAT), Level of satisfaction about the economic situation: http://noi-italia.istat.it/index.php?id=7&L=0&user_100ind_pi1%5Bid_pagina%5D=108&cHash=b69b0835df15757e50f8aef0ac32c67e

⁵Italian National Statistics Institute (ISTAT), Social Protection Expenditure: http://noi-italia.istat.it/index.php?id=7&L=0&user_100ind_pi1%5Bid_pagina%5D=109&cHash=ae971c063501bd71e1fac615b94212f0

⁶Leggequadrosull'assistenza', Law n. 328 del 2000.

elderly people. Programs for the contrast of poverty and social exclusion registered 7.9% of the social expenditure of municipalities, and 6% was devoted to contrast other forms of marginalization (migrant people and people who make use of drugs). Again, data shows a significant difference among regions. The lowest local social expenditure is registered in Calabria, the highest in Trentino, with all the Southern Regions below the national average⁷.

Youth crime data and trends

From the interviews conducted in the context of the present research – particularly stressed by the Head for the enforcement of judiciary measures-Juvenile Justice Department – emerged the strong decrease of children and youths who entered the justice system in the last years, in particular who are subjected to detention measures. In 2013, among about 16.000 reports of offences per day, only around 400 children entered a juvenile facility.

The following table presents the Juvenile Justice Departments’ data regarding the entrance of children in the justice system in 2013:

Table 1. Children entries in the justice system in 2013 – Penal area. Source: Juvenile Justice Department⁸

	ENTRIES	DAILY AVERAGE PRESENCE
First Care Centres (CPA)	2.020	18
Juvenile Facilities (IPM)	1.201	452
Communities	1.879	56 (ministerial communities) 878 (private communities)
Social services (USSM)	20.648	

⁷Italian National Statistics Institute (ISTAT), Social assistance expenditure by Municipalities: http://noi-italia.istat.it/index.php?id=7&L=0&user_100ind_pi1%5Bid_pagina%5D=110&cHash=2355f816784917d2ae256557973a5db0

⁸Juvenile Justice Department – Statistics Service (2014), Juvenile Justice Services 2014 Report, available at:

http://www.giustiziaminorile.it/statistica/dati_statistici/DatiAggiornati/dati_aggiornati.pdf

Looking at the juvenile crime trends, there is a prevalence of offences against property, with 182 among the 284 entered in the CPA⁹ in 2014, followed by offences related to drugs (45) and against persons (31)¹⁰. Experts interviewed by the author report an increasing of offences related to drugs in the last years and a persistent difference among the three macro-areas. In Northern Italy, offences against property show the highest rates with an over-representation of migrant children within the justice system. In the Centre, offences are of the same type but Roma children are rather over-represented. In Southern Italy, offences against property remains the highest portion but with a higher presence of offences related to drugs and against persons as well, which is explicable by juvenile recruitment from organized crime; in the Southern macro-area, juveniles involved are mainly of Italian origin. Nevertheless, offences related to organized crime started to spread also beyond Southern Italy, with a higher presence of Camorra (originally from Campania) and 'Ndrangheta (originally from Calabria) families and business in Northern and Central Italy.

1.1 Juvenile Justice system

The Italian juvenile justice system is the result of a cultural and academic process of recognition of child rights protection at international level that dates back around the beginning of the 20th century. This process led to the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules, 1985), related to children involved in the justice system, and to the United Nations Children Rights Convention in 1989. Following this international development, and thanks to the contributions of the new criminological theories on juvenile delinquency blossomed between the '50s and '70s¹¹, Italy started to domesticate the international conventions and standards on child protection and to add this priority in the political agenda. The decree D.P.R. 448/1988, Regulations on the criminal proceeding involving children ('Disposizioni sul processo penale a carico di imputati minorenni') introduced

⁹As we will see with more details later in this section, CPAs are the first contact between arrested children and the justice system. They receive juveniles under arrest until the validation hearing. IPMs are instead the detention facilities for juveniles who committed an offence before 14 years, until 21 years old

¹⁰See note 8

¹¹Criminological theories from the '50s that start considering the society, its role in generating juvenile delinquency, the learning process of delinquency itself and the risk of stigmatization brought by the juvenile justice after the commission of an offence. More in details, the Labeling theory by E. Lemert [1951], the Strain theory by R.K. Merton [1957], Subculture theories by Cohen [1955], Cloward and Ohlin [1960], the Differential association theory by E.H. Sutherland and D.R. Cressey [1978] as well as the introduction of concepts like "relative deprivation" and "criminal career" [Shoemaker, D.J., Theories of delinquency: an examination of explanations of delinquent behaviour, 2009, Oxford University Press].

new criminal law procedures specifically addressing children and different from the ones provided for adults¹².

The other peculiarity of the Italian system is the presence of a dedicated juvenile court ('Tribunale per iMinorenni'), established in 1934 with administrative, civil and criminal jurisdiction. At first, it was composed by two magistrates and one male expert in children's issues, being he a social worker, psychologist, criminologist with proven expertise on children's issues and named 'giudice onorario'. In 1956, these professionals became two and the law established that they have to be a female and a male. Since then, two magistrates and two professional experts compose the Court¹³

1.1.1 Broad principles of the Juvenile Justice system

For the first time, law D.P.R. 448/1988 put the child offender into a key position in all the phases of his/her own proceeding. The Justice System intends not only to ascertain the individual responsibilities for the occurred offence, but to protect the child and provide him/her with an individualized programme of rehabilitation and reintegration, keeping into account his/her specific needs and resources at the same time¹⁴. This essential approach was also remarked in the interviews to experts: the guiding principle of the Italian juvenile justice system is that it is 'child-centred'. The child is the focus of any intervention, and the main and constant objective of the proceeding is his/her reintegration in the family/community and his/her development without interruptions.

Among others, the juvenile justice system builds mainly upon the principle of the minimum harmfulness of the proceeding and the residual use of detention¹⁵.

¹²Decree of the President of the Republic on the Approval of the Criminal Procedure Involving Juvenile Defendants, D.P.R. 448/1988 ('Disposizione sul processo penale a carico di imputati minorenni'), available at: <http://www.legislationline.org/documents/id/5129>

¹³Law 27.12.1956, n. 1441 (gu n. 002 del 03/01/1957) on 'Participation of women to justice administration in Courts of Assizes and Juvenile Courts' ('Partecipazione delle donne all'amministrazione della giustizia nelle Corti di Assise e nei Tribunali per i minorenni'), available at <http://guidaaiservizi.comune.mesagne.br.it/guidaservizi/salvafile.cfm?nomefile=89862F37-3048-2913-EC4E00EAF118458.pdf&nome=Testo%20Legge%201441/1956>

¹⁴ This strong attention to the child personality comes out at art.9 D.P.R. 448/88, art. 13, and again art. 19, 28 and 29.

¹⁵ More details on the guiding principles of the Juvenile Justice System in Italy are available on the Ministry of Justice website,

Main guiding principles in the Italian Juvenile Justice system:

- **Minimum harmfulness of the proceeding** ('minima offensività del processo'). The main objective of juvenile justice operators is to avoid marginalization and social exclusion with the child's entrance in the justice system: to use diversion and alternative measures as much as possible.
- **Residual use of detention** ('residualitàdelladetenzione'). Detention has to be the last and residual option to apply (*extrema ratio*).
- **Penal responsibility** ('imputabilità'). Art.97 of the Italian Penal Code states that a child below 14 does never have penal responsibility. Furthermore, art. 98states that for children among 14 and 17, the "ability to understand and take action"(capacità di intendere e di volere) has always to be ascertained.
- **Suitability principle** ('adeguatezza').The proceeding must tailor on each child individual and his/her educational needs, since it aims to the child reintegration in the community.
- **De-stigmatizing** ('destigmatizzazione'). The Italian law guarantees privacy protection and anonymity of the child, to avoid further marginalization.
- **Self-limitation** ('auto-selettività'). The educational needs of every child have the priority on the proceeding which has to limit itself.
- **Unavailability of the procedure and of the outcome of the proceeding** ('indisponibilità delrito e dell'esito del processo'). If the child did not appear spontaneously although s/he had been notified, the court can order the law enforcement operators to find and take him/her to the next hearing; by force, if necessary.

1.1.2 Judiciary and administrative bodies in the Juvenile Justice system

The Italian juvenile justice system is composed by judiciary and administrative bodies¹⁶.

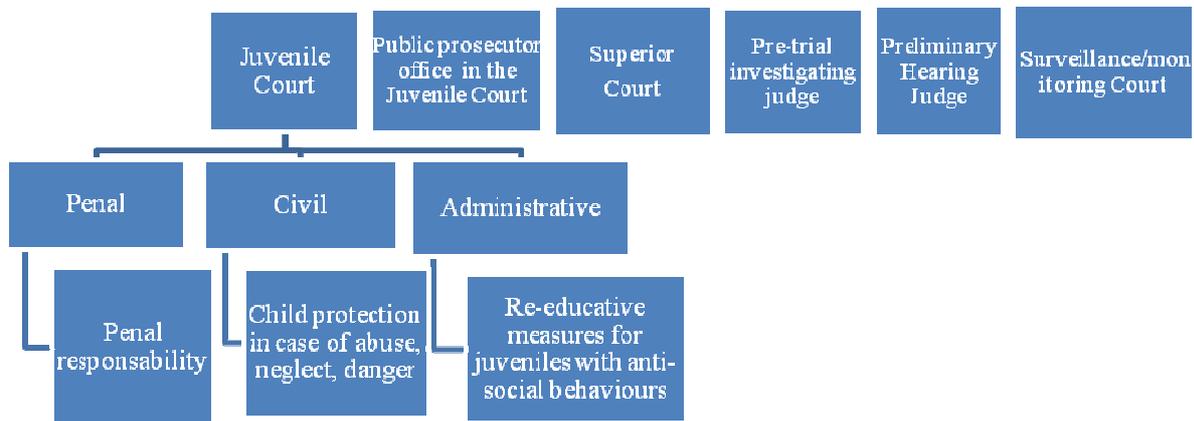
The main judiciary body is the Juvenile Court ('Tribunale per iminorenni'), the first instance court,which is a collective body composed by four elementswith proven expertise and experience on children issues. It has the authority in all the penal, civil and administrative proceedings: children who committed crime, cases of re-educational measures, adoption,

athttp://www.giustizia.it/giustizia/it/mg_1_12_1.wp?facetNode_1=0_6&facetNode_2=0_6_2&previousPage=mg_1_12&contentId=SPS973590

¹⁶For more details see on the Juvenile Justice Department, available at <http://www.giustiziaminorile.it/> or on the juvenile court website, at <http://www.tribunaledeiminori.it/>

parental authority, care and protection¹⁷. During the proceeding, the judiciary functions are carried out by other bodies besides the Court, that have specific expertise on juvenile issues: the Public prosecutor office in the Juvenile Court, the Superior Court ('Corte d'Appello'), the pre-trial investigating judge('Giudice per le indaginipreliminari'), the preliminary hearing judge ('Giudice per l'Udienezapreliminare') and the Monitoring Court ('Tribunale di Sorveglianza').In addition, every police headquarter in Italy ('Questura') is provided with a special office, called Juveniles Office ('UfficioMinori'), which deals with investigations on juveniles involved in the commission of offences.

Figure 1. Main Judiciary bodies of the Juvenile Justice system in Italy



The enforcement of all the measures and decisions taken by the judiciary bodies refers to the Ministry of Justice, specifically the Department of Juvenile Justice¹⁸. All the Juvenile Justice Centres ('Centri per la giustiziaminorile', CGM)¹⁹ relate to the Juvenile Justice Department and have local authority. Finally, CGMs are the reference point for all the regional/local services:

¹⁷In details, the penal competence: the Juvenile Court deals with the cases of people who committed an offence before 18 years old.

Civil: it deals with cases of children protection when the child is in a situation of neglect, abandonment, abuse, or s/he is disputed among the parents.

Administrative: the Juvenile Court intervenes and takes re-educative measures with children who had anti-social or disruptive behaviours.

