



THIRD
UNITED NATIONS CONGRESS
ON THE
PREVENTION OF CRIME
AND THE
TREATMENT OF OFFENDERS

UNITED NATIONS

Department of Economic and Social Affairs

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ON THE
PREVENTION OF CRIME
AND THE
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INTRODUCTION

I. Terms of reference

1. The Third United Nations Congress on the Prevention of Crime and the Treatment of Offenders was organized in conformity with paragraph (d) of the annex to General Assembly resolution 415 (V) of 1 December 1950, which provided for the convening every five years of an international Congress in this field. The First Congress had been held in 1955 at the European Office of the United Nations in Geneva, Switzerland, and the Second Congress, with the Government of the United Kingdom acting as host, at Church House and Carlton House, London, in 1960.¹

2. The Government of Sweden generously invited the United Nations to convene the Third Congress on the Prevention of Crime and the Treatment of Offenders in Stockholm. This invitation was accepted by the Secretary-General on behalf of the United Nations and the Congress was held at *Folkets Hus*, Stockholm, from 9 to 18 August 1965.

II. Preparation

3. The *Ad Hoc* Advisory Committee of Experts on the Prevention of Crime and the Treatment of Offenders, which met in January 1963, considered *inter alia* the organization of the Third United Nations Congress and gave its advice on the items which might be included in the Congress agenda and on various other questions concerning the preparation and organization of the Congress.² The Secretary-General informed the Social Commission at its fifteenth session that he intended to organize the Congress on the basis of the suggestions made by the *Ad Hoc* Advisory Committee.³ Six of the seven items proposed by the Committee were retained for the agenda of the Congress, and provision was made for a special plenary meeting on research. The rules of procedure for the Congress were prepared by the United Nations Secretariat; the text is reproduced in annex III.

4. The responsibility for running the Congress was shared by the United Nations and the Government of Sweden. The Government appointed a Swedish Organizing Committee composed of representatives of various departments of the Government of Sweden, under the chairmanship of Mr. Torsten Eriksson, Director-General of the National Correctional

Administration of Sweden, which co-operated with the United Nations Secretariat in servicing the Congress.

III. Participation

5. The following categories of persons were entitled to attend the Congress: experts designated by Governments invited to participate in the Congress; representatives of the specialized agencies of the United Nations, of intergovernmental organizations and of non-governmental organizations in consultative status with the Economic and Social Council and interested in, or concerned with, social defence matters; and qualified individuals.

6. All States Members of the United Nations, as well as nine other Governments, were invited by the Secretary-General to appoint representatives to participate in the Congress. The invitation expressed the hope that Governments which had appointed correspondents with the Secretariat in the field of the prevention of crime and the treatment of offenders in conformity with Economic and Social Council resolution 357 (XII) might appropriately designate them among the members of their delegation to the Congress. It also pointed out that, in view of the nature of the Congress, the delegates would express their views in their individual expert capacity.

7. Three specialized agencies and three inter-governmental organizations interested in the questions on the agenda were invited to send representatives to the Congress.

8. Invitations to participate in the Congress were also addressed to interested non-governmental organizations in consultative status with the Economic and Social Council and to the International Penal and Penitentiary Foundation.

9. Subject to the acceptance of their applications by the United Nations Secretariat, persons having a direct interest in the field of social defence, including representatives of criminological institutes and of national non-governmental organizations concerned with social defence matters, could participate in the Congress in an individual capacity.

10. The Secretary-General also invited all the national correspondents with the United Nations in the field of social defence to attend the Congress in an individual capacity unless designated as Government delegates.

11. In all, 1,083 persons attended the Congress. The list of participants, by categories, may be found in annex II of this report.

¹ For the reports on the two previous congresses see United Nations publications, Sales Nos.: 56.IV.4 and 61.IV.3.

² E/CN.5/371, paras. 35-69.

³ *Official Records of the Economic and Social Council, Thirty-sixth Session, Supplement No. 12, annex I, project No. 38.1.*

12. A total of 354 experts designated by 74 Governments participated in the Congress.

13. The International Labour Organisation (ILO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the World Health Organization (WHO) were represented at the Congress, as were also the Council of Europe and the League of Arab States. Twelve persons attended as representatives or experts of these organizations.

14. Thirty-nine non-governmental organizations in consultative status with the Economic and Social Council sent a total of 65 representatives. The International Penal and Penitentiary Foundation designated four representatives. Among the representatives of these organizations, ten persons participated in more than one capacity.

15. Six hundred and fifty-eight persons, including some experts from countries which were not officially represented at the Congress and some from Trust and Non-Self-Governing Territories, attended the Conference as individuals.

IV. Agenda

16. The programme of the Congress was devoted to the general theme of the *Prevention of Criminality*. This theme was interpreted widely so as to include consideration both of activities of a broader social character and of special measures designed to prevent criminality. The programme comprised the following agenda items:

- (1) Social change and criminality;
- (2) Social forces and the prevention of criminality (with particular reference to the public, the family, educational facilities and occupational opportunities);
- (3) Community preventive action (with particular reference to the planning and implementation of medical, police and social programmes);
- (4) Measures to combat recidivism (with particular reference to adverse conditions of detention pending trial and inequality in the administration of justice);
- (5) Probation (especially adult probation) and other non-institutional measures;
- (6) Special preventive and treatment measures for young adults.

17. The special plenary meeting on questions of research preceding the Section meetings was designed to keynote the discussions on the six agenda items from the point of view of the importance and needs of research in the field of social defence and to draw attention to the various research problems connected with the improvement of policies and programmes through the advancement of technical knowledge.

18. On four days during the Congress, the late afternoons after regular Section meetings were devoted to lectures followed by question and answer periods in plenary sessions. The Secretary-General had invited four persons prominent in the field of the prevention of crime and the treatment of offenders to address the Congress. The International Penal and Penitentiary Foundation, which had graciously made a grant of 20,000 Swiss francs towards the Congress budget, sponsored the programme of lectures; its four

representatives presided in turn over the four lecture sessions. Summaries of these lectures may be found in Part Two of this report.

V. Documentation

19. In keeping with specific recommendations by the *Ad Hoc* Advisory Committee of 1963, basic United Nations documentation was not of a survey character as in the two previous Congresses but was limited to brief statements on the different topics of the agenda, setting the stage for the discussions by giving the elements of the problem, indicating the preoccupations of various countries on the matter and defining the major issues involved.

20. Three issues of the *International Review of Criminal Policy* served as background documentation for the Congress. They were respectively devoted to the evaluation of methods used for the prevention of juvenile delinquency (No. 21),⁴ to the academic and practical training of personnel dealing with adult and juvenile offenders, both in the developed and the developing countries (No. 22),⁵ and to trends and needs of research in the social defence field, including questions of methodology and different aspects of planning and co-ordination (No. 23).⁶

21. At the request of the United Nations Secretariat, the three specialized agencies participating in the Congress, as well as the Council of Europe, the International Criminal Police Organization (Interpol) and several non-governmental organizations submitted papers in connexion with several agenda items. In a consultant capacity, the National Council on Crime and Delinquency, New York, had undertaken to prepare a report on the young adult offender, which was issued as a United Nations document in connexion with agenda item (6). A complete list of Congress documentation appears in annex IV.

22. Various announcements, including the agenda and the daily programme of meetings, were issued by the Secretariat during the Congress as required.

VI. Officers

23. At its opening meeting, the Congress elected the following persons as its officers in accordance with rule 13 of the Rules of procedure:

President:

Mr. Herman Kling, Minister of Justice, Sweden;

Vice-Presidents:

Mr. Yoshitsugu Baba, Prosecutor-General, Japan;
Sir Charles Cunningham, Permanent Under-Secretary of State, United Kingdom;

Mr. Louis Damour, *Premier Président honoraire de la Cour de Cassation*, France;

Mr. Abdoulaye Diop, *Président de chambre à la Cour d'Appel*, Senegal;

Mr. Torsten Eriksson, Director-General, National Correctional Administration, Sweden;

⁴ United Nations publication, Sales No.: 64.IV.3.

⁵ United Nations publication, Sales No.: 65.IV.1.

⁶ United Nations publication, Sales No.: 65.IV.4.

Mr. Hedi Khelifa, Secretary of State for Justice, Tunisia;

Mr. Hussein Mahanna, Minister of Justice, Syria;
Mr. Thurgood Marshall, Judge of the United States Court of Appeals of the Second Circuit (New York) and Solicitor-General Designate, United States of America;

Mr. Nicola Reale, President of Section at the Supreme Court of Cassation, Italy;

Mr. Conrado V. Sanchez, Presiding Justice, Court of Appeals, Philippines;

Mr. L. N. Smirnov, President of the Supreme Court of the Russian Soviet Federated Socialist Republic, Soviet Union;

Mr. Eduardo Varas Videla, Justice of Supreme Court, Chile;

Mr. Stanislaw Walczak, Minister of Justice, Poland.

24. Mr. Philippe de Seynes, Under-Secretary for Economic and Social Affairs, Miss Julia Henderson, Director of the Bureau of Social Affairs, and Mr. Edward Galway, Chief of the Section of Social Defence, represented the Secretary-General at the Congress. Mr. Georges Kahale was designated as Executive Secretary of the Congress.

