

National



POLICY BRIEF



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Young ex-offenders and recidivism

October 2018

INTRODUCTION

PROMISE explored the ways young people with a history of stigmatisation or conflict participate in society. In Estonia our research focussed on young ex-offenders in Estonia. This policy brief is concerned with the effect of stigmatisation of young ex-offenders on their future life and employment status.

The policy recommendations are directed towards the prevention of possible re-offending by increasing the involvement of young ex-offenders in conventional life practices. States react to unlawful acts committed by young people through the criminal justice system, either placing young offenders on parole in cases of less serious offences or imprisoning them in cases of serious or repeated criminal acts. Although the main idea of these interventions is the rehabilitation of young people through considering the influence of risk factors that are associated with delinquency, the effect is often the opposite to the desired one. Among the all age groups, the risk of recidivism is highest for convicted juvenile offenders. Every third person from 14 to 18 commits their next criminal offence within a year after their previous offence. High recidivism rates indicate that reacting to delinquent behaviour by punishment and isolation is a rather ineffective strategy. The reasons of such inefficiency are various but one of them is related to stigma attached to young people's delinquency because of their treatment by the criminal justice system.

The aim of the recommendations is to define the key steps that could help to reduce or neutralise the effect of stigmatisation and therefore prevent young people from re-offending.

KEY FINDINGS AND POLICY RECOMMENDATIONS

1. Provide support for young people's transition from offender to conventional status.

Conviction, punishment, offender status and stigmatisation have an influence on a young persons' self-confidence. A lack of self-confidence and fear of failure if they try new things restricts young people from even trying these things, participating in social life, or moving on with their career. Previous experiences that these things have already been tried, either by themselves or by others in similar situations, are seemingly relied upon. Such scenarios may also include returning to criminality as a way of life that works. The young people do not have the support they need in order to transition to a law abiding life. Providing such support may have a crucial effect on a young ex-offender's life.

"EVS as a TOOL for NEETWORK" is a program that aims to support young people demonstrating risky behaviour with transition from NEET to EET status. The program is financed by the Erasmus+ Youth in Action Programme and is aimed at involving NEET youth in quality European Voluntary Service projects. In Estonia, the program works in close cooperation with Tallinn Center for Children at Risk. The goal of the program is to develop social skills of young people, to support them in decision making, provide experience with conventional jobs and opportunities to work in international projects, and learn more about different cultures and countries. The possibility of working with young people from different countries and to travel abroad is very high motivator for young people at risk. It increases self-confidence, self-control and responsibility that serve as a good basis for conforming behaviour and societal involvement.

Programs that provide support, motivate, teach social skills and increase self-confidence could become a turning point in the criminal career of young ex-offenders and help them to desist from crime.

2. Use suspension of the pecuniary punishment on probation in combination with special intervention programs

Criminal policy in Estonia is changing in the direction that any kind of punishment that takes the freedom from a young person shall be used as a last resort. There are some rehabilitation and social programmes in place, but their availability is scarce (especially outside Tallinn) and the effects rather questionable. Therefore, when young people, especially minors, are caught committing an offence, they are either punished by a fine or, if the offence is a minor one, the case will be closed but a person should pay the costs of the criminal procedure to the state. Depending on the number of convictions and the character of crime, by the age of 18, young people will have larger sums of money that they should pay back. Even when they are punished by a prison sentence, these obligations will still remain. To ensure that the money is paid back, the accounts of these young people are frozen and bailiffs can execute the orders of the courts. If an offender earns any money, a big share of it will be collected by bailiffs to pay the debts, leaving the person with a minimal sum of money to survive. This puts young people in a very difficult financial situation. The constant need for money and the inability to earn it legally may turn young people to crime or work illegally.

The Penal Code of Estonia has the possibility to suspend not only the imprisonment but also the pecuniary punishment. If this suspension of monetary sanctions is used in combination with special programs aimed at creating opportunities for jobs and assisting young people with criminal records to find the job, it could help young people to start their working career and desist from crime.

The “STEP program” **helps to bring together a young person with criminal record** who wants to change his or her lifestyle (but sometimes do not know exactly how), **with an Employer** who is willing to support young people on this road. The young person also undergoes a **Counselling** procedure with the support of a competent adviser. The program assists Estonian businesses in strengthening their social responsibility commitment, and in the creation jobs or training opportunities for young people who are at risk of social marginalisation due to their criminal record. It assists young people in finding jobs, and provides counselling and mentorship. The program is financed by the ESF and the Estonian government.

Programs that provide employment opportunities for young people with criminal records, train young people and provides mentoring may have a positive effect on the lives of young ex-offenders.

RESEARCH PARAMETERS

This policy brief is based on 22 semi-structured interviews conducted with 24 young ex-offenders. The youngest respondent was 15, the oldest 27, the main age of the respondents was between 21 and 25. There were 3 females and 21 males in our sample. Although males are overrepresented, the proportion reflects the gender distribution among the young offenders. For all respondents, we collected written informed consent for young people; and for those under 18, parental consent was also obtained. All interviews were recorded, transcribed and analysed using NVivo 11 software.

PROJECT IDENTITY

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| FURTHER READING | http://www.promise.manchester.ac.uk/wp-content/uploads/2018/06/Young-ex-offenders-and-recidivism.pdf |