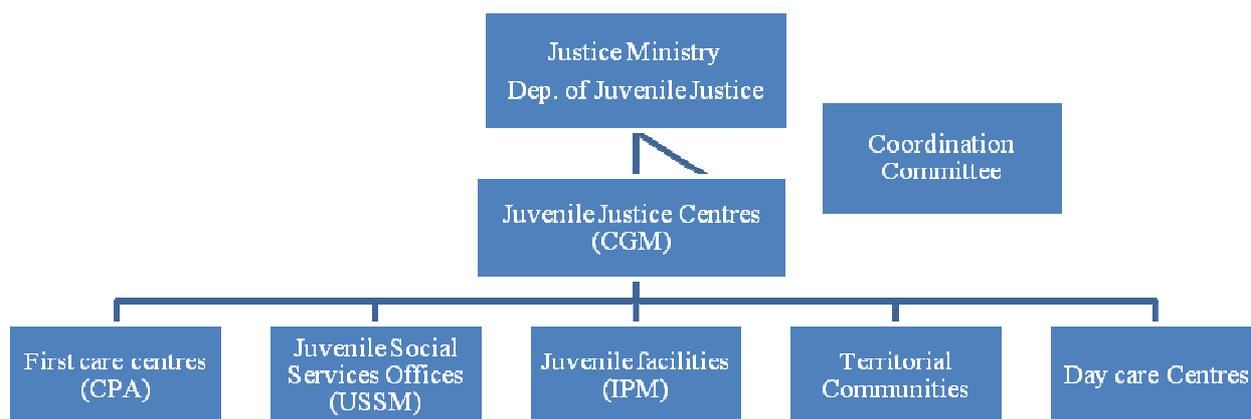
¹⁸Decree of the President of the Republic on the Approval of the Criminal Procedure Involving Juvenile Defendants, D.P.R. 448/1988 ('Disposizionisulprocessopenale a carico di imputatiminorenni'), available at: <http://www.legislationline.org/documents/id/5129>

¹⁹CGMs are bodies of the administrative devolution, usually with pluri-regional authority, sometimes correspondent to more than one Appeal District. They have technical and economic programming authority, in conformity with local policies of intervention and ministerial objectives.

Juvenile Social Services Offices (‘Uffici di servizio sociale minorile’, USSM)²⁰, First care centres (‘Centri di prima accoglienza’, CPA)²¹, Juvenile Facilities (‘Istituti penali minorili’, IPM), territorial communities and institutes for semi-liberty measures and with day care services for pre-trial, substitute and alternative measures²².

According to the law DPR 448/1988, the local services cooperate with the regional authorities and the private entities involved, and they are coordinated by the respective CGM, which envisages a specific committee for the coordination of the juvenile justice services and the local support services. Another coordination committee is present at higher level, in the Justice Ministry, for the coordination of the above-mentioned services. Figure 2 shows the administrative bodies in the Italian justice system:

Figure 2. Main administrative bodies of the Juvenile Justice system in Italy



²⁰The “USSM” has two functions: supportive for the child and judiciary. Social workers from USSM follow the child during the whole proceeding, providing him/her with the educative, social, psychological services s/he needs for his/her development. At the same time, they have to gather all the information from the child family and context, regarding his/her socio-familiar situation, for the court to take the final decision

²¹CPA receive juveniles under arrest until the validation hearing.

²²Communities are residential structures with educative mission and functions. There are three kinds of communities: public or ministerial, which deal with children involved in penal proceedings; private communities, which deal both with children involved in penal proceedings and children ‘at risk’; therapeutic communities, for children and youths with drug’s addiction problems. All these services, together with the local entities, have to participate to every phase of the penal proceeding that involves a child.

The Department of Juvenile Justice also manages three Training Schools for the staff: Castiglione delle Stiviere (Mantova), Rome and Messina.

1.1.3 Child Rights in the justice system

There are no recent reforms in the field of juvenile justice and the system is built upon law DPR 448/1988. The only recent introduction is the Charter of rights and duties of children within the Juvenile Justice Services ('La Carta dei diritti e dei doveri dei minorenni che incontrano i Servizi minorili della giustizia'). It has been realized during the project 'CO.S.MI – Social communication and foreigner children in the European justice systems' ('Comunicazione sociale e minoristranierineisistemi di Giustizia europei')²³, co-financed by the European Fund for the Integration of Third Countries 2007-2013 (FEI). This charter aims at explaining to children who enter in contact with the justice services all their rights, responsibilities and aspects of the proceeding (bodies involved, objectives of the system, rules within the institutions and child rights). Consistently with the child's rights to information, the charter is presented in a child-friendly language and all children receive it at their first entrance in the system; the charter is provided in the child's language²⁴.

The rights explained in this charter are essentially in line with the internationally recognized child rights from the UNCRC: the right to be fully informed; to be heard; to legal representation and to be assisted by parents or a legal guardian; the right to privacy; the right to health also within the institutions they would live after a sentence; the right to always profess their religion; the right to education and to not interrupt their educational path and personal development; the right to play and leisure.

The experts interviewed are quite positive that these rights are actually respected within the system, thanks to the legislative framework, the variety of foreseen interventions and the constant search for individualized solutions. Furthermore, all the professionals involved are

²³The project has been promoted by the Ministry of Justice, General Direction for the enforcement of judiciary provisions (Direzione Generale per l'Attuazione dei Provvedimenti Giudiziari) and implemented by 'Istituto Psicoanalitico per le Ricerche Sociali (IPRS)' and "Casa San Benedetto – Istituto Don Calabria"

²⁴Charter on rights and duties of juveniles involved in the juvenile justice system ('La Carta dei diritti e dei doveri dei minorenni che incontrano i Servizi minorili della giustizia'), available at http://www.giustizia.it/giustizia/it/mg_2_5_2_5.wp

trained on children issues and their priority is the best interest of the child in his/her specific situation and with his/her specific needs²⁵.

Some constraints that come out from the interviews relate to the presence, within the justice system, of children who lack an outside protection network (family and community). This issue regards especially the large number of foreignerunaccompanied and/or separated children who enter the justice system but do not have a support outside. In fact, the operators usually use this network to reintegrate the child and build an individualized project of rehabilitation and education. The common perception is that the system built upon the DPR 448/1988 is not yet tailored on children with social characteristics and life style different from the deviant child idealized 25 years ago, who had a home, a family and a support community on his/her back.

The second constraint raised during the interviews with experts relates to the extreme length of the proceedings, which can have many negative psychological and educational consequences on the child and which brings a detrimental temporal distance between the offence and the action taken to respond.

1.1.4 Diversion measures

Being the child him/herself the core of any proceeding, the main objective for the operators is to assess his/her personality and tailor the solution on his/her specific needs and situation, always using the detention as the last resort solution.

For these reasons, the DPR 448/1988 foresees a variety of diversion measures with children's reintegration and rehabilitation as their main objectives. During the pre-trial investigation phase, the judge can choose among the following custodial measures, beyond the custodial detention: liberty, prescriptions, domiciliary custody and community centre custody²⁶. In all these cases, including the custodial detention, a social worker from the USSM supports the

²⁵The main body with training function is the "Juvenile justice staff training institute", see more at: <http://www.icf-giustizia.it/> ; <http://www.giustiziaminorile.it/uffici/icf.html>

²⁶In details, Liberty: the child goes back to his/her family, community or to the social workers if s/he does not have a family, because there is no evidence of guilt.

Prescriptions: the child has to commit in some activities (go to school, attend some course, do a social useful activity

Domiciliary custody: the child has to stay home, a part from commitments related to school, work activities, organized sport activity, trainings

Community centre custody: the judge decides to send the child in a community, where the s/he can be subjected to prescriptions and can leave the structure only for the same reasons as for the domiciliary custody

child and his/her family, and also collects information about the child's situation to provide the judge with material for the decision.

After the end of the investigations, during the preliminary hearing ('Udienza preliminare'), the Juvenile Court can decide to stop the proceeding and apply various diversion measures. They are the so-called 'Juvenile penal proceeding resolution's modalities according to the minimum harmfulness' principle' ('Modalità di definizione del processo penale minorile ispirate al principio della minima offensività') and they are peculiar of the Italian juvenile proceeding:

- **Judicial pardon** ('Perdono giudiziale')²⁷
- **Sentence of no case to answer because of irrelevance of the circumstances** ('Sentenza di non luogo a procedere per irrilevanza del fatto')²⁸
- **Suspension of the proceeding to put the child on trial** ('Sospensione del processo e messa alla prova'). This is the most innovative instrument introduced by the Italian juvenile justice law in 1988. The court decides to suspend the proceeding to start an individualized educational project with the child, lasting maximum 3 years. The project can comprise various objectives and activities: going to school with profit, attending professional trainings, working on a socially useful activity. One of the most powerful instrument that can be used during this period is the penal mediation. Within the educational project, the justice services could envisage for the child a reconciliation path with the victim of the offence and the compensation of the offence. At the end of the project, the court assesses the results: if positive, the offence committed is declared extinguished; if negative, the proceeding continues from the point it has stopped.

²⁷After the court had ascertained the child penal responsibility and conceded the pardon, the offence is declared extinguished. The purpose is to close the proceeding without a conviction which will be very detrimental for the child, when there is the presumption that the child will not commit other offences, based on the assessment of his/her personality, the social context, the characteristics of the offence committed.

²⁸The court decides to close the proceeding with an exoneration (proscioglimento) based on the assessment that the offence committed was small and occasional and that going on with the proceeding would be very detrimental for the child.

The difference among the judicial pardon and the latter measure is very light but substantial. For the "sentence of no case to answer" two elements need to be present: irrelevance of the circumstances (small offence) and assessment of its being occasional and no interest from the court to proceed. The judicial pardon can instead be applied for more serious offences, can be applied just once and it is indeed a verdict of guilty. Nonetheless, the court assesses that for various conditions there is a positive prognosis for the future behaviour of the child and that the proceeding until that stage has already been educative for him/her. In both cases any effect of the penal conviction are cancelled.

More details on alternative measures are available also at <http://www.altrodiritto.unifi.it/ricerche/minori/imperial/cap2.htm>

The last pool of diversion measures relates to the post-trial solutions. When the court sentences the child to detention, it can decide to divert him/her from the detention, choosing among the alternative measures provided in the Italian Penal Code and the penitentiary law (both valid for adults and children)²⁹:

- **Social services custody** (‘Affidamento al servizio sociale’)³⁰
- **Domestic detention** (‘Detenzione domiciliare’)
- **Semi-liberty and semi-detention** (‘regime di semi-libertà’ and ‘regime di semi-detenzione’, allowing part-time study or work outside the prison)
- **Early liberation** (‘Liberazione anticipata’)
- **Liberation on parole** (‘Liberazione condizionale’)

In all the measures identified so far, social services and community centres spread on the Italian territory have a crucial role to support the child during the whole application of diversion.

1.2 Child protection system

The child protection system in Italy started to be put in place around the ‘70s-‘80s, when the society became more aware and sensitive about child issues and started to pay more attention to their specific needs and dangers inside the family itself. This system originates in fact from the “new” perceived need of the society to protect children from abuse and mistreatment.

On this drive and following important social transformations during those years (increase of elderly people, increase of women in the job market, changes in the family structure, different forms of poverty and marginalization, higher youth unemployment together with higher youth education levels), some legislative introductions realized a regional-local approach of intervention³¹.

²⁹Law n.354/1975, “Regulation of penitentiary institutions and on the enforcement of detention measures” (Norme sull’ordinamento penitenziario e sulla esecuzione delle misure privative e limitative della libertà). See more at <http://www.ristretti.it/areestudio/giuridici/op/opitaliano.htm>

³⁰In this case the child is free but followed by the educators and social workers of the U.S.S.M.. S/he keeps living in his/her social and familiar environment and has to comply with specific prescriptions and controls

³¹Among the others, law 833/1978, legislation on family counselling, n.405/1975, legislation on council kindergarten, n. 1044/1971

Crucial functions of child protection and care are devolved to the Regions and local entities through the creation of public and private structures, which depend on the regions or the municipalities (Comuni) and are strongly interconnected. This process of devolution regards also the child protection system from the scope of juvenile crime prevention with the DPR 616/1977, art.23. It moves the competence of the judiciary decisions' enforcement of juvenile civil and administrative cases from the Ministry of Justice to the local administrations. The local administrations have to apply dispositions from the juvenile court in cases of children in need of care (in case of abuse, neglect, ...) and of children "at risk", providing them with local services' support: social services, health care, education, residential communities.