25. In accordance with rule 14 of the Rules of procedure, the Secretary-General designated in advance of the Congress the Chairmen, Vice-Chairmen and Rapporteurs for the special plenary meeting on research and for each of the six Sections. The list of officers so designated and placed for affirmation before the Congress at its first plenary meeting was as follows:

Special plenary meeting on research

Chairman:

Mr. Thorsten Sellin (United States of America), President of the International Society for Criminology;

Vice-Chairman:

Mr. Valentin Soine (Finland), Director-General of the Prison Administration;

Rapporteur:

Mr. Pedro Solis (Philippines), Chief, Crime Prevention Research Division, Ministry of Justice;

Panel Members:

Mr. William Clifford, United Nations Senior Consultant in the Democratic Republic of Congo;

Mrs. Loreley Friedman (Chile), Director, Centre of Criminological Research, University of Chile;

Mr. Daniel Glaser (United States of America), Professor of Sociology, University of Illinois;

Mr. Roger Hood (United Kingdom), Lecturer in Social Administration, University of Durham;

Mr. I. I. Karpets (USSR), Director, Institute for the Prevention of Crime, Moscow;

United Nations Secretariat:

Mr. Edward Galway;

Miss Helene Pfander (Secretary).

Section I. Social change and criminality

Chairman:

Mr. Ahmed M. Khalifa (United Arab Republic), Director, National Centre of Social and Criminological Research, Cairo;

Vice-Chairman:

Mr. F. L. Okwaare (Uganda), Commissioner of Prisons;

Rapporteur:

Mr. Marshall Clinard (United States of America), Professor of Sociology, University of Wisconsin;

Panel Members:

Mr. G. V. Coelho, Representative of UNESCO;

Dr. Franco Ferracuti (Italy), Director, Criminology Programme, Social Science Research Centre, University of Puerto Rico;

Dr. T. C. Gibbens (United Kingdom), Reader in Forensic Psychiatry, London University;

Mr. Bernard Russell (United States of America), Director, Office of Juvenile Delinquency and Youth Development, Department of Health, Education and Welfare, Washington D.C.;

Mr. S. Zivs (Soviet Union), Head of Department, Institute of State and Law of the Academy of Sciences, Moscow;

Research Specialist:

Mr. W. H. Nagel (Netherlands), Professor of Criminology, University of Leiden;

United Nations Secretariat:

Mrs. Elizabeth A. Fabricant;

Mr. Ivan Nicolle (Secretary).

Section II. Social forces and the prevention of criminality

Chairman:

Mr. Nikola Srzentic (Yugoslavia), Judge of the Constitutional Court;

Vice-Chairman:

Mr. Kong Heng (Cambodia), Director of the Prison Services;

Rapporteur:

Dr. T. Asuni (Nigeria), Psychiatrist of the Neuro-Psychiatric Centre of Abeokuta;

Panel Members:

Mr. Carlos Castillo Rios (Peru), Secretary-General of the National Council for Minors, Ministry of Justice;

Mr. Mustapha El Aougi (Lebanon), Judge of the Court of Appeal;

Mr. Sheldon Glueck (United States of America), Roscoe Pound Professor of Law, Emeritus, Harvard Law School;

Mr. I. I. Korchak (Ukrainian SSR), Deputy Procurator;

Mr. William C. Kvaraceus (Expert sponsored by UNESCO), Professor of Education and Director of Youth Studies, Lincoln Filene Center, Tufts University, Medford, Mass., United States of America;

Mr. C. H. Lindsey (Expert sponsored by ILO), Inspector of Youth Employment Service, United Kingdom;

Mr. Paul Lutz (Expert sponsored by ILO), *Conseiller à la Cour d'Appel*, Paris, France;

Research Specialist:

Mr. Knud Sveri (Sweden), Assistant Professor, University of Stockholm;

United Nations Secretariat:

Mr. James Riby-Williams;

Miss M. C. Hellin (Secretary).

Section III. Community preventive action

Chairman :

Mr. Maurice Veillard-Cybulski (Switzerland), President of the International Association of Youth Magistrates;

Vice-Chairman :

Mr. Antonio Ferrer Sama (Spain), Professor of Penal Law;

Rapporteur :

Miss Zuleika S. Kenworthy (Brazil), Juvenile Court Judge;

Panel Members :

Dr. P. Baan, Representative of WHO;

Mr. Wilfred H. Chinn (United Kingdom), Adviser on Social Development, Ministry of Overseas Development;

Mr. H. Féraud, Representative of INTERPOL;

Mr. J. N. Kawuki (Uganda), Principal Welfare and Refugees Officer, Ministry of Planning and Community Development, Kampala;

Dr. T. A. Lambo (Expert sponsored by WHO), Professor of Psychiatry and Head of Department of Psychiatry, Neurology and Neurosurgery, University of Ibadan, Nigeria;

Mr. Alfonso Quiroz Cuarón (Mexico), Professor of Criminology;

Mr. David Reifen (Israel), Acting Chief Magistrate, Juvenile Court, Tel-Aviv;

Research Specialist :

Mr. Walter C. Reckless (United States of America), Professor of Sociology, Ohio State University;

United Nations Secretariat :

Mrs. Elizabeth A. Fabricant;

Miss M. C. Hellin (Secretary).

Section IV. Measures to combat recidivism

Chairman :

Mr. Manuel López-Rey (Bolivia), United Nations Social Defence Expert in Turkey;

Vice-Chairman :

Mr. L. G. Maksimov (Byelorussian SSR), Deputy Procurator;

Rapporteur :

Mr. Norval Morris (Australia), Professor of Law, University of Chicago;

Panel Members :

Sir Charles Cunningham (United Kingdom), Permanent Under-Secretary of State;

Mr. Mohamad Ali Hedayati (Iran), Professor of Law, University of Teheran;

Mr. George E. Henries (Liberia), Assistant Attorney-General;

Mr. F. D. L. Ratnaike (Ceylon), Commissioner of Prisons;

Mr. J. L. Robson (New Zealand), Secretary for Justice;

Research Specialist :

Mr. Israel Drapkin (Chile), Director, Institute of Criminology, Hebrew University, Jerusalem;

United Nations Secretariat :

Mr. V. N. Pillai;

Miss Helene Pfander (Secretary).

Section V.

Probation and other non-institutional measures

Chairman :

Mr. Paul Cornil (Belgium), Secretary-General of the Ministry of Justice, President of the European Committee on Crime Problems of the Council of Europe;

Vice-Chairman :

Mr. Bohumil Repik (Czechoslovakia), Judge of the Supreme Court;

Rapporteur :

Mr. Maarten E. Tjaden (Netherlands), Superintendent of Probation and Parole, Ministry of Justice;

Panel Members :

Mr. Myrl Alexander (United States of America), Director, Federal Bureau of Prisons, Department of Justice;

Mr. Samuel Amperey Obuobi (Ghana), Assistant Director of the Department of Social Welfare and Community Development;

Mr. T. G. Street (Canada), Chairman, National Parole Board, Department of Justice;

Mr. Toshio Suzuki (Japan), Chief, General Affairs Section, Correction Bureau, Ministry of Justice;

Mr. Alfons Wahl (Federal Republic of Germany), Councillor in the Federal Ministry of Justice;

Mr. Stanislaw Walczak (Poland), Minister of Justice;

Research Specialist :
Mr. Karl O. Christiansen (Denmark), Professor of Criminology;

United Nations Secretariat :

Mr. V. N. Pillai;

Miss Helene Pfander (Secretary).

Section VI. Special preventive

and treatment measures for young adults

Chairman :

Mr. Justice J. H. McClemens (Australia), Judge of the Supreme Court of New South Wales;

Vice-Chairman :

Mr. François Mateta (Democratic Republic of Congo), Secretary-General of the Ministry of Justice;

Rapporteur :

Mr. Duncan Fairn (United Kingdom), Assistant Under-Secretary of State in charge of the Prison Department;

Panel Members :

Mr. Jean Benglia (Senegal), Judge and Head of Juvenile Supervised Education;

Mr. Jean Charles Cantin (Canada), Member of Parliament;

Mr. Milton Rector (United States of America), Director, National Council on Crime and Delinquency;

Mr. Adel Younés (United Arab Republic), Vice-President of the Court of Cassation;

Research Specialists :

Mr. R. C. Andry (Expert sponsored by UNESCO), Lecturer in Psychology, Institute of Education, London University;

Mrs. Katja Vodopivec (Yugoslavia), Director, Institute of Criminology, University of Ljubljana;

United Nations Secretariat :

Mr. James Riby-Williams;
Mr. Ivan Nicolle (Secretary).

26. In conformity with rules 28 and 29 of the Rules of procedure, the Steering Committee of the Congress comprised the following members :

Mr. H. Kling, President of the Congress; Mr. E. Galway, representative of the Secretary-General of the United Nations; Mr. T. Eriksson, representative of the Host Government (Chairman of the Committee); Mr. A. M. Khalifa, Chairman of Section I (United Arab Republic); Mr. N. Srzentic, Chairman of Section II (Yugoslavia); Mr. M. Veillard-Cybulski, Chairman of Section III (Switzerland); Mr. M. Lopez-Rey, Chairman of Section IV (Bolivia); Mr. P. Cornil, Chairman of Section V (Belgium); Mr. C. H. McClemens, Chairman of Section VI (Australia, Rapporteur of the Committee); Mr. T. Sellin, Chairman of the special plenary meeting (United States of America); Mr. Y. Baba, representative of the Host Government for the next quinquennial Congress (Japan); Mr. L. N. Smirnov, co-opted member (USSR, Vice-Chairman of the Committee); Mr. G. Kahale (Executive Secretary of the Congress).

