

IAJ/UIM

Third Study Commission Questionnaire

Barcelona, 2015

For 2015, the Third Study Commission has selected “Juvenile Justice” as the topic for study and discussion. The treatment of juveniles in the criminal justice system is of special importance. Juvenile crime is generally recognized as quite different in quality from adult crime. The need to deter and punish criminal conduct by juveniles, and to account for the interests of the victims of such crime, must be balanced by the recognition that youthful offenders may not have fully-formed notions of the wrongfulness of their conduct, as well as the idea that a juvenile offender should be treated in a way that promotes the likelihood of a law-abiding lifestyle in adulthood.

To facilitate our study and inform our discussions, we request the following information with respect to your country’s system of Juvenile Justice:

- 1) Please describe how juvenile crime is handled in your country, including A) the age at which a person is considered a juvenile, B) a description of court process including information on any specialized courts for handling juvenile crime, C) whether there is a right to have an attorney and D) how trials are conducted.
- 2) If a juvenile is detained in custody, are there special facilities to maintain separation of juveniles from adults?
- 3) Are judges specially trained? How?
- 4) In your country, are juvenile cases handled separately from adult cases? How?

- 5) If a crime is committed by a juvenile, what is the range of punishment? Are there specialized prisons? What education and/or counseling is available to the juvenile offender when in prison or other custody?
- 6) Are juvenile prosecutions open to the public, or are they handled on a confidential basis?
- 7) Can a juvenile prosecution case be transferred to adult court? If so, what are the considerations and how is that handled? Who decides, the judge or the prosecutor?
- 8) Is there a role in juvenile prosecutions for a social worker? What is that role?
- 9) Is there a role for Restorative Justice in juvenile cases?
- 10) What do you see as the strengths and weaknesses of your country's juvenile justice system?
- 11) If you could change anything in your country's system of juvenile justice, what would you change?