1.2.1 How does the child protection system work in Italy?

The law 285/1997 provided the inter-institutional system mentioned above with a new strong support, giving a push to the financial investment in the childhood and adolescence sector³².

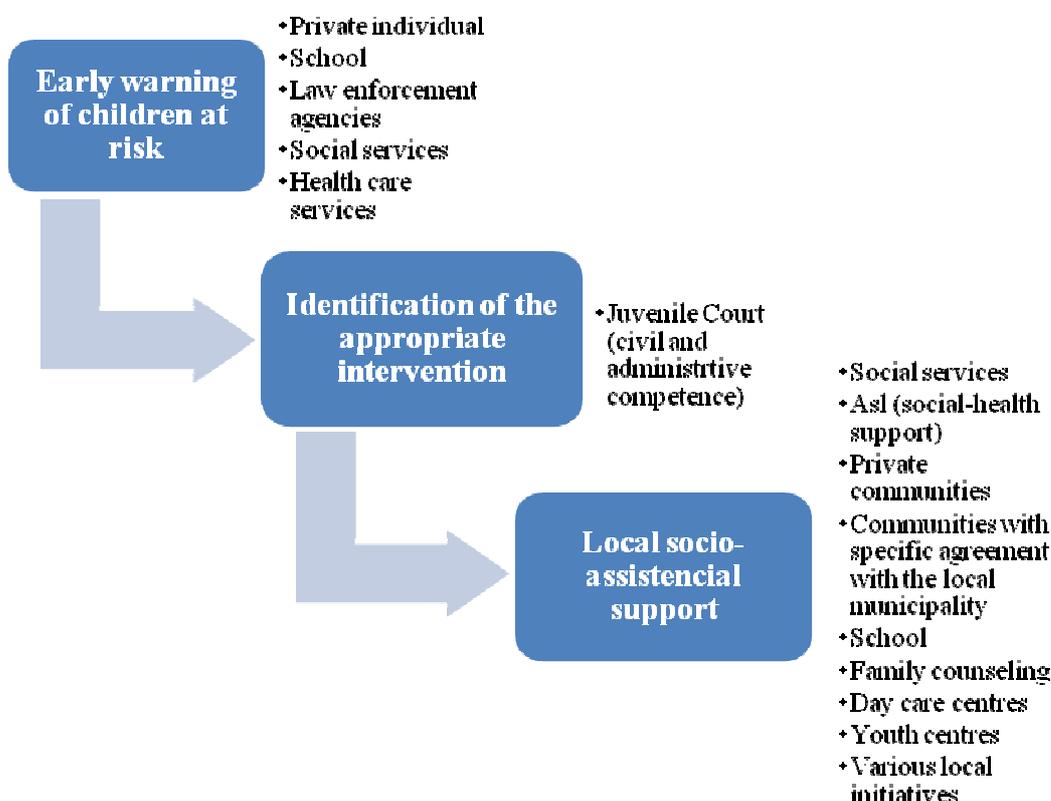
This law reinforced the social and educational services targeting children and adolescents and consolidated a local approach: it is important to involve the child's context and community to make the interventions more participatory and effective.

The three main entities that in Italy compose the child protection system, are the Welfare (social services, health care, schools/education, educational communities, foster care institutions, ...), Family and Justice, which should work strongly interconnected.

Below a diagram showing how the child protection system works in Italy from the perspective of delinquency prevention:

³²The same year, the law 451/1997 set up the National Observatory on childhood and the National documentation centre.

Figure 3 – Child protection cycle and actors involved



Anybody can inform the juvenile court about a child/family “at risk” and the court decides whether intervene or not and which kind of intervention to undertake. The decision is enforced by the local services on the territory, which depend on the local municipalities (Comuni). The variety of interventions is very broad and very locally characterized: modalities, resources, specific actors’ roles, activities, budget and also characteristics of the children involved, strongly vary from a region to another, from a municipality to another.

At the same time, indicators to assess if a child and a family is “at risk” are quite various, but some of them emerge from the experts’ interviews: socio-familiar context and issues already known by the social operators and/or the community, drugs’ use, psychiatric problems, migrant origin, recidivism.

The same actors who deal with the intervention have also the functions to identify children/families at risk and to monitor the context. First and foremost, schools have a crucial

role in identifying children's issues and informing the social services and/or the juvenile court. Other structured monitoring instruments are provided by the Statistics service at the Ministry of Justice, and the 'Informative Juvenile Justice System' ('Sistema informativodellagiustiziaminorile', SISM). The latter one gathers information about the child and inform the social services, archiving this information for further analysis³³.

The presence of local permanent Observatories on juvenile disadvantage, on drug use and school dispersion are envisaged by the Italian law, ministries of Education and Health, but the actual implementation is still too much related to the local social investments in different regions³⁴.

1.2.2 Recreational activities

A widespread presence of youth centres, associations, foundations, organizations, which provide children and adolescents with various recreational proposals, characterizes the Italian territory. They vary greatly from a geographic area to another, and their presence and activities depend very much on the local municipality that promotes and finances them. For this reason, also the budget allocated for such activities vary regionally and locally, with a higher expenditure registered in Northern Italy in comparison with Southern Italy, consistently with the data on public money and resources allocated for social services in these two macro-regions.

At national level, the Head for the enforcement of judiciary measures, Juvenile Justice Department, in her interview highlighted the crucial role sport activities have, as instrument to teach children how to build balanced relationships with others and to keep them away from deviant activities. On this matter, it is worthy to report the Directive n. 17 February 2007 (Direttiva n.17 Febbraio 2007), 'More sport at school and life wins' ('Più sport a scuola e la vita vince'), which defines in 10 points the national policy for sportive activities in the Italian

³³Please find more details on the Ministry of Justice website, available at: http://www.giustizia.it/giustizia/it/mg_1_12_1.wp?facetNode_1=4_99&previousPage=mg_1_12&contentId=SP5613309#3.9.1

³⁴Here an example of local observatory on juvenile disadvantage, in Sicily: http://www.distrettosociosanitario39.it/index.php?option=com_content&view=article&id=116:osservatorio-permanente-disagio-giovanile&catid=76:area-minori-servizi&Itemid=102

school³⁵. The Ministry of Public Education, University and Research established a collaboration with the Ministry for the Youth Policies and Sportive Activities for drafting and implementing projects on scholastic sportive activities with the active participation of school managers, teachers and parents. The aim is to involve children into physical activities according to their specific needs, age and development, teaching the sport values.

Together with this Directive, the 30th January 2007 the ‘Guidelines on innovative projects for physical and sportive activities in areas at risk’ allocated a budget of 900.000 euro. The aim of this budget was to finance projects that use sport to rehabilitate and re-educate children and adolescents “at risk”, teaching how to build relationships, how to play in team and to live competition in a healthy way.

For this reason, the national scholastic system in Italy offers the activity of the ‘Sportive Scholastic Games’ (Giochi Sportivi Studenteschi, GSS). Children and youths are encouraged to choose among some disciplines the one they are more suitable for, and the school provides them with the structures and after-hours classes. GSS promote the inclusion of marginalized and at-risk children, integrating the sportive activities with other educative and training proposals³⁶.

Nevertheless, given the little offer on a national level of coordination on this matter, the General Comment of the UN Committee on the Rights of the Child, 18.03.2013 n.17 on art.31 of the CRC, states that in Italy the right to play is not thoroughly granted, despite a strong commitment from institutions and third sector³⁷.

³⁵Please find more details on the Ministry of Education website, available at http://archivio.pubblica.istruzione.it/normativa/2007/prot17_07.shtml

³⁶Please find more details on the Ministry of Education website, available at <http://hubmiur.pubblica.istruzione.it/web/istruzione/giochi-sportivi-studenteschi>

³⁷ Please find the General Comment the UN Committee on the Rights of the Child, 18.03.2013 n.17 on art.31 of the CRC, available here in Italian: http://www.gruppocrc.net/IMG/pdf/Cap_6_par_9_II_diritto_al_gioco.pdf
Project on “Città sostenibili delle bambine e dei bambini”, pluri-annual experience on sustainable cities for children with the similar project on “Child-friendly cities and the Association of “Città amiche dell’infanzia e dell’adolescenza” (<http://www.cittasostenibili.minori.it/> ; <http://www.unicef-irc.org/publications/pdf/cfcgb2005.pdf> ; <http://www.camina.it/>); Initiatives that combine play with learning science and technology, like the “Città dei bambini e dei ragazzi” (The city for children and youths) and “Wow”, which are among the biggest structures in Italy devoted to play, science and technology (<http://www.cittadeibambini.net/> ; <http://www.wowscienza.it/>, <http://www.cittadeibambini.net/> ; <http://www.wowscienza.it/>); the “Città della scienza” in Naples (<http://www.cittadellascienza.it/>)

Game rooms or day care centre (Ludoteche) is also a service provided by many local municipalities but not managed nor regulated at national level: it is often subjected to the lack of funds in some municipalities and regions, and they often become private centres with fee³⁸.

Among the local initiatives, we could still mention the ‘Ludobus Association’³⁹, ‘Baskin Sicily’⁴⁰, ‘Arrampicoterapia’ (‘Therapeutic rock climbing’)⁴¹, ‘Fondazione La Città invisibile’ (The invisible city Foundation)⁴², ‘Centro Don Calabria’ (Don Calabria Centre)⁴³.

1.3 Education system

The education system in Italy is under the Ministry of Education, University and Research and it is mainly public. It comprises most public schools together with some private structures⁴⁴. Public schools are entitled to receive funds by the Ministry but they can also be partly funded by municipalities, provinces, regions and other public or private entities. Since 2000, schools have their administrative, didactic and organizational autonomy, even though they remain under the national system⁴⁵. Each school has its own Plan for the educative offer (POF, ‘Piano per l’offerta formativa’).

In Italy, the compulsory schooling is until 15 years (10 years) and the schooling system comprises primary school (‘scuola elementare’, 5/6 to 10/11 years), secondary school (‘scuola

³⁸ Ibidem

³⁹ ‘Ludobus Association’ is a national association with the scope of guarantee the right to play in the more marginalized contexts:

http://www.alipergiocare.org/index.php?option=com_content&task=view&id=14&Itemid=35

⁴⁰ ‘Baskin Sicily’ is an association, which promotes sport and inclusion, playing “Baskin”: it is similar to basket but very innovative and peculiar, involving at the same time children with disabilities (mental and physical) and children without disabilities: http://baskinsicilia.it/?page_id=109

⁴¹ ‘Arrampicoterapia’ was born in 1966 with the scope of rehabilitating and educating children at risk of school dropouts and delinquency and children with disabilities in the suburbs of Naples, teaching them and involving them in rock climbing activities: <http://www.arrampicoterapia.it/dblog/chisiamo.asp>

⁴² ‘Fondazione la città invisibile’ is a music training school for legality: using music to divert children from marginalization and anti-social behaviours in at-risk areas of Catania (Sicily), following the example of Maestro José Abreu in Venezuela: http://www.fondazione lacittainvisibile.it/?page_id=23

⁴³ ‘Don Calabria Centre’ is a multi-functional centre in Verona (Veneto) which provides children and youth with various educative, social, sportive offers: <http://www.centro doncalabria.it/>

⁴⁴ Among the private structures, there are the schools that provide children with a certificate recognized by the public education system (“Scuole paritarie”) and other schools that produce a certificate that is not recognized/valid, even though their attendance is indeed valid for compulsory schooling. See more at <http://hubmiur.pubblica.istruzione.it/web/istruzione/dg-ordinamenti/scuola-non-statale>

⁴⁵ Please find more details on the Ministry of Education website, available at <http://hubmiur.pubblica.istruzione.it/web/istruzione/famiglie/autonomia-scolastica>

media', 10/11-13/14 years) and high school ('liceo' or 'istitutoprofessionale', 13/14-18/19 years), accessible and free for every child.

1.3.1 Levels of attainment and what is available to all

Updated data on education in Italy shows the distance of the country below the European average for many indicators.