VII. Organization of work

27. In accordance with rule 7 of the Rules of Procedure, the items of the agenda of the Congress were allocated to six sections. Sections I and IV held two meetings each; Sections II, III, V and VI held four meetings each. The Congress held four plenary meetings and also met on four occasions to hear the general lectures referred to above.

28. The working languages of the Congress were English, French, Russian and Spanish; simultaneous interpretation into and from these languages was provided, as required, during all section meetings, plenary meetings and lectures.

29. A working method distinct from that followed by the two previous Congresses was used at the Third Congress in that the discussions were initiated and guided by small panels selected by the Secretary-General with due regard to geographical representation as may be seen from the list of officers under VI above.

VIII. Other activities

30. The Government of Sweden generously organized group visits to a number of institutions for adult and juvenile offenders in and around Stockholm on 13 August 1965, under the guidance

of staff of the Swedish Correctional Administration. A programme of interest to wives of participants was also arranged for the same day.

31. The Government of Sweden also organized an international exhibition in which all governments invited to participate in the Congress were asked to take part. The purpose of the exhibition was to show new developments in the planning and construction of penal and re-educational institutions. The display was arranged in the building where the Congress met.

32. During the Congress, three showings of films were held. They included the following items :

(1) The Prison Community (National Film Board of Canada, Montreal, Quebec);

(2) Psychiatric Newsreel, Issue 2 (Smith Kline and French Laboratories, Philadelphia, Pa.);

(3) A Sense of Belonging (Central Office of Information, London);

(4) Take an Option on Tomorrow (Film Library, New York State Division for Youth, Albany, N.Y.);

(5) Ritorno nella Società (Ministero di Grazia e Giustizia, Direzione Generale per gli Istituti di Prevenzione e Pena, Rome);

(6) The Ex-Con (Indiana University, Audio-Visual Center, Bloomington, Indiana).

33. Hospitality extended to the Congress included a reception for all participants given by the city of Stockholm in the City Hall, as well as dinners offered by the Swedish Government and receptions given by the United Nations, by various delegations and by several non-governmental organizations.

34. A bookstall for the sale of United Nations and other publications in the field of social defence was provided at *Folkets Hus* and was staffed by C. E. Fritze's Kungl. Hovbokhandel A-B, distributor for United Nations publications in Sweden, which distributed a printed list of all publications on display.

35. Various professional groups and associations convened meetings during the Congress. On request, meeting rooms were placed at their disposal at *Folkets Hus*.

IX. Publicity

36. The work of the Congress was covered extensively by the press and the radio. A United Nations press officer issued press releases and arranged for press conferences with United Nations officials and Congress officers, as well as interviews with delegates for broadcasting to their respective countries. Articles concerning the Congress appeared in newspapers throughout the world.

PART ONE. DELIBERATIONS OF THE CONGRESS

I. Opening plenary meeting

37. Mr. Herman Kling, Minister of Justice of Sweden, welcomed the participants on behalf of the host Government. He recalled that Sweden had been host to the second world congress on penitentiary matters in 1878, when the statutes of the International Penal and Penitentiary Commission were adopted.

38. Since then, Mr. Kling continued, steps had been taken to improve both strategy and tactics in combating crime, and there had been steady progress in devising new methods of treatment and prevention of crime. He spoke of the conviction that the combination of humaneness and proper care should result in a reduction of recidivism, and that increased education of the people and improved social conditions should also bring about a general decline of criminality. Noting that the present era tended to overstress efficiency, he warned that severe and humane methods might not yield very different results as indicated by some research, and this might lead to a restriction of the humanizing tendencies in criminal policy if they did not, so to speak, yield profits. Thus, his advice was to persevere in exercising humaneness irrespective of profits as this was a duty to one's fellowmen. It was for this reason that world congresses of this nature were important, and it was natural that the United Nations should have taken the leadership in these efforts to overcome feelings of revenge and adopt methods worthy of society itself in dealing with those who had violated the law.

39. Referring to the importance of research for defining criminal policy, Mr. Kling emphasized that the lack of complete knowledge of the basic causes of criminality should not serve as an excuse for doing nothing. Experimenting with humane methods should always continue.

40. Mr. Kling stated that the Congress would give participants an opportunity to study Sweden's own facilities and policies for the treatment of offenders and prevention of crime. He added that he would appreciate the participants' critical evaluation of its correctional system.

41. Mr. Kling said it was particularly gratifying to note that in his country and elsewhere public support for the humane treatment of offenders had largely replaced the aggressive tendencies toward criminals. The care and treatment of offenders, which had once been primarily a philanthropic interest, were now the concern of the general public. This change of attitude towards criminal policy was clearly characterized by the meeting places of the two Stockholm Congresses. In 1878 the Congress met in the House of the Nobility whereas this time it met in the House of the People.

42. Having concluded his address, Mr. Kling called upon Mr. Philippe de Seynes, Under-Secretary for Economic and Social Affairs, Miss Julia Henderson, Director of the Bureau of Social Affairs, and Mr. Edward Galway, Chief of the Section of Social Defence, to take their places on the podium.

43. On behalf of the Secretary-General of the United Nations, Mr. de Seynes thanked the Swedish Government and people, and the authorities of the City of Stockholm for the generous hospitality extended to the Congress. He said it was a moving experience to meet in the homeland of the late Secretary-General Dag Hammarskjöld, who had realized the immense value of a vast network of exchanges of views and experiences such as embodied by this Congress, which was likely to have a more profound effect on international life than did diplomatic instruments between States.

44. In evaluating the half-way mark in the United Nations development decade, Mr. de Seynes observed that the results achieved fell short of expectations. One important result was the recognition of the importance of the qualitative human factor in the process of development.

45. Mr. de Seynes pointed out that failure to maintain law and order could disrupt or completely halt a country's development. The maintenance of law and order was not only a question of enlarging the police establishment but was now seen to depend largely on the formulation and implementation of a comprehensive social defence policy. An appreciable increase in the rates of criminality could seriously undermine the manifold benefits of economic development, and this could happen to countries undergoing rapid social change unless sound measures of prevention and control were instituted in good time.

46. Mr. de Seynes recalled that only a few days ago the Economic and Social Council, in recognition of the intimate relationship between the control of criminality and economic and social development, adopted a resolution endorsing the principle that the prevention of juvenile delinquency and adult criminality should form part of comprehensive economic and social development plans. This approach would have a number of practical advantages. Governments would be forced to give specific attention to problems whose connexion with development might not always be immediately apparent to them; it would encourage social defence workers to analyse their activities in the light of specific goals and measures to attain those goals, and would also facilitate the choice of priorities.

47. Mr. de Seynes pointed out that specialists were unanimous in deploring many of the conventional

methods of treating offenders. Policymakers, he said, were not fully aware of the high cost of crime since little systematic research had been done in spite of the vast sums expended in coping with crime. In the United Kingdom an estimated £100 million were spent in 1963 on the prevention of crime and treatment of offenders. The Scandinavian countries spent at least \$150 million for police and prison services in 1963, a sum a thousand times higher than the amount spent on criminological research in those countries. The State of New York spent \$665 million a year in combating crime.

48. It was not enough to measure the cost of crime in terms of public expenditure; the main emphasis should be placed on the loss in terms of human resources. In this connexion, the special problems of young people was one of the main concerns of the United Nations family. Youth, Mr. de Seynes said, was an ideal field for investment in human resources. Almost everywhere efforts were being made to harness the vitality of young people in the pursuit of the common good. He stressed, however, that efforts should be made for youth programmes to reach those groups which needed them most in terms of delinquency prevention.

49. While juvenile delinquency was a scourge shared by both rich and poor countries, Mr. de Seynes observed that the initial stages of economic development and urbanization were usually accompanied by an increase in juvenile delinquency. The connexion between criminal tendencies and the sense of revolt which youth might feel in respect of certain unworthy social and economic conditions needed attention. Comparative research was hoped to contribute to the evaluation of preventive methods. Individual treatment had been advocated by those who considered juvenile delinquency an emotional problem, while environmental treatment was increasingly being favoured by those who regarded it as an environmental symptom.

50. Mr. de Seynes concluded by reminding participants that any efforts dedicated to the prevention of crime and the treatment of offenders with the help of the modern science of human behaviour should be motivated by that deep sense of human compassion which had prompted the setting up of the International Penitentiary Commission in 1872. To use the words of the United Nations Charter, only through "faith in the dignity and worth of the human person" could the efforts of this Congress serve to achieve the common objective: to better the lot of man.

51. Mr. de Seynes declared open the Third United Nations Congress on the Prevention of Crime and the Treatment of Offenders, whereupon Mr. Kling was elected President by acclamation.

52. The Congress then heard an address by Mr. Torsten Eriksson, Director-General of the National Correctional Administration, under the title "Reflections on the Swedish Correctional System".

