Kijken bij de kinderpolitie. Een onderzoek naar het afhandelingsbeleid van de kinderpolitie
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SUMMARY

A research into the handling of cases by the juvenile police

From various American studies on police work it became evident that police-officers in their decision about the settlement of a case are guided more by so-called delict-extrinsic factors (person and social setting of the suspect) than by delict-intrinsic factors (offence and offence circumstances). By these studies our interest was aroused in the situation in the Netherlands. Which disposition-criteria would the Dutch police use?

In dealing with this problem we first of all are confronted with the question of police discretion. This concept implies that a public officer, within the limits of an assignment, has the liberty to act according to his own opinion and conscience. In the United States the numerous selections applied by the police are nowadays looked upon as a result of the too large and uncontrolled exercise of discretion by the police. At present the authorities want to curtail this exercise of discretion and subject it to a better supervision; this could be realized on the one hand by social scientists' reporting about the manner of proceeding on the part of the police, on the other hand by creating an official body, where civilians could appeal against police proceedings.

In Holland the exercise of discretion by the police turns out to be less of a problem. It is accepted as 'customary law'. However, the necessity of central directives is suggested and the possibility of supervising police-procedures is not excluded.

To get an idea of the disposition-criteria used by the police we subsequently investigated some observational studies of researchers who tried to trace these criteria. From this research-literature it is clear that patrolmen during their prowling activities pay special attention to certain stereo-types; 'indecent' and 'serious delinquent' types were sooner suspected of criminal activities than others. In the encounter between police-officer and suspect outward appearance and demeanour of the suspect appear to be specially important disposition-criteria, which in
practice means that negroes and persons from the lower socio-economic classes are often dealt with more severely. Again the officers charged with the detection of criminal offences appear to apply other directives; their disposition is mainly influenced by the social background and the character of the suspect, as well as by his willingness to co-operate.

Along with these observational studies we discussed some studies based on official police records. These studies showed that besides recidivism, age and the seriousness of the offence, ethnic background and social status also play a part in the disposition.

Thus having given a survey of some relevant literature we proceeded to the discussion about the set-up of our research. This research was made up of two parts:
1. analysis of about 1000 records on file in the police juvenile bureau in The Hague;
2. a five months observation of both the officers in the juvenile bureaus in The Hague and in Amsterdam.

The present study describes the results of the second part.

The selection of the juvenile police as research object took its origin partly by the fact that most research-literature is related to juvenile officers, partly by the important position the juvenile police takes in the deviant-process (the choice of disposition may strongly influence the course of the lives of the young offenders).

Our observation was especially focused on cases brought in to the intake-officers and also disposed by them. Actual observation only started when the observer was quite at home in the ‘field’. Shortly after observation had started the juvenile officers appeared to fall back upon their daily routine and easily accepted the observer as one of them. The experiences in the juvenile bureaus were recorded partly in a number of diary-entries, meant as an illustration of the way of proceeding on the part of the juvenile officers, partly in standardized observation-lists, in which per bureau about 250 cases were entered from beginning to end and in which as many data as possible were collected about suspect, detective, offence and disposition decisions.

On the basis of the diary-entries we have given a description of the organization and work-procedures of the juvenile bureaus in The Hague and Amsterdam. The data provided by the observation-lists were digested statistically, so that a survey could be given of the cases observed and subsequently the disposition-criteria could be supplied.
The juvenile police in Holland is part of the investigation department. Its origin starts with the rise of child welfare at the beginning of this century. At the outset its tasks lay in the field of social work (preventing the abuse of foster-children, providing facilities for unmarried mothers, placing problem-children in homes, etc.), but gradually it became an institutional police department for judicial proceedings and its activities in the social field were taken over by the board of child welfare.

Nowadays its principal task is the handling of juvenile criminal cases. Secondary tasks are: tracing runaway juveniles and the covering of minor social problems.