One of the main indicators of the effective functioning of the educative system is the national public expenditure for education and training. In Italy in 2011 it was 4.2% (5.3% is the European average) and it put the country at the bottom of the European range⁴⁶.

Data on the Italian pupils' performance in 2012 ('Program for international students' assessment', PISA, for Oecd) confirms a lower performance in comparison with the Oecd and the other European countries involved in the survey, even though it shows also some improvements from 2009. There are considerable differences between North and South, where the South is improving but is still below the national average⁴⁷.

Children with special needs

Particularly vulnerable categories of children are protected within the school with specific instruments. There are no special schools but some directives from the Ministry of Education, in cooperation with the Ministry of Health, envisage the need to apply individualized educative plans and programmes for children with special educative needs ('Bisogni educativi speciali', BES), inside the public schools, for the purpose of inclusion⁴⁸. This is guaranteed through guidelines on the scholastic integration of children with disabilities and of children with

⁴⁶ Italian National Statistics Institute (ISTAT), National Statistics on public expenditure for education and training in 2011: http://noi-italia.istat.it/index.php?id=7&L=0&user_100ind_pi1%5Bid_pagina%5D=33&cHash=940c9f597e568c69a9f7978a8e7ab97c

⁴⁷ Italian National Statistics Institute (ISTAT), National Statistics on Pupil's performance in 2012: http://noi-italia.istat.it/index.php?id=7&L=0&user_100ind_pi1%5Bid_pagina%5D=35&cHash=fe3a0f5f4e06b05e15b452773f8d9ab3

⁴⁸ Directive 27.12.2012 on "Instruments of interventions for pupils with Special Educative Needs and territorial organization for inclusion" (Strumenti di intervento per alunni con Bisogni Educativi Speciali e organizzazione territoriale per l'inclusione) and n. 8, 6.03.2013

specific learning disorders ('Disturbispecifici di apprendimento', DSA)⁴⁹ and with the presence of assistant teachers ('insegnanti di sostegno').

Another particular vulnerable category in the Italian scholastic context is the group of foreigner children. In the year 2011/2012 they were the 8.4% of the total of children registered in school and 65% of them was attending a school in Northern Italy. The General Comment of the UN Committee on the Rights of the Child, 18.03.2013 n.17, on the right to education for this specific group of children, recommends Italy to improve inclusion and integration scholastic programs for them. Migrant children, especially Roma, sinti or *camminanti* are the most vulnerable group, not just because of the language but too often because of a lack of training for teachers, lack of financial resources for schools and the particular familiar and life-style conditions of these children. The UN Committee advises Italy to invest more money and resources on the implementation of integration programs for children coming from minority groups, and of programs aimed at combating school dropouts and supporting families living in economic disadvantaged conditions, to guarantee the access to education to every child.

For these reasons, special funds are provided to the schools in some areas defined at-risk because of a high presence of migrants' children and a high rate of school dropout⁵⁰.

Schooling is also guaranteed to children involved in judicial proceedings. In every stage of the proceeding the operators focus their attention not to interrupt the educative process and development of the child. In all the juvenile facilities in Italy (IPM) the Ministry of Education provides children with a scholastic presidium and ministerial teachers who work with programs tailored on the specific needs of each child, according to his/her development, geographical origin and learning competences.

1.3.2 School dropouts

Updated data released from the Italian Institute for Statistics (ISTAT), shows that in Italy the number of the so-called "early school leavers" is still high and higher than the European

⁴⁹Please find more details on the Ministry of Education website, at:
<http://hubmiur.pubblica.istruzione.it/web/istruzione/dsa>;
<http://hubmiur.pubblica.istruzione.it/web/istruzione/disabilita>

⁵⁰ General Comment of the UN Committee on the Rights of the Child, 18.03.2013 n.17 on the right to education available at:
http://www.gruppocrc.net/IMG/pdf/Cap_6_par_4_Il_diritto_all_istruzione_per_i_minori_stranieri.pdf

average⁵¹. In 2012, the rate of school dropouts in Italy was 17.6% with 12.8% as European average. The variance is even bigger for male children, who in Italy are 20.5% of the dropouts while 14.5% in Europe (females, respectively 14.5% and 11%).

The phenomenon is concentrated in Southern Italy, where particular conditions of disadvantage are also more concentrated, together with lack of resources for schools and services for children. In 2012, the early school leavers in Southern Italy were 21.1% with 15.1% in Centre-Northern Italy. The highest incidence is reported in Sardinia, followed by Sicily where 1 child out of 4 does not continue after secondary school. In addition, some provinces in the North register high rate of school dropouts, explained with a quite active labour market that strongly attracts children.

Responding to that, the Ministry of Education launched program Okun, 2012, within the framework of the ‘Plan of Action – Cohesion for the improvement of collective public services in Southern Italy – Priority: education’ (‘Piano d’azione – Coesione per il miglioramento dei servizi pubblici collettivi al Sud. Priorità istruzione’). This project lasts 2 years (2013-2014) and it aims at preventing and combating school dropout with local development interventions, supporting disadvantaged families and implementing programs for children excluded or at risk of exclusion from the educative and scholastic system in the four regions of Southern Italy mainly interested by this phenomenon (Campania, Apulia, Calabria, Sicily). The evidence shows that school dispersion is strongly related to disadvantaged territorial and family conditions: from this, the need to build stronger local network of support and protection for children and family at risk, reinforcing particularly the schools themselves, which are often not equipped to face different learning needs and difficulties related to disadvantage⁵².

Together with the scholastic dispersion, also the low performance discussed above is strongly linked to a low socio-economic status. Pupils coming from poor and marginalized families are more likely to register lower performance than the ones from families with a higher social status. These spreads reproduce within the schools, being the same children with low

⁵¹Italian National Statistics Institute (ISTAT), National Statistics on early school leavers, 2012:http://noi-italia.istat.it/index.php?id=7&L=0&user_100ind_pi1%5Bid_pagina%5D=36&cHash=7da84cc54c6021a3e6fb2574d4dbde88

⁵²General Comment of the UN Committee on the Rights of the Child, 18.03.2013 n.17 on school dispersion, available at http://www.gruppocrc.net/IMG/pdf/Cap_6_par_6_La_dispersione.pdf

performance the ones who are less stimulated by parents and teachers themselves, within a school that lacks of the appropriate training and structures to break this vicious circle⁵³.

Dropping out and low performance in school, with failed achievement of key-competences, are finally linked to another phenomenon, “NEET” (Neither in employment nor in any education nor training). They are youths from 15 to 19 years who are not registered to any school course, training nor are working. In 2012 in Italy, they were about 2 million with more than a half below 25 years old. The early school leavers are more exposed to the risk of being part of this phenomenon, especially who interrupts his/her educative path at the secondary school.⁵⁴

The Ministry of Education set up a national official registry for students (Anagrafe nazionale degli studenti), to monitor scholastic dispersion. Nevertheless, supportive programs and a national strategy against scholastic failing and school dropout are needed: not all the regions and provinces have in fact implemented this monitoring registry and at a national level, it has not been filled in with data from all the schools (public and private).

1.4 Health system

The National Health Service (‘Servizio sanitario nazionale’, SSN) protects the right to health in Italy: it is a pool of structures and services that provide people with access to health care. It is financed by the State and by private fees in the form of a quota that people in need of health care pay as a contribution (it is called ‘health ticket’, ‘ticket sanitario’). The SSN develops under the Ministry of Health, but it articulates on the Italian territory through regional health services and the so-called ‘local health services/companies’ (Aziende sanitarie locali, ASL) at province/regional level, with administrative and financial autonomy⁵⁵.

The Decree of the Premier (Decreto del presidente del consiglio dei ministri, DPCM) 1.4.2008 moved the competence on health issues for people inside the Justice System from the Ministry of Justice to the SSN. This introduction aimed at further guaranteeing equal access to health

⁵³Ibidem

⁵⁴Employment in Europe 2010, study from the Employment, social affairs and inclusion DG at the European Commission, available at: <http://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=593>

⁵⁵Please find more details on the Ministry of Health website, at: http://www.salute.gov.it/portale/salute/p1_3.jsp?lingua=italiano&tema=Tu e il Servizio Sanitario Nazionale

also for people in penitentiary institutions⁵⁶. The local health services/companies have, among the other, the function to protect and provide children and youths in the Juvenile Services with medical assistance, including psychiatric and psychological one, in the residential structures and/or rehabilitation/therapeutic communities.

Under the Department of Public health and Innovation, the Directorate General for prevention, performs – among others – functions related to health promotion, addressing particularly vulnerable categories of people⁵⁷. Nevertheless, also in this case health care priorities are strongly related to the local capacities and resources of programming interventions.

In the General Comment of the UN Committee on the Rights of the Child, 2013 on right to health, the approach of the Italian health care system is assessed in relation to different vulnerable categories of children and adolescents and the final picture is of a system that still needs lot of more efforts and investments⁵⁸.

In particular, the health care system does not seem to be adjusted to new characteristics of the Italian society, meaning a large number of migrant children, both regular (second generation immigrants) and irregular. For both regular and irregular migrant children it is more difficult to make their health issues visible, because they are often more marginalized, given cultural and family traditions, linguistic barriers and a lack of awareness about their rights. In fact, one of the most evident constraint in Italy is the absence of important campaigns on rights' promotion, to make aware people who do not know the Italian context and need assistance and care. The legislative provisions are already in place but there is a particular need for a homogeneous application in the national territory and the reception of the national provisions at regional and local level with actual programs and interventions addressing more vulnerable categories.

An important step forward has been made with an Agreement among the State and the Regions on the enforcement of laws on the matter of health care and assistance for foreigners and communitarian citizens, with which migrant children on the Italian territory have the obligation to register to the National Health Service (SSN) regardless of their resident permit.

⁵⁶Dpcm (Decree of the Premier, Decreto del presidente del consiglio dei ministri) 1.4.2008 on 'Detainees' assistance at the public health system', available at: http://www.cittadinolex.kataweb.it/article_view.jsp?idArt=84826

⁵⁷Please find more details on the Ministry of Health website, Directorate General for Prevention, at: <http://www.arceo.salute.gov.it/ministero/sezDipartimentiDirezioniEnglish.jsp?label=dedN&id=916&dir=dirPreVN>

⁵⁸General Comment of the UN Committee on the Rights of the Child, 18.03.2013 n.17 on health and care, available at: <http://www.gruppocrc.net/-salute-e-assistenza->

An analogous situation relates to children at risk of poverty and social exclusion, meaning the 32.3% of children in Italy (2011). They are concentrated in Southern Italy, as well as lower education rates, higher unemployment, higher rates of families with only one income or with both parents unemployed. Southern regions are the ones with fewer resources invested in social welfare, including health care. The economic crisis exacerbated the situation and the inequalities of social services delivering at regional and local level, and the need of national homogeneous plans and resources distribution is particularly strong⁵⁹.

1.4.1 Early screening of mental health and intellectual disabilities

The Ministry of Education in agreement with the Ministry of Health Care in Italy provides schools with a medical unit, as well as a medical unit is present in all juvenile facilities in Italy, in both cases including psychological and psychiatric assistance.

Related to early screening of learning difficulties, the Italian law 8.10.2010 n.170 recognizes dyslexia, dysgraphia, dysorthographia and dyscalculia as specific learning disorders (DSA), drafting the Guidelines for the arrangement of regional protocols and programs for activities aimed at the early identification of DSA⁶⁰.

Within the schools and inside the juvenile facilities children, can ask for psychological assistance, but the lack of human resources (practically, little number of psychologists and child neuro-psychiatrics) facing a large number of requests is often a strong constraint.

During the whole judiciary proceeding (both civil and penal) children are supported by social services that provide them also with psychological support when needed. Once the child enters a CPA or an IPM s/he has the possibility to talk with a psychologist and usually the educators inform the medical unit and/or the psychologist about particular situations. Nevertheless, some interviewed experts note that psychiatric cases are often the most vulnerable inside the justice system, because of insufficient resources and equipped structures. Similarly, in the IPM the psychological support is often limited as opposed to the large number of children, and clinical

⁵⁹General Comment of the UN Committee on the Rights of the Child, 18.03.2013 n.17 on access to services and health for children and adolescents, available at: http://www.gruppocrc.net/IMG/pdf/Cap_5_par_8_Accesso_ai_servizi.pdf; http://www.gruppocrc.net/IMG/pdf/Cap_5_par_3_Bambini_e_adolescenti.pdf

⁶⁰Please find more details on the Ministry of Education website, at: http://hubmiur.pubblica.istruzione.it/alfresco/d/d/workspace/SpacesStore/35af7613-c19f-41b0-86fe-781d948f6cd1/focus190413_all1.pdf

interventions are sometimes responses to more complex situations which would need more articulated solutions.