53. Mentioning the distribution to all participants of basic information consisting of the New Penal Code, effective 1 January, 1965, the Child Welfare Act of 1961, and a brief survey of the Swedish correctional

system, Mr. Eriksson said that he intended to give the Congress a deeper insight into the functioning of his country's correctional system, with a view to the scheduled visits to institutions.

54. As regards the problem of the young criminal, Mr. Eriksson referred to the absence of juvenile courts in Sweden, a fact which was striking to most foreign visitors, as maladjusted and delinquent young people were handled by Child Welfare Boards which had been in existence since 1902. He pointed out that, although these boards were politically appointed at the local level, there was no real danger of their decisions being influenced by party politics. As a rule, board members were not necessarily members of the majority party in the local parliament, and anybody could be co-opted on the grounds of competence and suitability. The jurisdiction of Child Welfare Boards was unlimited over offenders under the age of 15 years. The measures available to them were, however, strictly limited to treatment and care and the Boards were not empowered to prescribe any form of punishment. For those over the age of 15 years, court measures and child welfare measures could supplement each other. Child Welfare Boards had worked well in Sweden.

55. Speaking on the new penal institutions in Sweden, Mr. Eriksson said that some foreign visitors expressed surprise at the large number of small institutions with a large number of staff for a relatively small number of offenders. There existed, in fact, 100 institutions of various sizes, serviced by 3,000 persons to care for 5,000 offenders.

56. The construction of the new institutions, Mr. Eriksson explained, was guided by four principles, namely: (1) the small-group principle to facilitate the observation of and the communication with each inmate; (2) the provision of large institutional ground for adequate recreational facilities; (3) a maximum use of modern technology for internal security and communication, and (4) the provision of suitable employment for inmates.

57. Recalling the opinion put forward in international discussions that prison labour should be integrated with the national economy, Mr. Eriksson instanced Sweden where the objective was that an inmate be paid the same wages as his civilian counterpart with a comparable job. But this, he added, would necessarily involve the inmate in similar financial obligations as his free counterpart. He emphasized, however, that to achieve this objective the work in correctional institutions had to be organized and mechanized along the same lines as in the outside world. In many countries, however, there still existed strong opposition to criminals being provided with paid employment whilst honest men might remain unemployed. Sweden was no exception but took advantage of the shortage of manpower created by economic expansion after the Second World War to transform radically its prison labour system. Mr. Eriksson noted with satisfaction the co-operation and willingness of Swedish trade unions in placing discharged prisoners in the open market of

free men. In this connexion, he mentioned that the building where the Congress met belonged to a confederation of trade unions.

58. Referring to open institutional care, Mr. Eriksson emphasized that the ultimate aim of the Swedish correctional system was to make the treatment in open institutions the rule, and the closed system the exception. Apart from being treated under freer conditions, the inmates were allowed to enjoy more privileges. For example, an inmate might receive unsupervised visits in his room by his wife or other members of his immediate family. Another interesting feature was the system of furloughs, dating back to 1937 when the law permitted Prison Boards to grant prisoners leave to visit seriously ill members of their immediate family or to attend the funeral. The scope of furloughs was enlarged by an amendment in 1945 constituting two types, special and regular. The furlough system was more restrictive in closed institutions. The first furlough would last for 48 hours and subsequent ones for 72 hours, exclusive of travel time. The advantages of the furloughs appeared to outweigh the disadvantages, which represented only a few cases of escape. This system had not only obviated the risk of divorcing a prisoner completely from normal life, but had helped him to maintain emotional ties with his immediate family. Above all, Swedish correctional institutions were almost free of homosexuality.

59. Speaking on treatment in freedom as the most promising aspect of the correctional system, Mr. Eriksson stated that Sweden was satisfied with its widely practised types of supervision such as probation and the measures taken to rehabilitate prisoners released on parole. A proposal was under consideration to permit parole after serving half the sentence instead of two-thirds. The time of parole for young offenders as well as adult recidivists was fixed in consideration of future treatment, and the law called it explicitly a "transfer to care outside the institution".

60. In Sweden, Mr. Eriksson pointed out, institutional treatment and treatment in the community were merged into one total system, and this called for all-round training for those engaged in correctional work. It was gratifying to note that more university trained women were applying for positions in both branches of the correctional system, and experience had shown that they were just as successful as their male counterparts.

61. Concluding, Mr. Eriksson stated that success in community treatment in Sweden depended greatly on the efforts and co-operation of private citizens who had volunteered to supervise offenders placed on probation and discharged prisoners. These lay supervisors came from all walks of life, including parliamentarians, and were normally supervised by the professional head of a community treatment agency or "protective consultant".

62. In accordance with the relevant rules of procedure, thereafter, the Congress elected its Vice-Presidents and endorsed the list of other officers

proposed by the Secretary-General. Having stated general agreement on the various nominations, the President adjourned the opening meeting.

II. Reports on the discussions

63. The draft reports prepared by the Rapporteurs on the deliberations of the special plenary meeting on research and the six sections were submitted on the last day to the Congress in the course of two plenary meetings. A few amendments touching upon points actually made in the earlier debates were accepted by the Rapporteurs concerned. In conformity with rule 11 of the Rules of procedure, the final reports were recognized by the Congress as an appropriate synthesis of its deliberations. The seven texts are reproduced below.

A. REPORT ON THE RESEARCH MEETING

RAPPORTEUR : MR. PEDRO SOLIS (PHILIPPINES)

64. There is a growing awareness in an encouraging number of countries of the importance of scientific research into the prevention of crime and the treatment of offenders and the need to encourage the further development of this trend. Progress in the understanding of human beings and their behaviour is lagging behind the understanding and control of the physical universe. Changes in the nature of criminality in any society are not independent of developments in its social structure and institutions. The phenomenon of crime persists in every society and in general appears to increase the more complex society becomes. Intuition or common sense will no longer serve as adequate means for the solution of these problems. Experience has to be organized and it is only by the application of scientific methods of study, i.e., by the use of the logic and methods of investigation common to all empirical science, that it may be hoped to find solutions. Account must be taken of whatever knowledge scientific enquiry can yield, however imperfect it may be.

65. Criminological research will have to embrace not only social conditions, the characteristics of persons upon whom these conditions have a criminogenic effect and the inter-connexion between these factors, but also the impact of the entire system of dealing with offenders from their apprehension and adjudication to the application to them of whatever measures of punishment or treatment may be decreed by judicial and administrative authorities. Criminal events are complex situations; it is necessary to study the parts played by agents of society and victims as well as those of offenders themselves.

66. Despite increasingly sophisticated studies, progress in the control of crime has been slow. There are various reasons for this—including a reluctance to proceed by experimental methods which social conscience would tend to reject and the crudeness of existing instruments for measuring the effectiveness of preventive action. There is a need for more sensitive measuring devices than can be provided by traditional criminal statistics. Until relatively recently, most

correctional agencies have tended to neglect or avoid the evaluative studies which would enable them to increase their efficiency—perhaps because of a certain distrust of academic research and perhaps because of the anxieties inherent in attempts to assess their achievements and failures. A new attitude towards scientific research is now beginning to manifest itself in correctional agencies in several countries. Some agencies are beginning to regard research into the policies and methods of dealing with offenders as a necessary administrative tool, and they are losing their fear of acknowledging openly the failure or uselessness of their treatment as applied to this or that type of offender.

67. However, a great deal remains to be worked out in practice as regards the organization of research in order to evolve the most efficient pattern of collaboration between official agencies and research centres or institutes. One such pattern would be for research to be done by competent researchers, attached to university centres or institutes, who are given access to data available in correctional agencies, who are called upon to assist such agencies in setting up rigorous experiments in treatment and who are given a free hand in evaluating the results. As a general principle, it is desirable that criminological research, whether centred in a university or elsewhere, should have considerable independence. The organization of research must take account of the need to bring together both users and producers of research and must ensure that the latter is carried out on an interdisciplinary basis.

68. It is acknowledged that criminological research carried out by penal administrations themselves is of necessity limited in scope, because the inmates of institutions constitute only a small proportion of the offenders in society and not a representative sample of the criminal population as a whole. The research of penal and other social agencies will naturally be concentrated on problems of direct concern for the work of such agencies, and these enquiries will have to be supplemented and co-ordinated with those of national and university research centres in order to amass complete data on crime and its treatment over a whole country.

69. An effective system of communication is essential if research is to be conducted economically, in a co-ordinated fashion without wasteful overlap or duplication, and if it is to have a maximum usefulness for penal policy and practice. This is particularly true at a time when research resources are still limited in most countries. Many of the tools of modern research are relatively expensive and satisfactory economies can be achieved by pooling certain resources and sharing equipment with other research groups in the social or economic field.

70. Clearing houses will be required to ensure a regular exchange of information between research centres on completed, current and proposed research. Communication of this kind at the international level will involve special problems of finance, language and the working out of accepted common standards and bases of comparison.

71. The results of research will also have to be communicated from research centres to interested social agencies, and appropriate machinery or channels of communication will have to be set up to enable administrators, judges and others concerned with offenders to work out together the practical implications of research findings.