In both bureaus the department of criminal cases is the largest (about 16 people). Our research was concentrated on this section. The major part of the cases in the section found their way through the patrol-officers, department stores or civilians. In principle fresh cases were handled by the intake-officer. The handling of a case consisted of: tracing the suspect's criminal antecedents, the interrogation of the suspect (and sometimes of witnesses) and inquiries (as to the hiding-place of stolen goods, the identity of accomplices and injured parties, etc.). In general the Amsterdam officers proved to be more tenacious at interrogation and inquiry than those of The Hague; this difference could be traced back to the 'judicial style' of the Amsterdam officers (the task of the police is to solve crimes) over the 'moral style' of the The Hague officers (disappointment of police-officers with regard to these youngsters gone astray).

Handling resulted in the disposition. In most cases this was a reprimand (which, in Amsterdam, was accompanied by a concise report). The internal criteria for an official report were: the offender is older than 14, the offender has a criminal record, the offence is serious.

In principle disposed cases were recorded in the bureau-report, but sometimes the officers failed to do this. Further administrative documentation of a disposed case was more extensive in The Hague than in Amsterdam; there several data concerning the members of a family were collected in one family-file. It shows the different approaches ('judicial' over 'moral'), that, in the case of Amsterdam, information about former offences of the suspect was sufficient, whereas in The Hague they also wished to have information about the members of the family, in order to get an idea what kind of family a person came from.

How were the suspects treated during the handling of their cases? In Amsterdam they were mostly searched immediately on their arrival and then put away in a waiting-box. In both cities the cell was only rarely used. According to the police juveniles were entitled to a treatment conform their age, but this conception was not always adhered to; especially in more difficult cases (e.g. when the suspects did not want to own up) the officers resorted to a hard approach.
A difference between the two cities was that in general the Hague officers were involved more personally in the cases they handled than the Amsterdam officers, and also showed a greater interest in the background of the young people; even so they, no more than those of Amsterdam, were not interested in signalling problem situations and the enlisting of aid-granting bodies if necessary.

After the disposition of the case the Amsterdam suspects had to wait at the police station for their parents to pick them up; in The Hague they had to be taken home by the officers, but these sometimes dropped them off on the way.

The officers of the juvenile police had not received a special training to work with adolescents. The Amsterdam officers had all completed an officers' training, most of the Hague officers had not; the women officers in The Hague were less well trained than the men.

As to their vocational identity the officers of both bureaus could roughly be divided into two categories: one category wittingly chose for working with the juvenile police, the second was more inclined to continue their career in other police departments. In both cities the officers suffered frustrations regarding their work. The superiors more or less superintended the officers' manner of working, but social control of colleagues was certainly as effective as supervision from above.

The juvenile police as an organization exercises discretion in the disposition of an offence; there is no obligation to close a criminal case with an official report.

On top of this the officers also have their own exercise of discretion; this is expressed in various 'discretional moments'. In the first place they can decide whether an offence of which they are informed shall be handled yes or no; furthermore it is up to them whether or not they will occupy themselves intensively with investigation and interrogation, whether or not they will record an offence in the bureau-report, whether or not they will search the suspect or detain him; and lastly it is largely up to them in what way the offence will be disposed of.

Survey of the material collected

The juvenile police bureaus in Amsterdam and The Hague were mostly given to handle property offences, especially thefts of mopeds and shoplifting. The number of relatively serious offences was much greater in Amsterdam than in The Hague. In both cities more than half of the delicts were group-offences. Three quarters of the offences took place in public places.

The age of the youngsters coming to the juvenile police in Amsterdam was somewhat higher than in The Hague. Girls were not often seen. The majority
of the suspects still attended school, especially lower technical schools. Almost half of those who no longer attended school were unemployed. Only a few of the offenders came from the upper socio-economic classes; in The Hague they mostly came from the lower social classes, in Amsterdam especially from the middle classes. A little more than half of the young people came into contact with the juvenile police for the first time in their lives. On the whole the recidivists were somewhat older. From the factor analysis on the variables referring to demeanour and outward appearance of the offender three features emerged: the willingness to co-operate, the degree of being impressed and the presentation to the outside world. A factor analysis was also applied to the variables referring to demeanour of the officers. The features emerging from this were: the degree of hardness, the interest in the character of the offender and the impression of the offender’s criminal character. A mild (or hard) approach on the part of the officer and a good (or bad) co-operation on the part of the offender often appeared to go together and both these aspects were closely linked with the entire relationship between officer and offender. The other features of both parties did not show much connection with each other nor with the total relationship.