In the General Comment of the UN Committee on the Rights of the Child, 2013 about right to health, the need of stronger strategies and more resources for early and prompt disabilities' diagnosis emerges. In particular, disabilities (mental and psychological) are still largely an exclusive burden for the families. Again, it comes out a strong inequality in the distribution of resources at regional and local level and in many cases the investment of regions on services for psychiatric assistance for children and adolescents remains insufficient, as well as the structures that should take care of the treatment and basic needs of this population.

It also seems to be growing the impact of psychiatric and psychological problems related to drugs and alcohol consumption among adolescents, together with anxiety disorders and eating related disorders, but the response, which is deemed to happen at local level, is often inappropriate, because of the lack of resources and professionals. The therapeutic communities are not sufficient to take care of the large numbers of children in need, and they are often located far from their families and contexts, due to the absence of structures in some areas⁶¹.

1.4.2 Prevention of drugs consumption and support for children

The law 309/90 (Decree of the President of Republic) delegates to the Ministry of Health the function to gather data on drug consumption in Italy, on related pathologies and on the activities carried out by the Public services on drug addictions ('Servizi pubblici per le tossicodipendenze', SERT), on rehabilitation and treatment of people who make use of drugs.

SERT are public services introduced with law 162/90 and they have functions on early prevention, treatment of drug consumption, rehabilitation and social/work reintegration.

They work in strong collaboration with therapeutic communities, local municipalities and volunteers. There is a Sert for each sanitary district (550 Sert in Italy) and they work with an interdisciplinary team of professionals, specialized on drug consumption issues: doctors, psychologists, social workers, educators, and other support staff. Usually they provide youths

⁶¹General Comment of the UN Committee on the Rights of the Child, 18.03.2013 n.17 on mental health, and adolescents, health and disability, available at http://www.gruppocrc.net/IMG/pdf/Cap_5_par_6_Salute_mentale.pdf; http://www.gruppocrc.net/IMG/pdf/Cap_5_par_7_Bambini_adolescenti_salute_e_disabilita.pdf

with first care interventions and prevention, build individualized therapeutic programs to carry out often in collaboration with the semi-residential or residential communities. Besides the Sert and the communities, which work in strong synergy, the system envisages the presence on the territory of the so-called “mobile streets units”, which have the function to identify youths in need and intervene. The biggest constraint is still the lack of resources in some local realities, due to the locally determined system⁶².

There are also agreements between the national health system, Sert and justice system on the issue of drug consumption and support to addicted children. Sert centres provide children and youths who have problems with drugs’ consumption and are involved in the juvenile justice system with first care, therapeutic assistance and rehabilitation support during the whole proceeding, inside and outside justice facilities, also meeting and supporting the families.

Section II – Juvenile Delinquency Prevention in Italy

Priorities and strategies

In the following section, the analysis focuses on how the systems described above collaborate and work together for the purpose of juvenile crime prevention. As said at the beginning of the previous section, juvenile crime prevention in Italy is the result of joint actions of all the actors involved in the care and protection system, starting from the families, going into the schools, health care system, social services, youth centres, sport clubs, and so on and so forth.

2.1 Juvenile delinquency prevention system

From the interviews conducted in the context of the present research – from the Department of Juvenile Justice, the law enforcement agencies and from the field (educator, social worker) – juvenile delinquency prevention is indeed a priority in Italy, both primary and secondary prevention. Secondary prevention is more structured and defined than early prevention, and it

⁶²Please find more details on the Ministry of Health website at http://www.salute.gov.it/imgs/C_17_pubblicazioni_713_allegato.pdf; and on the Presidency of the Government, Anti-drug policies Department, (Presidenza del Consiglio dei Ministri), available at: <http://www.politicheantidroga.it/indirizzi-utili/sert-e-comunita-/i-sert.aspx>

becomes particularly evident when we look at the justice system, where the main principle is the attention to the child's needs and personality and to the re-educative process to avoid s/he going back to crime.

However, the functioning of the juvenile justice system and so the secondary prevention can largely suffer from lack of resources and investment, with significant differences from a region to another, and the situation becomes worse for primary/early prevention.

The perception from the experts' interviewed is that juvenile delinquency prevention is a priority, but the political will should be supported by more investment and resources for all the actors involved (starting from the families and the schools) and in all the Italian regions. Furthermore, a national integrated action plan on early prevention is needed, along with the already existing agreements between the state and the regions on specific matters, which give to each region the autonomy of programming and implementing. What in fact comes very clearly from the interviews is that a national and general impulse and directive towards early prevention is present and strong in Italy⁶³. This impulse shapes very heterogeneous specific programs and projects in each local reality and each intervention involves all the actors we mentioned before. Hence, the main concern is that the implementation of these programs can strongly depend from budget constraints in some local areas, and there is not a coordination-monitoring body at national level to guarantee a spread commitment on the matter of juvenile delinquency early prevention.

At national level, Training Schools for the staff (Castiglione delleStiviere – Mantova, Rome and Messina) provide juvenile operators with training on juvenile issues, including juvenile prevention. Each Ministry and institution also provides its operators with training on particular juvenile issues (in the education, health, care and protection systems, and in within the law enforcement agencies). However, from the interviews, the lack of training comes out as one of the main problem, together with (and because of) the lack of resources. Especially the low investment in education in Italy in this historical period causes the absence of specific training for teachers on issues like early diagnosis of learning disorders and psychological issues, and of support for them to identify problematic children/families/situations to report and follow-up. There is also low awareness and knowledge of drugs and issues related to drugs, especially concerning new drugs and despite this is becoming an alarming issues among children and youths (interview from a Sicilian social worker).

⁶³Also all the systems, mechanisms and agreements among Ministries and among State and local entities – analysed in the previous section – show the push towards that direction.

Early prevention priorities and strategies

Early prevention comprises all the measures and actions that take place before the child commits an offence, and builds upon a network of social actors who work jointly to create a divertive and non-criminogenic environment for children.

The early prevention system in Italy corresponds to the child protection system, in the extent in which anti-social behaviour/delinquency is perceived as something that the community and the society have to protect the child from.

Early prevention strategies consist of programs of social inclusion, with families and schools, educative and recreational activities, with a particular attention given to sportive activities. These programs need to go together with sensitization campaigns for children on legality culture, mediation, conflict resolution, ethics and issues related to drugs. On the other side, families, schools and the entire local communities need awareness campaigning on all these issues, including on the importance of early prevention itself, which is too often delegated to 'others'. In this awareness-raising process, mass media and social networks have a strong potential role, proposing positive ethical examples and use their power to reach everybody, especially young people.

All the Ministries and Departments are involved in early prevention's strategies, and particular attention deserves the education system, being the schools the first and foremost places where children's needs appear. From the interviews conducted by the author, a worrying weakness of the schools and education system emerges: schools and teachers should provide children with the first 'intervention' and have a crucial role in early identification of children and families 'at risk'. Nonetheless, they are not accordingly equipped and trained, and the lack of economic resources deprives them of their fundamental function.

A specific mandate on juvenile delinquency early prevention is also appointed to law enforcement agencies ('Polizia di Stato'). Within each provincial Police office ('Questura') in Italy, there is a Juveniles' Unit ('UfficioMinori') which executes this specific mandate. The police officers are periodically trained on issues related to children, violence against children and juvenile delinquency (such as drug issues, bullying, sexual violence, ...). The main strategy through which early prevention is there implemented consists of awareness campaigning in the schools and with the schools, projects on legality and police officers' training. The primary instrument is instead the agreement ('Protocollo d'intesa') between law enforcement agencies and local actors – usually the municipality or the schools at provincial

level – and the efficacy of any specific project very often depend on the good collaboration and synergy between the bodies involved.

National attention is also devoted to children victims of abuse and domestic violence: evidence shows that the majority of offenders suffered from violence during their childhood/adolescence, so intervening promptly on abused victims is also considered a delinquency early prevention strategy.

These strategies require strengthening local services and all the *fora* where children and youths can find aimed and joint support.

Among the others, collaboration between the justice system and local services is crucial, even though it can be very weak in some poor realities where there are no resources to guarantee social care and protection. As showed in figure 3 (p.14), anybody can and should report to the juvenile court a child who is in need of protection because his/her environment and/or because s/he has deviant behaviours. The latter cases, of deviant behaviours (administrative competence of the court) are the ones more linked to early prevention. If somebody reports a child for deviant/anti-social behaviour (which are not yet classified as offences), the court assesses the situation and decides for an intervention: the so-called *ante-delictum* measures that are social services foster care or community custody. For each case, the court appoints the social services on the territory to follow-up the child and his/her family. These social services differentiate from the USSM mentioned in the previous section. The latter one gathers information on the child who commits an offence, on his/her family and social context so to inform the court in taking a decision, and also follows the child during the whole proceeding. The USSM collaborates with the other justice services and with the local social services, which have instead the specific function to intervene and support the child in difficult situations, when s/he has not committed an offence yet but has anti-social behaviours that can lead to delinquency.

Secondary prevention priorities and strategies

One of the juvenile delinquency prevention's priorities in Italy is prevention of recidivism, so secondary prevention. The Italian system works towards this achievement making use of all the different diversion measures provided by the juvenile law and of the social and psychological support guaranteed for children in every stage of the proceeding.

The idea at the basis of this system is that an offence committed by a child/youth must not define the child him/herself as criminal, especially if it is not serious nor repeated. Juvenile offence is a 'deviance' along the adolescent's path, which needs to be re-adjusted with a strong educative and integrative effort from all the adults surrounding the child. This educative process includes child's responsabilization and often the juvenile court makes the child start a mediation with the victim of his/her offence and/or a reparation process. Close institutions are in fact considered as violent places, where youths are exposed to deviant learning processes and not to the crucial taking on responsibility's process.

All the instruments and the principles reported in the previous section aim to prevent recidivism, putting away the child from the justice system as soon as possible.

The Department of juvenile justice shared some data on a recidivism research carried out recently in Italy, with youths who exit the justice system when they were 21 and were followed-up for 10 years. Among the ones who spend their sentence with a diversion measure, recidivism was only 10%. This confirms the importance of keeping juvenile offenders away from detention facilities and leads to the will of the Department to include in the juvenile justice system also youths who commit an offence between 18 to 21 years. These are actually the people who over-populate the adults' prisons in Italy, often sentenced for small crimes or crimes related to drugs. They cannot access diversion measures provided for juveniles, even though the characteristics of their offences, their level of cognitive and emotional development, and the root causes of their deviant act are very similar to the under-age offenders'.

Other priorities identified by the interviewees, consist of:

- Implementation of more modern models of diversion measures, together with the adjustment of the existing ones to relatively 'new' categories of children involved in the justice system (migrant children, psychiatric cases, ...)
- Review of the juvenile justice services with the implementation of a juvenile law which regulates penitentiary treatment for juveniles from the perspective also of juvenile delinquency prevention (at the moment adults and juveniles are subjected to the same detention regulation)

2.2 Role of local communities and budgetary constraints

As previously said, many actors, coming from all the different sectors involved in child protection, manage juvenile delinquency prevention in Italy, in particular early prevention, which has strong local connotations.

Secondary prevention refers mainly to the justice system, a national legal framework is provided and it is more centralized. The role of the local communities is nevertheless very important, given that all the diversion measures and the educative process for the child develop within the community and need support from the local services. The Italian regions' autonomy in some matters implies also that the resources (human resources and budget) allocated for the juvenile justice measures vary from a region to another.

Early prevention is even more locally connoted. Projects on early prevention are in fact local, programmed by regions and managed by provinces or municipalities, and they depend strongly from each local entity's funds and commitment. The crucial network of actors, agencies, institutions that participate to prevent juvenile delinquency at early stage, has to develop within each single local community and therefore needs local funds.