72. It should also be stressed that criminological research as well as treatment should be organized and controlled in such a way as to preserve human rights and principles of individual justice. Such ethical considerations set limits to the extent to which ideal research designs can be applied in the field of social action directed towards the control and elimination of crime.

73. Ideally, it is desirable to strive for the closest possible approximation to controlled experiment which can be achieved. This requires conditions where a larger pool of persons is eligible and suitable for a particular kind of treatment than can be given this service and where the allocation of cases to "treatment" or "control" groups is arranged by methods which have at least some basis in randomization. These ideal conditions may be difficult to achieve, and it may frequently be necessary to resort to *ex post facto* designs (e.g., a comparison of results obtained before and after the introduction of a new treatment method) or to make use of such other, cruder comparative methods as may be available.

74. Follow-up studies of single treatments have obvious limitations. For the most part, they provide information about those persons for whom a treatment is unsuccessful but not for whom it is successful, and indicate little of what might have been achieved if other treatment methods had been used on the same types of offenders. The future lies with comparative studies of the relative effectiveness of different types of treatment for different types of offenders. Such studies of the subsequent criminality of groups of offenders dealt with by different treatment methods or by different social agencies will require techniques for categorizing offenders in ways that are relevant to different treatment alternatives and to the various components of these treatment processes, as well as the subsequent relating of this information to future criminality. Hence the importance of typological research on offenders and the intensive study of the content or process of treatment in order to identify precisely what elements of treatment are making an effective impact on what kinds of offenders.

75. The concept of the treatment process has to be broadened to include the whole range of successive stages of judicial and social processes. The effects of various procedures can and must be subjected to empirical investigation. For example, the publication or not of the names of offenders should be investigated specifically in relation to subsequent criminality. Similarly, the practice as regards bail provides a further example of a procedure which still has to be studied, even at the simplest level, in order to determine not only the immediate effect of variations in practice but also the longer-term effects of such variations on the subsequent careers of offenders.

Further, improvements in penal policy will also depend on increasing the understanding of the sociological and psychological factors underlying judicial decision-making.

76. It is necessary to emphasize that basic descriptive studies are still required even in countries where research has developed some technical sophistication. In most countries, criminological research is relatively new and knowledge is still elementary. Many assumptions underlying institutionalized procedures still remain to be tested—e.g., that pre-sentence enquiries are valuable in all cases, irrespective of the kind of information that is required and actually used by courts in reaching decisions about the best disposal of offenders. Again, reference is constantly made to “public opinion”, unsupported by relevant evidence which could be provided by systematic surveys.

77. As regards the methodology of research, various points still require emphasis. The official records of offenders must be improved if they are to be of any value for research. This will require co-operation between research organizations and social agencies which compile data for their own record purposes. More than this, the collection of adequate research data will need to be planned in terms of the precise purposes and designs of research investigations. In particular, where treatment innovations are being introduced, evaluative research should be built-in from the beginning, research workers being involved in the initial planning and not merely brought in later in a passive role.

78. It has to be recognized also that research results will seldom be definitive; they will have a limited life, if only because conditions affecting crime will change and treatment methods or their application will alter in various ways. Predictive research techniques, in particular, will require to be modified continuously and kept up to date. There is a certain danger that the findings of limited or early studies will be interpreted without due qualification, accepted as conclusive and applied uncritically by administrators and policy-makers. Such pilot studies will be no more than suggestive in their implications for action and will require to be repeated or extended if a firm basis for policy decisions is to be provided.

79. Research has tended to concentrate on the effects of treatment on individual offenders and to pay insufficient attention to wider considerations such as general deterrence or the protection of society. Research into institutional treatment may have to examine more closely such questions as the appropriateness of penal methods for the rehabilitation of offenders and identify more clearly those types of individuals who must be dealt with in this way because of the threat which they present to society.

80. Treatment research has perhaps tended up till now to focus attention on crime and criminals, and to pay insufficient regard to the effects on the offender of systems of prevention and control, judicial procedures, the roles of different professions and types of personnel engaged in the treatment

process. There are signs that greater attention will be paid in future to how the “response of society” affects its levels of crime.

81. Criteria for assessing the effectiveness of preventive and treatment measures have tended to be unduly restricted. More sensitive and diversified indices of recidivism will be required in future. Multiple criteria will have to be evolved, the traditional statistics of re-conviction being supplemented by information on social and personal adjustment, on the subsequent work record and so on. Even such information will have to be checked further by reference to the extent to which criminal behaviour has been replaced by other forms of social deviance or mental illness. While the main focus of attention for criminological research is criminality as defined by the law, a deeper understanding of crime will be achieved by operating within the wider context of deviant social behaviour generally.

82. As far as the developing countries are concerned, it is necessary to underline the need for basic information of the most rudimentary kinds. The priority here is for the routine collection of essential data and for research reduced to its simplest terms, the keeping of systematic records and simple case studies, even if these were more subjective than might be desirable. The discipline of keeping complete records is in itself a useful contribution to the training of those engaged in work with offenders.

83. While the developing countries might require considerable assistance from outside in introducing programmes of research, this process would not be all one way. It is important that opportunities for studying conditions of rapid social change should not be lost, and it is necessary to recognize that many developing countries have rich cultural traditions, balanced social structures and social controls which are still relatively effective in preventing crime. Some of these might well have relevance for the reduction of crime in more developed countries. Great opportunities are present within such simpler and more flexible social systems for conducting experiments in community action to prevent crime, and great contributions can be made in this way to criminological theory by clarifying and extending the concepts of social forces and culture in relation to crime.

84. To a greater or lesser extent in different countries, action research into problems of delinquency has to concern itself with a broad range of social problems. In some countries it has been easier to demonstrate that an interdisciplinary team, working at the level of the family and concentrating on social pathology and mental health, has made a greater impact in terms of reduced infant mortality, increased community participation in local affairs, improved group activities for young people and the treatment of alcoholism than in terms of reduced delinquent or deviant behaviour as such. Where delinquency is inseparable from the problems of children who are homeless, abandoned, living in extreme poverty or without stable discipline or support, the main tasks of criminological research may be those of identifying

the obstacles to effective socialization or successful treatment and rehabilitation and of systematically exploring the effectiveness of possible ways of counteracting such criminogenic factors—by supporting the role of the mother in the family, strengthening the links between the school and the family, stimulating community responsibility and so on. At certain stages of social development it may be necessary to give prior attention to such situations, including the purely material environment, rather than to make a direct approach to the understanding and control of delinquency as the prevailing problem or symptom.

85. While it has to be recognized that certain forms of criminological theory are not equally acceptable or congenial for countries with different kinds of social systems and political organization, nevertheless it is accepted that certain basic principles of social research methodology exist which can be applied universally to the study of social problems. The team approach to criminological research, for example, is being employed successfully in countries with widely differing social philosophies.

86. Research must be based on rigorous methods appropriate to the nature of the problems to be studied. This will require greater numbers of suitably trained research personnel than are at present available. Such training must be recognized as an essential function of criminological institutes and other research centres and adequate funds allocated to them for this purpose.

87. The problems of criminological research were summed up by one participant as involving organization, communication and integration with policy and practice, methodology and techniques, and strategies. In this connexion, it is clear that priorities will necessarily vary to some extent from country to country, depending on the state of their development, their resources of finance, trained personnel and accumulated knowledge.

88. There is general agreement that criminological research is relatively undeveloped as a scientific pursuit. It would be unreasonable to expect rapid or complete answers to the complex problems with which it is concerned. Research is not a panacea, a substitute for action or an excuse for delaying action which must be pushed ahead on the basis of the best evidence available at any one time. Without systematic research, progress in tackling the problems of crime will be retarded; without the active interest, support and involvement of society, and of its policy-makers, administrators and practitioners, criminological research will be sterile.

B. REPORT ON AGENDA ITEM (1): SOCIAL CHANGE AND CRIMINALITY

**RAPPORTEUR: MR. MARSHALL CLINARD
(UNITED STATES OF AMERICA)**

89. During the course of the discussion, participants sought to determine whether and in which ways certain

changes in a society may affect the incidence of delinquency and criminality. The discussion also turned on whether the legal system adequately reflected social change in the sense of change in the institutional structure and behavioural patterns of a society or nation. It was observed that all countries undergo change, but that the contemporary world appeared to be particularly characterized by rapid and important changes. Some changes may be imperceptible over short periods, and rates of change may differ from one society to another, and within a society certain institutional patterns may be more stable than others.

90. Changes in social institutions occur in all societies, and it is erroneous to assume that changes are associated primarily with developing countries; in fact, there are indications that some types of social change may be even more rapid in the developed countries. Likewise, it was recalled that many so-called developed countries are in some geographic areas as likely to be as underdeveloped as countries labelled as less-developed.

91. It was agreed that economic explanations of crime are not fully satisfactory in all countries. While developing countries are likely to attribute their crime and delinquency rates exclusively to poverty and unemployment, and while certain developed countries are likely to attribute some of their crime to poverty in slum areas, the incidence of crime and delinquency appears to be extensive in countries which are economically highly developed. Such a situation is confusing and in a sense discouraging to developing countries. It appears that in both highly industrialized and developing countries the answers may well lie primarily in factors other than economic, namely, in urbanization, in new values and norms and in changes in social control.