About half of the cases were brought up by patrol-officers. Contact with parents, occurring rather frequently, was restricted in about three quarters of the cases to a meeting after the disposition. The greater part of the cases observed were concluded without court-referral.

The number of delinquents taken into custody in Amsterdam is notably higher compared with The Hague.

In a good many cases not more than a quarter of an hour was given to cross examination and investigation, especially where less serious offences were concerned.

The officers did not concern themselves much with settlements of damages; neither was it usual to bring the clients into contact with aid-granting bodies.

In general the juvenile police knew very little about the suspects’ families.

Disposition criteria

Disposition criteria in The Hague and Amsterdam were partly the same but in other aspects they differed. The same were: seriousness of the delict, age of the suspect and recidivism. These three data conform to the ‘conscious’ criteria the juvenile police say to act upon. Though the bureaus in The Hague and Amsterdam differ in certain points of organization and attitude, the unanimity about the importance of these disposition criteria is considerable. It may be presumed that, with the Dutch juvenile police, seriousness of offence, age and recidivism are operating norms for the disposition-decision.
At both bureaus the existence of sufficient evidence counted as fourth ‘conscious’ criterium. We also found this to play a part in both cities, though with this difference that in The Hague the accent lay on the importance of ‘flagrante delicto’; without existence of this evidence they were inclined to treat the case leniently. In Amsterdam, on the other hand, the detectives also concentrated on collecting other evidence.

Along with the ‘conscious’ criteria our research also brought out other data, which exercised their influence ‘unconsciously’. These threw a light on the difference of ‘style’ between The Hague and Amsterdam. The more personal style of The Hague made officers susceptible to the atmosphere, which arose during the interrogation. This atmosphere being unfriendly (partly perhaps dependent on the suspect’s unwillingness to co-operate) the officer found difficulty in dismissing the client without any form of punishment. Should the contact on the contrary proceed in a pleasant way, the officer would not be inclined to give the client a severe disposition. Characteristic for the The Hague style is also the second unconscious criterium, which had an aggravating influence on the disposition: the fact of contact with the parents. When such a contact came about the officer often must have had doubts about the possibility of good reception within the family and therefore have decided that a severe police disposition would be right.

The more business-like style of Amsterdam showed three other ‘unconscious’ criteria. First of all the suspect’s willingness to co-operate. The fact that a suspect acted as a willing participant was considered as a positive sign, which ought to be honoured with a lenient disposition. Acting in groups also promoted a more severe disposition, probably because it happened rather often that one of the suspects with respect to age or recidivism was considered to deserve a more severe punishment and in those cases the opinion prevailed that all members of the group had to be treated alike. Lastly, when an officer was busy, a more lenient disposition was likely to be taken, because this saved a lot of time. This last criterium too seemed to fit in well with the business-like Amsterdam style.

It must be observed that the socio-economic class of the suspects was no criterium for the disposition. In The Hague however, two particular features, connected with class, seemed to play a part. First, recidivists came more often from the lower social strata; as has been shown, recidivism counted as a disposition-criterium. Secondly, the youngsters from the lower class appeared to be less co-operative, and this also appeared to inspire a stronger disposition. A possible explanation of the connection between social class and these two variables—unwillingness to cooperate and recidivism—could be that in The Hague traditionally, more than in Amsterdam, there is a kind of proletarian subculture, where delinquency and a non-cooperative attitude towards the police are usual.
Summing-up

In reference to the research some suggestions are given in the summing-up.

1. It should be made possible to keep a regular account of the disposition criteria the police uses. In the first place this could be attained when the police themselves collect their own data systematically, secondly by setting up a regular socio-scientific research.

2. The juvenile police staff should indicate more clearly what her policy is and should instruct the officers according to these policy-lines.

3. The suspects should get an opportunity to express their possible grievances about their treatment by the juvenile police, e.g. through the juvenile court magistrate.

4. A non-judicial body should be called into being, which takes care of the clients of the juvenile police. Now all the juveniles whose cases are dropped (±75%) are simply sent home, without looking whether assistance should be given. The juvenile police itself cannot very well be reconstructed to an aid-granting body and therefore such an initiative should come from the community. In Groningen we are at the moment working on a plan for a reception-center for young police-clients.