This is the reason why the main concern, expressed by the majority of the operators interviewed, is the serious lack of resources in some areas, especially in Southern Italy, due to a lower investment in social care and assistance. The economic crisis Italy is going through exacerbates the situation in the already most problematic areas. The welfare state is at strain in Italy and so are all the services that provide social care and protection, especially in regions characterized by structural lack of resources. A social worker who works in a central district in Sicily reports a worrying lack of investment and human resources. In that area, social workers have around 100 children to follow-up, which is four times the manageable number of children for each social worker. Reports from schools and civil society to the juvenile court of children at risk are also very few, because people are not aware about the procedure and are not sensitized about early prevention. Furthermore, social services often cannot take care of all the cases reported through civil and administrative procedure, because of the disproportion of cases opposite to the few social workers available.

Private actors without (or with a very little) economic support from the state nor the local entities, now finance many local projects on juvenile delinquency prevention, with no long term sustainability. More attention and more investment and budget should then be allocated

not only in the justice system but mostly in schools, family services, family counselling and all the local support services.

Section III

Promising practices in early prevention of juvenile delinquency in Italy

Early prevention of juvenile delinquency has been considered a crucial part of delinquency prevention both at international and at national level, in Italy. The Italian panorama is rich of a great variety of instruments and projects aimed at preventing children and youths from committing delinquent acts and diverting them from a criminal path, in particular working on social exclusion, school dropout, bullying, children development, education and health.

Within this great variety, focusing on the scope of this study and on the contribution of the experts interviewed, two promising practices have been collected. They refer to different contexts and different issues addressed which specifically characterize the areas/regions targeted. As showed in the previous sections, Italy is historically characterised by significant differences among regions and macro-areas, such as North, Centre and South, in regards to many aspects, including the characteristics of the juvenile delinquency.

On the other hand, it emerges once again that early prevention of juvenile delinquency in Italy does not refer to a centralized and/or national programme. Private and public actors and institutions, with very different ranges of actions, targeting specific groups of children and using specific tools and modalities of interventions, instead implement it through a large variety of projects.

The promising practices which follow later on in this chapter have been selected according to the assessment made by the experts interviewed and to an assessment made by the author, keeping in mind the criteria identified by the United Nations Office on Drugs and Crime (UNODC) and the Interagency Panel on Juvenile Justice (IPJJ). As their document states:

- **Relevance:** the extent to which project's objectives are consistent with the beneficiaries' requirements, country needs and priorities, relevant international standards, global priorities and the policies and objectives of partners and donors
- **Efficiency:** a measurement of how well inputs are converted into outputs

- **Effectiveness:** the extent to which a project or programme attains its objectives and expected accomplishments and delivers the planned outcomes
- **Impact:** the sum of the primary and secondary long-term effects of an intervention, positive or negative, direct or indirect and intended or unintended, on its beneficiaries and other affected parties.
- **Sustainability** is the extent to which the benefits of the project or programme will continue after its completion
- **Transferability:** an attempt to identify the necessary conditions required for the same or a similar programme to produce similar results in a different context. It can also be explained as the lessons learned about those specific aspects of the design and implementation of a programme, the context and circumstances in which the programme was implemented or even the characteristics of the system in which it took place that made the programme successful⁶⁴.

3.1 Juvenile delinquency's early prevention in Italy

Among the large variety of methodologies for early prevention of juvenile delinquency in Italy, some general patterns of interventions have been identified in a study realized within the European Programme “Prevention of and Fight against Crime”, European Commission Directorate General Justice Freedom and Security. Project ‘JUST’ was realized and published in 2011 by Save the Children Italy in partnership with the Italian Ministry of Justice – Department of Juvenile Justice, the Romanian and the Greek Ministry of Justice, Save the Children Romania and Arsis (Greece)⁶⁵. It presents the best practices in juvenile recidivism prevention and social reintegration of juveniles who entered already the justice system. Even though this is mostly about secondary prevention, this study identifies three broad methodologies of delinquency prevention, which intervene in three crucial areas for children’s development, functioning also as primary prevention: outreach, social and family mediation, and interventions to prevent and contrast school dropouts. The vast majority of programmes

⁶⁴ United Nations Office on Drugs and Crime Interagency Panel on Juvenile Justice, *Criteria for the Design and Evaluation of Juvenile Justice Reform Programmes*, 2010, pp.13-18, available at http://www.oijj.org/sites/default/files/documental_9320_en.pdf

⁶⁵ Save the Children Italy in collaboration with Save the Children Romania, ARSIS-Greece and the Italian Ministry of Justice – Juvenile Justice Department, *JUST – Juvenile Justice. Development of child rights based methods of intervention to prevent juvenile crime and promote reintegration of young offenders. Italy, Greece, Romania. Manual of presentation of methods of intervention*, 2011, available at http://images.savethechildren.it/f/download/01/01_manual_just_methods.pdf

and projects implemented in Italy for the aim of early prevention fall into one of these three categories.

Outreach and street education: this method consists of reaching children and youths directly in the streets where they spend most of their time, especially the ones at-risk and coming from disadvantaged families and contexts. Once they have built the first contact with the operators, they will have the possibility to benefit from the informative and educational services, and recreational activities implemented directly in the streets.

Social and family mediation: mediation is a way of solving conflict, with the intervention of a third impartial actor who intervenes between the ones directly involved, in order to find a satisfying solution for both parties. It can be applied in any context, and social and family mediation aims at supporting children and youths who live in particularly disadvantaged families (economic support, psychosocial assistance, ...), and at supporting their social integration. This method is in fact very effective with migrant and unaccompanied children.

Interventions to prevent school dropouts: this category comprises all the interventions aimed at improving learning conditions, working on children and teachers' motivation, developing scholastic orientation and professional practical trainings, enhancing and ameliorating the educational proposal for children and youths, investing more resources in both human resources (teachers and their trainings) and structures.

Besides the promising practices presented and described below, from the interviews conducted with the experts some other quite interesting methodologies and modalities of intervention emerged on the matter of delinquency prevention in Italy. They all address children and youths who already committed a crime or/and are at risk of undertaking a criminal career. They are implemented in different contexts and Italian regions with participatory methodologies, focusing on various instruments that can be put in place to avoid social exclusion, to promote legality and to help disadvantaged children and youths at risk of social exclusion to speak up and give a voice to their needs, skills and abilities.

The Director of 'Don Calabria Institute'⁶⁶, Alessandro Padovani, in his interview mentioned a couple of programs specifically aimed at early prevention, implemented in Sicily and Veneto (Northeast of Italy).

⁶⁶ See note 43. 'Don Calabria' Institute is a multi-functional centre in Verona (Veneto) which provides children and youth with various educative, social, sportive offers: <http://www.centrodoncalabria.it/>

<p align="center">Project ‘The teacher’(‘U’ Mastru’,inSicilian dialect), Sicily⁶⁷</p>	<p align="center">Project ‘Writers Street-art. Let’s paint the city’ (‘Writers Street-art. Coloriamo la città’), Veneto⁶⁸</p>
<p>When: since 2002-2003</p> <p>Who: Institute ‘Don Calabria’</p> <p>Where:province of Palermo (Termini Imerese)</p> <p>For whom: youths at risk reported by the Juvenile Court of Palermo for small crimes or anti-social behaviours</p> <p>Why: supporting and promoting professionalization and social integration</p>	<p>When: 2013, 2014</p> <p>Who: Municipality of Verona and Institute ‘Don Calabria’</p> <p>Where: municipality of Verona</p> <p>For whom:any youth who wants to participate to the contest, youths from schools together with youths reported by the authorities and young artists</p> <p>Why: promoting young writers’ creativity in the appropriate locations, training youths to respect others’ property and improving the conditions of</p>

⁶⁷ Please find more details on the Study Centre of the ‘Don Calabria Institute website at: http://www.centrostudi-odc.it/index.php?option=com_content&view=article&id=74&Itemid=70

⁶⁸ The competition announcement is available on the Verona online magazine at <http://www.verona-in.it/2014/01/20/bando-di-concorso-witers-street-art-coloriamo-verona/>

<p>How: vocational training, day-care centres for the youths to meet and develop professional skills</p>	<p>some degraded areas of the city</p> <p>How: contest with prizes for artistic projects and ideas aimed to upgrade some degraded areas and/or structures. Some well-known artists and writers participate also as trainers for peer-education.</p>
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Another big interesting project implemented in collaboration with the Sicilian offices of ‘Don Calabria’ Institute has been collected from the interviews: project ‘Prism’ (‘ProgettoPrisma’). It is a very articulated and multi-activities program, implemented in Sicily. In particular, a social operator interviewed, working in one of the associations participating to the project in the province of Caltanissetta, presented the project as quite successful under some aspects, as relevance, efficiency, efficacy and impact, but very lacking in terms of sustainability and transferability. The funds were envisaged to come from the Region Sicily but the partner associations had to replace the absent regional funding for the second tranche of the project, so causing the closure of the project and the closure of the activities for some associations involved. There is still an ongoing controversy among the implementing associations and the Sicily Region, but the concrete result is that the project cannot be completed nor even replicated, so failing in guaranteeing efficiency and effectiveness. Furthermore, young beneficiaries who participated cannot complete the whole path, or those ones who completed it cannot continue to participate to the activities, because the lack of funding stops them.

<p>Project ‘Prism’ (‘ProgettoPrisma’), Province of Caltanissetta (Sicily)</p>
<p>When: September 2010 – February 2013</p> <p>Who: Three municipalities (Associate Partners): San Cataldo, Marianopoli and Santa Caterina Villarmosa (Province of Caltanissetta) and three Associations (Associate Partners): ‘TAM TAM La porta del sole’, ‘CeFoCuS’ and ‘L’Arca’. They divided the activities to be implemented according to their population (the municipalities) and their previous experience (the associations). Municipality of San Cataldo was the leader authority, which coordinated the implementation of the activities, being the most populated among the three associated municipalities.</p>

Where: Province of Caltanissetta

For whom: Children and youths reported by the Juvenile Court or by the social services, and any other child and youth who wanted spontaneously to participate to the activities.

Why: upgrading the territory, in the province of Caltanissetta, through juvenile participation, in order to facilitate and support social integration and to prevent deviance and delinquency risks

How: The project implementation was divided into four main ACTIONS:

1. ‘Growing-up together. Youths protagonists of their territory’ (‘Crescereinsieme. Giovani protagonisti del territorio’). It is divided into 6 macro-activities aimed at promoting youths’ creativity to support social participation
2. ‘Promoting healthy life-styles and positive behaviours: Educating to legality’
3. ‘Healthy life-styles and positive behaviours – Health and wellbeing: life belongs to me’
4. Support to the intergenerational family relationships: family and youths

3.2 Promising practices

Before going through the presentation and description of the selected promising practices, some criteria that have been used for the selection will be here clarified.

As said in the introduction of the present section, at first this selection is the result of the assessment made by the experts interviewed and of an assessment made by the author, keeping in mind some evaluation criteria identified by UNODC: each project’s efficacy, efficiency, impact, relevance, sustainability and transferability. In turn, for conducting this assessment some criteria have been used:

- The realisation of proper and grounded analysis of the context and the specific issues to address, prior the design of the project
- The focus on categories of particularly vulnerable children
- The attention to fundamental principles of non-discrimination and children participation

- The implementation of comprehensive programme and differentiation of the activities proposed
- The sustainability of the project is deemed extremely important over all, with continuation of a single project over the years, with the same methodology to testify its success formula

3.2.1 Invisible City Foundation – Life School ‘Falcone-Borsellino’ (‘Fondazione La CittàInvisibile – Scuola di vita Falcone-Borsellino’)

One of the identified promising practice comes from Sicily, an island situated at the extreme South of Italy. In particular, the context of implementation of this project is Catania, province of Catania and Syracuse, historically characterized by a strong presence of mafia⁶⁹.

As confirmed by the President of the Foundation in her interview, poverty rates and crime rates related to organized crime – even juvenile delinquency – flourish because of lack of public services and because of high unemployment (both among juveniles and adults):

- 40% of children drop out the school
- About 25% of the population is illiterate. Very often for disadvantaged children and families the only income is from drug dealing and arms trafficking. Too often children are involved in criminal activities because the criminal law provides more alternative measures for minors and sentencing is usually milder for them than for adults.