92. While there was some dissent, the consensus was that the factors in causes of delinquency and crime must be sought not so much in the individual or in his family as in the broader social and political changes taking place in his environment. Consequently, in formulating measures of social defence this approach must be taken into consideration.

93. It was pointed out that in Japan, for example, where industrial development and the standard of living have rapidly risen, there has been a considerable increase in youth crime since the Second World War. The spread of ideas of freedom and equality and the interpretation of these ideas by young people resulted in many of them becoming preoccupied with the desire to have more and more consumer goods and pleasures. Many of them appear to have almost unlimited desires for such possessions. In this context it is not poverty that lies behind criminality, but desire for the multi-variety of consumer items available and for enjoying life.

94. Laws do not always keep up with the social changes occurring in a society, with the result that crimes occur and criminals are made by laws sociologically no longer acceptable to the society. Evidence was cited, for example, of sex laws in many countries

which appear no longer to be in accord with the sentiments and attitudes of the people as a whole. Another example is the existence of laws making drunkenness a criminal offence and some efforts are now being made in several countries to change such laws. It is often assumed that laws are supported by the people, and this may not necessarily be the case. Research should therefore be conducted on the changing moral judgments of the population. In some cases, however, new criminal laws have reflected changes in and affirmation of fundamental new values, as in the case of newer legislation in some countries eliminating racial discrimination or guaranteeing equality of women. The hope was expressed that more countries would pass laws to eliminate racial and other forms of discrimination since such discrimination violates human rights.

95. It was observed that there is in most countries an increasing recourse to social control through law to replace the decline in family, religious, tribal, village and caste controls. There was general agreement that, in the enactment of new laws in both developed and developing countries, caution should be exercised in the exclusive use of the criminal sanction, since this tends to designate as criminals persons who might not otherwise be so considered. In place of strict legal measures, efforts should be made to deal with new forms of deviant behaviour by the use of other types of sanctions. It is also possible to eliminate certain categories of criminal offenders, such as alcoholics or certain motor vehicle violators, by the use of other measures.

96. Nearly all countries reported an increase in crime and delinquency, which presumably reflects social changes affecting the violation of legal norms in the society. Some participants from countries with centrally planned economies reported that delinquency and criminality had decreased during recent years. This was attributed to changes in the social system primarily through the elimination of unemployment, increase in literacy, provision of more cultural and recreational activities and strengthening youth morale, as well as through enlisting the support of the average person in the condemnation of deviant behaviour. The substitution of non-criminal sanctions in place of penal measures for certain offences was also said to have contributed to this reduction.

97. Criminal statistics, which measure assumed increase in delinquency and criminality, as well as comparisons between the statistics in different countries, should be utilized with great caution. An increase in delinquency or youth crime, for example, may reflect population growth in the younger age categories and improved reporting measures, as well as the availability of more police and judicial facilities which may result in the processing of more persons and the stricter enforcement of some laws. At certain times there may also be less tolerance by the public of certain offences, thus putting pressure on governmental authorities to enforce the laws by making more arrests. An increase may also reflect the transfer of social control from the family and other institutions

to the legal measures of the political state, even though the same number of offences had previously occurred. New laws, or the greater use of existing laws due to changes in the society, may also tend to increase the incidence of delinquency and criminality. Greatly increased use of motor vehicles may add to the total amount of delinquency and criminality. Likewise, the more rigorous enforcement of laws dealing with liquor violations among youths will inflate delinquency figures. Increased delinquency and crime may reflect more general public concern, and consequently a tendency for the police to apprehend more persons in certain age groups or for certain offences.

98. In making comparative appraisals of crime and delinquency in various countries, extreme caution must be exercised because of the differences in the reliability of the statistics, the degree to which statistical data are generally available, the degree of enforcement of laws, and whether or not the laws are identical or comparable. When comparing developing countries with the more developed, for example, the comparative absence of motor vehicles and knowledge of how to operate them in the developing countries makes for less offences of this type and may make it difficult to compare accurately the incidence of delinquency and crime in the two types of countries.

99. Usually statistics on delinquency and crime are presented for the whole country, and judgments of increase or decrease are based on such figures to show the effect of social change. This is highly misleading, for there may actually be great variations within a given country. The figures for a given country may also reflect the degree of urbanization or the fact that no distinction is made between criminality in urban and rural areas.

100. It is likely that, as a society becomes more complex in its social organization and industrial development, more legislation will be needed. Consequently, the incidence of crimes may be expected to increase. In this regard, developing countries are faced with special problems as they progress toward a more highly industrialized stage. Violations of commercial and industrial regulations may be cited as examples. For instance, countries may enact compulsory health insurance which, in turn, may produce cases of fraud which did not previously arise; increased regulation of motor vehicles or new forms of taxation may likewise increase criminality.

101. The view that crime is associated with urbanization was repeatedly expressed in the discussion, and one contention was that a higher rate of criminality existed in large urban areas, that crime increased by city size and that criminality was related to the changing social structure presented to rural migrants moving to urban areas. On the other hand, it was contended that in some situations urbanization had not been associated with criminality.

102. While there were differences in the other aspects of crime in developed and developing countries, they appear to have one thing in common, namely, that urbanization is associated with increased delinquency

and crime. Urbanization appears to afford an opportunity for greater impersonality. It gives rise, *inter alia*, to different social values, some of which are conducive to criminality and delinquency; to greater freedom of action, more temptations for violations of law, and a general decline in social controls exerted through the family, such as family reputation, as well as tribal, village, caste, or other associations; and to a breakdown in communication between age groups due to the absence of the family members from home and different occupations and education of the younger and older members. Urbanization may introduce new norms, result in new forms of social control and necessitate changes in the legal system and even in measures of correctional treatment. It is impossible to reverse this on-rushing tide of urbanization, and its role must therefore be accepted and measures devised to cope with it.

103. The effect of urbanization appears to be particularly pronounced among youths. It is largely for this reason that almost throughout the world criminals are young urban persons. Most delinquency and crime occur among those under the age of twenty. Several participants mentioned that the growth of cities often resulted in a largely separate youth culture, separated from adult controls and with its own norms and standards which can readily lead to forms of delinquency and crime as accepted forms of recreation, excitement or ways of obtaining material goods. Youth in most countries tends to be isolated from the general society. Several countries reported that youth tends to be in conflict with the norms of the general society.

104. There are some indications that the motivations for youth crime may be somewhat different in the developed and less developed countries. In the more developed countries, the behaviour may be a product of affluence, of youth lacking a challenge under urban conditions, and relatively little pressure on them to work. Long years of schooling may increasingly separate youths from adults and from playing an important substantive role in society. In the slums of affluent societies, the impact of a separate youth culture may have serious consequences. On the other hand, in the less developed and developing countries the impact of urban life on village migrants, detribalization and loss of other ties, and the impact of a widespread slum way of life with its often deviant norms and standards on migrants may have great effect upon youth criminality.

105. Another factor contributing particularly to youth crime is the tendency toward greater individualization in many contemporary societies. In addition to urbanization, industrialization and decline of social controls, there is also increasing emphasis today upon individual freedom of action. Democratic values, particularly as they are taught in the schools, the emphasis upon the individual and his need for freedom of action, the frequently expressed desire to free the individual from traditional controls may have great consequences upon the behaviour of youths. As one speaker said, it may be that delinquency and

crime might indeed be part of the price which had to be paid for freeing the individual all over the world which sometimes led to his rebellion against existing forms of society. It was, therefore, essential that special emphasis should be laid on the improvement of social institutions with a view to seeking to teach young people the responsible use of freedom.

106. The correlation between youth and criminality presents great potential problems for developing countries. There is a higher proportion of individuals under the age of twenty than in many developed countries, and in some developing countries the percentage of persons in this age group may run as high as fifty per cent. Moreover, it was pointed out that, in some countries, as in Africa, the population of the cities consists primarily of younger persons; rather than speaking of a youth sub-culture, one could therefore well characterize such cities as consisting of a dominant youth culture with the older population a minority. The preponderance of youths in the cities of many developing countries presents a particularly dangerous situation as disruptive values are introduced and as technological changes, such as the presence of motor vehicles, increase.

107. It was generally recognized that the decline in family controls, due to changes such as urbanization, has had considerable consequences on the development of delinquency and crime. At the same time, it was generally agreed that the traditional role of the family would be difficult to reinstate fully under urban conditions. A number of participants stressed the need to find means of strengthening the family as much as possible in an urban setting. This was considered particularly important in the case of migrant families to the city. Governments should emphasize the importance of the family and give social assistance to strengthening it whenever possible. In this connexion, the need to devise methods of helping families to adjust to difficult urban conditions was recognized.

108. Because of rapid changes in contemporary society and of increased education and literacy, there are increasing conflicts between youths and adults particularly in urban areas of developing countries. Under urban conditions there is often a decline in the concept of family honour and families—rather than supporting punishment by legal authorities—often try to see that the authorities do not take action, even though the families themselves have not done so.