According to the analysis at the basis of the mission of the Foundation, the social disadvantage these children experiment influences very much their rules compliance, self-esteem and interpersonal relationships.

Together with a situational analysis of the context, the idea of establishing a music school with children and youths’ orchestras in the most disadvantaged neighbourhoods of Catania and its province, came from the well-known and consolidated experience of the so-called “Abreu method”. José Antonio Abreu is a Venezuelan orchestra conductor, educator and activist who rescued about 350.000 boys and girls through music and education, offering them a concrete

⁶⁹ Catania registers one of the most active and vital realities of mafia in Sicily. It is characterized by the presence of many groups and Catania’s mafia families still have a leading role in the mafia’s business in Eastern Sicily. It has been dealing over the years with extorsions, drug trafficking and infiltration of public contracts (Annual reports from the National Direction Anti-mafia (‘Direzione Nazionale Antimafia’, DNA) on the activities carried out by the national prosecutor anti-mafia and on the dynamics and strategies of organized crime of mafia-type).

and innovative life and development opportunity. Following this inspiration and modalities of intervention, the ‘Invisible City Foundation’ (‘FondazioneCittàInvisibile’)⁷⁰ established in 2009 and developed various music schools for children in the city of Catania and around the province. They offer free trainings on instruments and free studying material for children to learn how to play and to perform within one of the three orchestra resulted from this project. This method has been transmitted directly from Abreu’s followers who supported the school’s teachers for about two years.

The name of the project, ‘Invisible City’, refers to the often invisible disadvantages of many children and youths in particularly marginalised contexts, and to the quite ‘invisible’ method used to support them and divert them from an even more marginalised and often deviant path: an educational method which aims at the empowerment of every and each individual. Different methodologies are put in place to ease the children and youths’ social inclusion and cohesion, with a strong symbolic reference to two Italian modern ‘heroes’, Giovanni Falcone and Paolo Borsellino, who the music school is dedicated to⁷¹.

The mission of the Foundation has been, since the beginning, to give support and offer a positive and valuable alternative to children and youths at risk, through education to culture and legality, and through individual empowerment. In doing so, the project involves professional with various backgrounds: music teachers using the ‘Abreu’ method, life-coaching experts, poets, theatre actors and journalists.

Children and youths at risk who enter in contact with the school are reported by the authorities, social services or any other public or private individual or entity and are introduced to the music training. The training has a practical approach, where teachers first try to communicate the emotional participation and beauty of music in itself and of playing all together, respecting each other voice/sound and timing, through a sharing experience and a strong effort to boost each child self-esteem.

⁷⁰ ‘Invisible City’ is a private entity founded in 2009, which works in synergy with other Institutional partners: Moral involvement of the Senate of the Italian Republic, Regional Sicilian Assembly, Regional Province of Catania. Private support from ANLAI Ass. Artistic Italian Lute Making (LiuteriaArtisticaltaliana), with donations of instruments for the children. More information are available on the website at <http://www.fondazioneilacittainvisibile.it/>

⁷¹ Giovanni Falcone and Paolo Borsellino were two Sicilian magistrates killed by mafia in 1992 in Palermo (respectively in May and July 1992), because of their commitment in the fight against Sicilian mafia. In Italy, they had become a very powerful symbol and representation of legality and anti-mafia, among many other victims of mafia killings coming from the law enforcement agencies during the ‘80s and ‘90s.

Group music classes are always preceded by life-coach sessions on legality and social cohesion, and by interventions aimed at stimulating children's life skills, such as concentration, memory, creativity, book and writing therapy sessions and various classes, in order to promote a sharing and collaboration perspective among the children and youths involved. The objectives to achieve are:

- Self-esteem improvement
- Rules' compliance and culture of legality
- Ability to build positive relationships with the others

Another innovative aspect of this methodology relies on the quite small budget allocated for this programme: 20.000 euro per year for the music school, for 120 pupils, with an expense of 165 euro per child per year. Funds come from fund raising activities (80%) and small public funds (20%).

This educational model has a proved sustainability, especially for short-term (about 1-2 years), and it is transferable in different contexts, at moderate costs, as showed by the positive impact in the Venezuelan experience and in this first Italian application. 'Invisible CityFoundation' has developed many centres in Catania and province, establishing children and youths' orchestras in disadvantaged neighbourhoods and even in the juvenile facility 'Bicocca' in Catania. In addition to that, other similar projects are planned to be implemented other Sicilian cities, such as Palermo and Syracuse.

The main aspect, which deems this to be a good practice and which can be translated in a recommendation, is the use and transmission of Culture's symbolic and effective value for self-esteem, individual development and social interaction. In particular, using and teaching to the children and youths the principles of the music orchestra, where many and very different instruments play together aiming at the same goal and with a harmonious outcome; and adapting them to daily life and social interaction. In order to refer to culture on a broader perspective, guaranteeing other complementary activities is also crucial, being supportive to the cultural development of the child and enriching his/her perspective. For instance museums and theatres visits, walks in the nature, meeting and events with artists, musicians and writers, teaching various and autonomous modalities of expression with collective classes, involving children and youths in marches and demonstrations for legality and human rights, and so on and so forth.

It is crucial also the representation of very positive life-models, in this case the two magistrates Falcone and Borsellino, and the utilisation of extremely encouraging examples in life to create a symbolic framework within which children and youths can find the right motivation and boost to build their own development and life-path.

Invisible City Foundation – Life School ‘Falcone-Borsellino’

General objective: to divert the children and juveniles’ path into school drop out and illicit activities on behalf of organized crime, through a high educative and cultural offer.

Specific objectives:

- To boost children’s self-esteem and to raise their awareness about themselves, committing towards the others, through peer-tutoring with the new incomers and conducting (long-term)
- Creating a group to engage children with group identity feelings and to increase their sense of legality, through their commitment as a group, as an orchestra (mid-term)
- Teaching children how to build positive relationships with the others, with respect, through music classes and through collective classes on legality (short term)

Beneficiaries: children from around 4 to 14 years old from at risk neighbourhoods

Activities: The programme of the Music-Life School ‘Falcone-Borsellino’ develops in 4 step:

- 1) Welcoming and introduction to an instrument, through group practical classes
- 2) Performance of concerts to verify children’s progresses and stimulate them to ameliorate, with guided classes to motivate them
- 3) Organising events involving families and personalities aimed at re-giving value to the social environment where the child lives
- 4) Attendance of a voluntary stage and apprenticeship as tutor to guide the new pupils, together with the adult teachers, supporting the others through difficulties and in gaining motivation

The main constraint remains the self-esteem improvement, which requires still more work. At this purpose, some

3.2.2CivicoZero project

The other promising practice identified from the interviews to the experts in the child protection system in Italy, has been implemented since 2008 in Rome, in particular the centre of the city. The phenomenon analysed and targeted is a significant presence on the territory of migrant children. They are often unaccompanied, come with families who live in very disadvantaged conditions and poverty or are victims of trafficking. Roma children are particularly vulnerable, even when they have been living in Italy for long time. In fact, they often live with their families in very precarious conditions and poverty, struggling to survival and school attendance, against frequent forced evacuations of their houses. These children are often involved in small criminal activities, victims of trafficking and/or exploited for committing more serious crimes.

In 2008, when the project ‘CivicoZero’ dates back, migrant children in the local care centres were 1.049 and also within the Justice System a significant presence of migrant children was

reported (at national level, in 2008, 47% of children entering the first care centres – CPA – were migrants).

In the project drafting and planning phase, the other institutional and private agencies working in the child protection system had been consulted and critical vulnerabilities of this children's population had been discussed, resulting in an updated mapping of the phenomenon. An evaluation of already implemented projects and the local resources had also been made, so to avoid duplications and identify where to specifically intervene.

'CivicoZero' is a Save the Children Italy project that started at the end of 2008, after the closure of a previous Save the Children project, 'Colourful horizons' ('Orizzonti a colori'), which specifically addressed migrant children within the juvenile justice system⁷². The first phase of 'CivicoZero' lasted one year, until the end of 2009, which the first Save the Children report and this present study refers to⁷³.

It came out from the previous observation that in Rome a diurnal youths' centre was missing, in order to provide youths – especially the ones living in the streets or particularly vulnerable/at risk – with support, protection and orientation towards the school and/or work environment. Therefore, a daytime centre for children and youths was established, gathering children of every nationality, with a specific focus on unaccompanied minors who live in the streets. In particular, the project addresses migrant boys and girls (and their families when present) in disadvantaged situations, juveniles within the justice system, at risk of trafficking, abuse and commit crime, to improve their life conditions and their rights. Beneficiaries have been children around the age of 12 to 18 years old, with a specific attention to migrant and unaccompanied children, reported by the Court or by social services as being at risk, or gone spontaneously into the day care centre.

⁷² This project has been implemented with the participation of some Institutional partners: Centre for Juvenile Justice ('Centro di Giustizia Minorile) in Lazio, both at central level and at local level with the Juvenile Social Services Offices (USSM), the First care centre (CPA) and the Juvenile Facility (IPM); Municipality of Rome – V Department Minors and Families: juveniles' communities in Rome and in the Province; Centre "Borgo Ragazzi Don Bosco", which provides youths with orientation courses to the school and to professions, and the offer of 12 traineeships with work-scholarship; International Centre on Education and Development (CIES), for the service of linguistically-cultural mediation; National Institute for the promotion of health of migran population and contrast of diseases and poverty; Association "Virtus Pontemammolo" for the victims of trafficking and prostitution; Specific collaboration have also been established with other associations: Agency 'Codes' ('Agenzia Codici'), for a project's methodological supervision and potential research-action activities; The office for the Authority on Childhood and Adolescence Rights in Lazio for support in the activities related to the right to participation

⁷³ The report from the first year of activities (2008-2009) is available on the Save the children Italy website, at http://images.savethechildren.it/IT/f/img_publicazioni/img58_b.pdf

The areas of intervention and beneficiaries of this project are various and multi-dimensional:

- The street: children and youths involved in prostitution, criminal activities and begging. A Mobile Unit – daytime and night-time – provides them with help, street education and orientation, to monitor and reduce the risk
 - Penal/criminal area: children and youths in the First care centres for pre-trial detention measures, in the juvenile facilities or in social services' custody. Various activities are put in place: daytime interventions, social mediation with the families and the communities, peer education, entertainment, linguistic and cultural mediation, legal counselling
 - Spontaneous Roma Settlements: children and youths at risk of social exclusion and marginalization. A daytime Mobile Unit intervenes with social mediation activities, entertainment, peer education, workshops, health education and other various support activities
 - Day care centre 'CivicoZero': for children and youths, under aged and young adults. Many activities implemented: day-care and basic services; children vulnerabilities' analysis and referral; information about their rights and gathering information on rights' violations; protection interventions; educational and recreational activities; workshops; peer activities; legal counselling; work and education counselling; medical screening and health education/counselling
- The fundamental principles applied in the Centre were participation, non-discrimination, reciprocal respect and nonviolent self-regulation. Children have directly been involved in the activities' planning and management, through consultations, peer education and programming new activities
- Local network of services and actors: for children and youths, under aged and young adults. Operational connections with private and institutional services and actors present on the territory and working on child protection, to realize joint and integrated actions, such as educative, recreational and work/school counselling

Professionals with different backgrounds are involved: the project-team is made by educators, a psychologist/educator, three cultural mediators (Egyptian, Afghani and Roma), social operators, legal counsellors, and by a group of peer educators. In addition, operators from the

local services are mobilized and collaborate to the implementation of some project's activities (doctors, operators for vocational trainings, ...).

The aspects that deem this project to be a promising practice are several. At first, the previous analysis of the targeted phenomenon and of the specific needs of the targeted population, in continuity with a previous project, guarantees the sustainability, which is the main problem of many programmes of this kind in Italy. Costs are moderate and funds are private and more reliable/secure, also being Save the children a highly committed and consolidated organisation in child protection.

Finally, the principles at the basis of the programme and variety of activities implemented, like participation, non-discrimination, reciprocal respect, care and peer motivation can be effectively transferrable in other geographical realities and for other vulnerable children, given the appropriate adjustments.

CivicoZero project

General objective: to achieve juvenile delinquency's prevention through child protection.

Specific objective: to guarantee child protection through an overall presence on the territory, from the streets to the juvenile justice system services, the day-care centre and support for the ones who enter in contact with the social services

Activities: To achieve its scope, the project intervenes on different dimensions, to integrate the work and interventions of the institutional and private agencies already existing on the territory, which deals with child protection. In each of the different dimensions, the project implements different activities:

- The street: children and youths involved in prostitution, criminal activities and begging, with a Mobile Unit, daytime and night-time
- Penal/criminal area: children and youths in the First care centres for pre-trial detention measures, in the juvenile facilities or in social services' custody
- Spontaneous Roma Settlements: children and youths at risk of social exclusion and marginalization, with a daytime Mobile Unit
- Day care centre 'CivicoZero': for children and youths, under aged and young adults.
- Local network of services and actors: for children and youths, under aged and young adults.

Beneficiaries: children of every nationality, with a specific focus on unaccompanied minors who live in the streets, in particular migrant boys and girls (and their families when present) in disadvantaged situations, juveniles within the justice system, at risk of trafficking, of being abused and of committing crime.

Outcomes: data and numbers are available in details in the first report of the activities of the CivicoZero project published online on the Save the Children Italy website.

Among the others, with the 'street-intervention' (outreach activity) in the first year 149 youths among 6 and 18 had been reached. Within the justice system, youths inside the CPAs who entered in contact with the project team were about 200, with half of foreigner origins (former Yugoslavia, Roma, Romanian).

The day-care Centre 'CivicoZero', from February to October 2009, received 534 children (506 males and 28 female), plus 35 entries in the daytime 'help-desk', established in another area of the city

Monitoring and evaluation: All the data from the activities is collected in a 'project database', which gathers qualitative and quantitative information on the mobile units' interventions, CPAs, legal interventions, external interventions, activities internal to the CivicoZero day-care centre. This information is gathered through reporting schedules about each dimension and location.

Budget: 430.000 euro per year plus salaries for two social mediators. All private funding (Save the Children fund rising).

3.3 Monitoring and evaluation mechanisms and practices

The activity of monitoring and evaluation of early prevention of juvenile delinquency practices is not centralized and structured, as neither is the implementation of the practices themselves.

One of the main consequences of the scattered nature of early prevention modalities and interventions is in fact the absence of a national overview and of a monitoring system which ascertains the effectiveness, sustainability and impact of each of the project implemented.

Each project envisages in its implementation process specific monitoring tools, external or internal evaluation modalities, data and information collection in order to have constantly a clear image on the extent of the tackled phenomenon, the extent of beneficiaries' population involved and therefore the impact and efficiency of the project. Nevertheless, a previous situational analysis and monitoring and evaluation activities are not always foreseen and carried out by the projects' applicants and implementing bodies, resulting often in the actual lack of data to show whether a project is working or not and whether the objectives respond to the actual priorities in the specific context.

In Italy, various are the observatories and monitoring mechanisms of the children's situation in the country though, depending on different contexts and referring to different phenomena and vulnerabilities⁷⁴. One of these Observatories is worthy attention in this study, since it can be

⁷⁴The main monitoring body in Italy is the Italian National Childhood and Adolescence Documentation and Analysis Centre, through which the National Observatory on Childhood and Adolescence performs its functions. As explained on its English version of the website, "According to [Law no. 285/1997](#), the National Centre shall help the Ministry of Labour and Social Policy achieve the objectives of the law by providing information, services for the promotion of child rights, advice, monitoring activities and technical support. The National Centre is also in charge of the technical and organizational aspects of the National Conference on Childhood and Adolescence, which, pursuant to Law no. 285, shall take place every three years. The National Centre collaborates, exchanges information and carries out joint research projects with the following institutions: Regions and Autonomous Provinces, ISTAT (National Statistics Institute), public administrations and competent bodies dealing with children's issues, institutes and associations working for the protection and development of children and adolescents, European and international bodies, in particular the UNICEF Innocenti Research Centre. The [Ministry of Labour and Social Policy](#) and the [Department for Family Policies of the Prime Minister's Office](#) have signed a specific agreement with the [Istituto degli Innocenti of Florence](#) to carry out the activities of the National Centre.

The tasks of the National Centre are to support and to promote the spreading of information, knowledge, innovation and the implementation of policies in favour of younger citizens, mainly through documentation, analysis, research and monitoring, information, education and training activities". Available at <http://www.minori.it/en>

fully considered as a promising practice in itself in the matter of early prevention of juvenile delinquency.

3.3.1 Local Observatory on bullying ('Osservatorioterritoriale sul bullismo', OTB)

The 'Local Observatory on bullying' ('Osservatorioterritoriale sul bullismo', OTB), established in the province of Nuoro, Sardinia, the second biggest island in Italy, situated in the Mediterranean sea on the western side of Italy. It has been mentioned by the police commissioner ('vice questore aggiunto') of the Central Operative Service of the Police Law enforcement Agency in Rome, dott. Giacomantonio, as a very inspiring experience⁷⁵.

The peculiar context in which this Observatory was established is characterised by high rates of juvenile delinquency⁷⁶ and school drops out, within a cultural framework where the State law opposes a parallel set of laws and rules of conduct established by the agro-pastoral community. This normative framework (so called 'barbaricino-code', 'codice barbaricino'), regulates the communities life in the Province of Nuoro and strongly influences youths education⁷⁷.

On the other hand, bullying is in fact very often a good indicator and ground-breaking for anti-social/delinquent behaviours during adolescence and crime in adulthood. This phenomenon has specific characteristics in this particular territory – in the province of Nuoro and internal areas of Sardinia – and it presents peculiar features that need to be analysed from a qualitative and quantitative perspective in order to be efficiently faced.

The observatory was established to promote and coordinate all the initiatives to contrast bullying in school and in all the other socialization contexts for children and youths in that area.

⁷⁵ The central police station (Questura) in Nuoro promoted the establishment of a local observatory on bullying in 2007. The Institutional partners who have been participating to the project are: Province of Nuoro, Province of Ogliastra, Municipality of Nuoro, Health Local Unit of Nuoro, Social cooperative 'Lariso' in Nuoro, Provincial School Office, Provincia Juvenile Justice Office

⁷⁶ Delinquency rates have been gathered from the databases at the central police station – Ministry of Interior for the province's territory

⁷⁷ The 'Barbaricino code', also called 'Revenge code', is a typically from Sardinia set of consuetudinary laws based on revenge, where each individual or group who is victim of an injustice is legitimized to look of his/her own resolution. It is considered a conflict resolution instrument but also a moral obligation which people observing this code cannot escape to. Meloni B, (eds), *La criminalità in Sardegna tra tradizione e modernità*, AM&D, 2007.

The main goal of the Observatory is to facilitate and support with appropriate tools and skills any actor who is willing to face and tackle bullying with responsiveness, professionalism and effectiveness. To achieve this goal, the Observatory offers services for research, counselling, information and training for whoever is willing to know more about bullying in order to contrast it in an effective way: social operators, teachers and parents, but of course also children themselves. A particularly interesting activity to raise awareness among children is the realization of a school diary, 'Diahiò', with instructions on how to recognise bullying and to contrast it, and how to build positive relationships and interactions with the others⁷⁸.

OTB provides people and local operators with education and training, and any public or private entity on the territory can be part of the Observatory. Therefore, professionals involved have different backgrounds: they are psychologists, sociologists, social workers, teachers, educational operators and law enforcement officers.

The most successful aspects underlined by the Coordinator of the Observatory in the interview were the following:

- Establishing a network of social actors and agencies, to prevent and contrast a multi-dimensions phenomenon like bullying
- Sharing with other institutions and private actors the operational outcomes and findings coming from the research, training and counselling activities
- Having a coordination body which has a leadership role in reading and interpreting a specific phenomenon, to address the action and activities of public and private actors

⁷⁸ All the initiatives and activities carried out by the Observatory are listed and available with more details on its website, at <http://www.otbnuoro.org/otb/>

Local Observatory on bullying

General objective: to facilitate and support the contrast and prevention of bullying

Specific objectives:

- Qualitative and quantitative research of the phenomenon
- Counselling
- Training

Activities: the OTB collects data and information on the phenomenon through qualitative and quantitative research, and offers technical assistance and training to social operators, teachers, children and their parents. Some other peculiar activities of the OTB are: the realization of a school diary for children ('Diahiò'), a blog, a collection of movies on this topic and useful documentation on the website, some 'useful advice and tips' offered with child-friendly leaflets on the website

Beneficiaries: school's children, parents, teachers, social operators, any private and public actor interested in enhancing knowledge and skills on bullying

Outcomes: During the years, the Observatory carried out three researches on the ground regarding the extent and characteristics of bullying in primary, secondary and high schools. Over 1000 children in the schools have been trained, 200 teachers and hundreds of parents.

Monitoring and evaluation: The executive body of the Observatory has a monthly meeting at the Central police office (Questura) which has, by constitution, a coordination and monitoring role. All the documentation – minutes of the meetings and yearly reports of the activities – are available on the OTP website.

Budget: The Observatory is financed by the constituent members and works with a yearly budget of 11.000 euro average. All the budget is devolved to the education/training and research activities.

3.4 Recommendations

Despite the spread awareness on the crucial importance of juvenile delinquency's early prevention interventions as a child protection commitment the government and all the private and public actors should take charge of, many things have still to be done in Italy to make these interventions effective and sustainable.

Some recommendations already came out in the course of the present study and they are systematically presented here as its conclusion. The weaknesses of the system reported by the experts interviewed and emerged from the study can be translated into recommendations to the Italian Government and to the various actors – private and public – who actually implement programs and projects on the ground.

To the Italian Government

- Centralize and structure the interventions at national level. Currently, projects are too much scattered on the territory and very much localised. This causes a fragmented diffusion of interventions, which too much depend on local funds and local – often even individual – willingness to invest economic and human resources on this matter.
- Establish a national coordination body/system, where there is no overlapping between projects and where a prompt answer to children and families' needs is guaranteed, no more within an “emergency approach” (typically Italian).
- Support the implementation of sustainable projects. Even where

To the implementing actors

- Analyse and/or refer to existing national analysis of the specific context and phenomenon of intervention, in order to identify the actual needs and vulnerabilities of the youth beneficiaries.
- Make the child and the youth protagonist, able to recognise and use his/her own skills. Receiving recognition from his/her peers, through a socialization process also with all the youths who live in different and sometimes ‘luckier’ environments, rewards the youth and teaches him/her that there are alternative behavioural and life options.
- Guarantee the principles of non-discrimination, participation, reciprocal respect, legality, care and peer motivation

projects have an impact and are deemed sustainable, the frequent turnover in the Italian administrations causes the lack of the conditions for a stable integration of these programs/projects within the local and national planning and activities.

- Establish a centralised monitoring and evaluation system of the existing programs/projects. The lack of such a system often causes a waste of resources, being funds invested in a large variety of projects without a proper assessment (efficacy, efficiency, relevance, impact, sustainability, transferability). A centralised body should carry out such assessment and support the programs that actually work, promoting the elements that make them sustainable and transferable.
- Support the programs with situational analysis and scientific research of each specific context, to address specific needs and vulnerabilities. Some projects do not in fact respond to a proper reasoning behind but simply to a generic presence of funds and investments devolved to 'early prevention'.

- Guarantee to the children and youths a differentiated offer as much as possible, using a child-rights approach which aims at helping them to improve life conditions (in terms of economic poverty) and at the same time maximising their quality of life and opportunities for the future.
- Confront the children with positive examples and provide them with cultural stimuli, enriching their perspective.
- Establish a network of social actors and agencies, to prevent and contrast multi-dimensions phenomena and provide children with a large-spectrum support.
- Share with other institutions and private actors the operational outcomes and findings coming from the implemented activities and pieces of research.
- Establish a central body for each project, which has a leadership role in coordinating the activities, monitoring and assessing the outcomes, reading and interpreting a specific phenomenon in order to address possible adjustments and revisions.



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