109. A number of participants stressed the importance of involving the public in efforts to cope with problems produced by social change: there was need to involve more ordinary persons rather than relying exclusively on governmental agencies and legal processes in coping with problems presented by social change. Particularly in urban areas, the control of delinquency and crime should also be considered as part of the responsibility of the ordinary citizen. This might involve more efforts at the local community level, responsibility for dealing with crime being assumed by smaller administrative units, and there should be greater involvement of persons in groups

representing potential risks for delinquency and crime, such as lower-class persons and particularly urban youths. In fact, an experimental programme in Puerto Rico was described which involved the return of recovered young, urban drug addicts to their local communities to help deal with problems of drug addiction. It was suggested that this method may offer similar possibilities for the employment of former delinquents and criminals in helping to change the attitudes of their local communities.

110. Despite pronounced changes in the general society, most developing countries have not introduced sufficient changes in their programmes to deal with delinquency and crime. It was pointed out, however, that new nations should be extremely selective in their choice of measures to deal with delinquency and crime. Changes in the understanding of the nature of delinquency and crime as well as differences in their own problems and available resources mean that the application of methods used in other parts of the world may be unsuitable.

111. The expansion of education facilities may in itself be unsuccessful in dealing with deviant behaviour of youth; there is need for more specific education on the values of society, on problems of social relationships and on the understanding of national objectives and values.

112. It was suggested that there needs to be extensive research on the relation between the dynamics of social change and criminality. Changes in values do not necessarily lead to criminality. It is necessary to demonstrate in what specific way change affects delinquent and criminal behaviour. Many existing studies of criminal behaviour, dealing as they do with a past situation, may be no longer valid or applicable because of changes subsequently taking place in a society. There is need for more studies of contemporary social change and of the relation existing between social change and criminality. Such studies and predictions of future trends might do much to develop a more effective and realistic prevention and treatment programme.

113. Delinquency and crime appear to occur in varying degrees and in different forms in countries with differing political structures, varying stages of economic development, and different types of economic systems. Several participants urged that there should be more co-ordinated comparative studies of the relation between social change and delinquency and crime. One system suggested that such studies might well be longitudinal research on groups of children and adolescents which could be followed up over a period of time to determine the effects of social change in the society. Research on social change, however, is complicated by difficulties in devising adequate quantitative indices, for measuring, for example, such factors as "decline in family controls" or the presence of "individualistic values". It was felt by several persons that the United Nations should undertake such a co-ordinated comparative research programme and expand its research studies in this field.

C. REPORT ON AGENDA ITEM (2): SOCIAL FORCES AND THE PREVENTION OF CRIMINALITY (WITH PARTICULAR REFERENCE TO THE PUBLIC, THE FAMILY, EDUCATIONAL FACILITIES AND OCCUPATIONAL OPPORTUNITIES)

RAPPORTEUR: DR. T. ASUNI (NIGERIA)

114. Social forces, in one way or other, have some bearing on the control of juvenile delinquency and adult criminality. Among these forces are public opinion, religion, education, urbanization, migration from rural to urban areas and industrialization. It was observed that although these social forces may not in themselves be regarded as either preventive of or conducive to crime, they are capable of engendering certain collective attitudes towards fundamental social value or direction, as a consequence of rapid social, economic and political changes. Hence, if social defence preventive programmes are to achieve any measure of success, they must recognize these essential factors and the attitudes which they engender.

115. The nature of public participation in crime preventive measures would depend, among other factors, on the political or economic systems of the countries concerned. In communities where the people exert a large measure of influence on the exercise of public authority, there is greater concordance between legislation and the administration of justice, on the one hand, and the general sense of justice and morality on the other. No matter how well organized and advanced the police, judiciary and penal institutions are, their efforts will not achieve optimum results without the participation and collaboration of the public.

116. Various speakers described different forms of participation by the public in crime prevention. In some countries, peoples' volunteer militia units, whose task it is to preserve law and order, have been constituted. The participation of schoolchildren in the control of traffic is another example. The public could also participate in adjudication and the administration of justice. Comradeship courts, for instance, have been established in some countries to function in specific occupational settings and to deal with various forms of misdemeanour. Thus drunken drivers are tried in clubs for drivers, in the expectation that this will have a deterrent effect on other drivers. In one country more than a quarter of all cases are dealt with in this way, through comradeship courts.

117. In most countries the public, in one form or another, also participates in the rehabilitation of offenders. Private citizens help to carry out educational work in penal institutions in order to raise the level of technical training for detainees. They also assist in placing discharged prisoners and ex-inmates of delinquency institutions in employment and may act as voluntary after-care agents.

118. The participation of the public can also be seen in such experiments as an urban police programme in California, where a Community Relations Division

has been set up in order to establish close liaison with the public. Discussion groups have been organized with teachers, clergymen, businessmen and others taking part, and police officers give talks to school-children on good citizenship. The police arrange sports meetings for children, especially in less privileged sectors of the city. They also employ voluntary police officers. These measures are calculated to make the police appear less threatening, authoritarian and remote.

119. Youth organizations established and run by voluntary agencies, where some educational programme is followed, were also cited as a means of reducing criminality.

120. A note of warning was struck about the danger of the public taking the law into their own hands and misusing it; this danger calls for education in true citizenship, and for objectivity on the part of the public.

121. An example was cited from a country where, to facilitate the participation and co-operation of the public, the programme for delinquency is decentralized. The State's role is mainly one of guidance and co-ordination. Arrangements are made with private institutions for the treatment of juveniles, and charitable organizations are closely involved in social services.

122. Educating the public so as to secure maximum co-operation in preventive programmes is a necessity. Adult education and the elimination of illiteracy could be used to re-awaken family responsibility and improve the training of law officers, as well as to increase public participation in the prevention of crime.

123. It was suggested that methods of securing public co-operation should be given prominence in personnel training programmes, and that mass media should be used to enlist the voluntary co-operation of the public.

124. A description was given of the steps taken in Guinea to combat crime over a certain period. These steps include the establishment of industrial complexes in rural areas in order to limit the internal migration of unskilled workers, a drastic reduction in imports of alcohol, and the dismissal of any worker found in a state of intoxication. It is claimed that these measures have markedly decreased criminality.

125. While to some participants affluence appeared to be a contributory cause, others said that it was not necessarily true that social and economic change was always followed by an increase in crime.

126. Economic development is at present the dominant preoccupation of developing countries. It was therefore urged that developing countries should at least include social scientists in their planning committees, in order to prevent possibly criminogenic elements from being included in development plans. Those aspects of crime prevention which relate to the role of the public and of the family, to educational facilities and to occupational opportunities should be

taken into account when economic development plans are drawn up.

127. Participants emphasized the role of the family as an essential social force in the prevention of delinquency. Industrialization is said to encourage delinquency as adolescents become labour units rather than individuals. Migration from country to town weakens the cohesion of the family; and the attitude of adolescents towards their parents undergoes a change, to such an extent that parental control weakens and children are left to drift into reprehensible behaviour. Instead of relying on their family for guidance, the adolescents tend to reject it. Industrialization also alters the behaviour of parents towards their children when both father and mother go to work and the children are left with aged persons who cannot keep them under proper control.

128. It was suggested that the State should establish social assistance committees and guidance centres and, in certain cases, provide allowances to strengthen families in need of help, and that negligent families should be penalized. Youngsters can best be influenced in a "face-to-face" group like the family. If the functions and structure of the family change or grow weaker, other "face-to-face" groups must be found to replace it; for example, in case of abandonment by the parents, the best solution is to rear the abandoned children not in an institution but in carefully selected foster-homes.

129. According to certain research studies, a high proportion of adult offenders were maladjusted and delinquent as children; a large percentage suffer from personality distortions, mental tensions and conflicts, and faulty habits; many of them come from broken homes or from homes in which the parents were not competent to carry out their duties efficiently; many delinquent children left school too early and received neither sufficient academic education nor useful vocational training. This research also shows that a large proportion of young adult offenders have never established even rudimentary habits of continuous and efficient work; that the highest proportion of delinquent children spring from communities in which processes of deterioration and disintegration are marked, manifesting themselves in certain cultural standards in conflict with the standards of the majority of citizens, and that inadequate programmes of probation, parole and institutional treatment also have much to do with recidivism.

130. Anthropologists, social scientists, psychologists and medical officers should participate and collaborate in a greater measure on research on the prevention of crime.

131. The need for comparative criminology is urgent; it should involve replication of experiments in different areas. This would help to determine which of the etiological factors are constants and which are attributable to conditions peculiar to regional culture.

132. Prediction devices are another important area of research as a means of identifying potential

delinquents at an early stage and of making timely intervention possible; prediction will also help to make the administration of criminal justice more efficient.

133. There is a serious need for the collection of more detailed and accurate data by the police and courts. Only if the extent of reported and hidden crime is known can adequate provision be made to combat it. Sociological studies in the population should also be undertaken. Evaluation machinery should be introduced into any project as from the planning stage so that it will be more easily possible to assess the result on a reliable basis. This calls for the assistance of social scientists in action programmes.

134. There is also a great scarcity of ascertainable knowledge about the effects of preventive measures, and consequently much more research in this field is needed. Consideration should be given to the question of how best to publicize scientific experiments conducted in various countries. While some speakers stated that the real need was for applying the research ideas embodied in existing material, others emphasized the need for further research.

135. By virtue of its teaching-learning function and its function as an agent of change, the school has a great responsibility for influencing children and adolescents for good or for ill. A positive and diagnostic attitude towards the behaviour of the pupil, a greater differentiation of instruction in keeping with the wide range of individual differences among the pupils and a meaningful curriculum for those pupils for whom purely academic objectives do not represent a reasonable and realistic goal, are essential. The core of the curriculum should be the communication of skills, proper use of leisure and training in occupational skills. Every effort should be made to improve group dynamics which involve different cultural attitudes and inter-personal relationships, since this hidden learning process often provides more effective learning experiences than are apparent from the visible curriculum. If teachers are to become sensitive observers and to intervene effectively in the handling of potentially maladjusted children and young persons, due attention will need to be paid in their recruitment to personality and professional training. The teachers should serve as examples through the development of strong inter-personal relationships, in order to combat the anonymity, impersonality and boredom which combine to produce a school drop-out, if not a delinquent.

136. The school, to the extent to which it can afford it, should provide and maintain certain special and essential services such as those of a doctor, psychologist, a social worker. Pupils vulnerable or exposed to the development of delinquent behaviour could be identified at an early stage by the teacher, and the early referral of such pupils to the appropriate agency could forestall more serious problems. Special attention should be given to such groups as pupils with difficulties, truants, poor readers, academic failures and school drop-outs as part of the most vulnerable group.

137. The school should improve its partnership role within the total community complex of health and welfare agencies and the homes of the children. These co-operative programmes may include efforts by the school and the police, school action in conjunction with agencies of mass communication, extension of schooling to include adult education and action research programmes conducted jointly by school and research institutes.

138. There is a close relationship between maladjustment and delinquency in children. The same type of background that makes one child maladjusted may make another delinquent. There is evidence that a high correlation exists between bad behaviour and poor school performance on the one hand, and delinquent behaviour on the other. Some of these cases, it was said, might be due to demonstrable medico-psychological factors, which could in fact be handled by trained professionals. Deviation of intelligence from the average, reaction to sexual development in the older children, sibling rivalry and emotional upheaval at home may drive a child to delinquency. For all these and other similar reasons, it is essential that medico-psychological services should be made available to schools. Teachers should realize that there is often some medical or psychological reason for a child's bad behaviour and poor performance.

139. An example was given of the remedial class and tutorial class created to meet the needs of particular children in Israel, by establishing rehabilitation in which elementary school subjects and trades were taught by special teaching methods which developed in the pupils pride in their achievements. The negative competitive aspects of schooling, which might previously have contributed to maladjustment were eliminated. The curricula were designed to enable the pupils to progress at their own speed. Similarly, the classifying centres for delinquent children provide a way of placing different types of children in appropriate approved schools.

140. While it was stated by some that illiteracy tended to promote delinquency, others expressed the view that keen competition for higher education had been one of the causes of juvenile delinquency because of the frustration suffered by those left behind in the struggle. Priority is given to success in examinations, and emotional discipline and moral education are disregarded.

141. It was said that education should include in its programme the inculcation of moral and spiritual values, and that the role of religion in education is important.

142. The education of parents is essential to their understanding of their children and the maintenance of healthy parent-child relationships.

143. Participants stressed the part played in juvenile delinquency and adult criminality by insufficient education, the absence or inadequacy of vocational training, and by the lack of opportunity, of work habits and of recreational facilities.

144. As regards the role of occupational opportunities it was emphasized that attention should be paid to sound, healthy attitudes, as well as skills. Some school children have been given orientation courses towards occupation before they leave school, and these have been found to be profitable with young people who had shown little interest in school work. Such programmes could help them to realize the value of their particular job in the general scheme.

145. Educational programmes should be adjusted to the changing world. Education and vocational training are not at present in keeping with the type and number of occupational opportunities available. Educational and training programmes should, therefore, be preceded by economic surveys of the employment markets for a number of years ahead.

146. The organization of suitable vocational training and of an effective placement system is a major social responsibility. Youth employment agencies should co-operate with teachers, child welfare workers and social workers.

147. Where there is large-scale unemployment, especially in developing countries, it is difficult to find jobs for young persons. Methods which have been used to cope with such large-scale unemployment include the use of youth camps, youth brigades and agricultural settlements.

148. Unemployment for reasons other than economic was also discussed. An example was given of a project in which youths who could not attend vocational training courses because of inadequate elementary education are taught elementary school subjects, as well as trades. Special teaching methods had to be developed to engender in the students a personal pride in their achievement.

149. It was suggested that, to gain a better understanding of the appropriate measures to be introduced, it will be necessary to study types of delinquency and homogeneous groups of offenders. The study of the family should include both families of orientation and procreation.

150. The school provides an excellent environment in which longitudinal studies can be carried out; since the peak age of criminality is very low in the industrialized countries, it is feasible to study the development of a large proportion of the criminal population in the school.

151. In developing countries, where society had been able until the present time to support a certain amount of deviant behaviour, it would be enlightening to study whether the unemployment in developing communities will increase the crime rate, and how far community tolerance of greater deviant behaviour can be stretched.

152. The result of vocational training given in prisons requires study.

153. Emphasis was laid on the need for co-operation between research workers and practical field workers in planning and conducting research. It was noted that field workers should be advised of the type of

information to be collected by them so as to be of use to psychologists and other research workers; in turn, field workers should be influenced in their policy by the result of scientific research.

D. REPORT ON AGENDA ITEM (3) : COMMUNITY PREVENTIVE ACTION (WITH PARTICULAR REFERENCE TO THE PLANNING AND IMPLEMENTATION OF MEDICAL, POLICE AND SOCIAL PROGRAMMES)

RAPPORTEUR : MISS ZULEIKA S. KENWORTHY (BRAZIL)

154. The main attention was devoted to the co-ordination and planning of measures and means of prevention.

155. It is perceived more clearly nowadays that, the more complex society becomes, the more difficult it is for the individual to abide by the law and uphold public order. It then becomes necessary to intensify the action of the community on each of its members, in order to reduce the risks of criminality.

156. In formulating policies and programmes designed to foster a general improvement in living conditions or directly to prevent criminality, it is important to take into account the peculiarities and needs of each area, as well as the ways and means available to those who are to prepare and apply the policies and programmes in question. The term "community" should therefore be understood not only in the national sense but also, on occasion, in the area or local sense of the term.

157. Several participants considered that, the higher the crime rate in an area or nation, the more desirable it was to centralize the programmes and means brought into play. Such centralization would appear to make it possible to mobilize the potential positive forces in a society more quickly in order to avert phenomena of maladjustment.

158. Preventive measures are needed urgently throughout the world, though the degree of urgency varies from place to place. Criminality can be regarded as a lesion in society. Society must be mobilized to take, by adopting certain positive attitudes, cognizance of that lesion and action to prevent it. The more clearly a community perceives that its interests are directly at stake, the more dynamic, committed and active it will be in applying measures of community development. Efforts must be made to demonstrate more cogently that criminality is the direct concern of the community and of each of its members, not only in view of its moral effects but, by the same token, because of its economic impact. A nation's judicial, police and curative institutions require investment and investigation on a substantial scale. The citizen who is required to contribute to that investment through taxation must be convinced that the investment of more sizeable funds to promote preventive action is an economically profitable undertaking in the long run.

159. It was pointed out by way of example that all too often crime becomes easier in the towns,

whereas a different attitude on the part of the community should make it more difficult.

160. Among the many illustrations offered by the participants, that of Israel may be mentioned, where a "repopulation quarter" is being set up on an experimental basis; this is a sort of young people's city, situated near a town, and all the social services taking part in the anti-illiteracy campaign using individualized treatment are integrated in a highly functional manner from the outset.

161. In Mexico a Department of Social Prevention has been established with the principal aim of harnessing the positive forces latent in the communities. This Department is headed by community development specialists who are endeavouring to avoid the proliferation of government and private action and to co-ordinate it into convergent, and therefore more effective, channels of effort.

162. Several participants stated in support of current experiments that there appeared to be much to gain by twinning central or local co-ordination bodies with research centres. Uganda is a case in point.

163. In India the action is co-ordinated by the central co-ordination agencies with a view to community development in all its aspects, including the prevention of crime.

164. In Thailand, where the youth crime rate doubled between 1962 and 1964, a National Centre for the Study of Youth Problems was established in conjunction with the National Research Council in 1963.

165. In the Soviet Union the State, as co-ordinator, endeavours to entrust the work of prevention to local bodies whenever possible. The participation of various cells of the community is thus developed directly and the work of the State specialists is extended by volunteers. The procurator acts as the motive force in co-ordinating prevention efforts.

166. In the United States of America, instructive experiments in prevention are being made by small groups of citizens, who mobilize a community's interest in preventing internal disorders and thus spur official and private bodies to practical action.

167. Similar experiments are in progress in Japan.

168. One of the dominant problems of community development arises from the fact that, whereas a fair number of citizens often wish to participate in the prevention of social disorganization, it is difficult to make proper use of them at the right time. It is the function of professional community development officers to foresee the practical measures in which these citizens might participate.

169. In the Soviet Union many experiments have shown that the professional people could play a very important part in preventing crime. It is interesting to discover why one enterprise should have a record of many offences and another be free of them. Methodical studies are being made with a view to eliminating the causes of such offences.

170. In the developing countries, new methods and techniques must be devised to mobilize the vast latent

community resources peculiar to each type of civilization, and to harness them for preventive purposes. Stress must be laid, not on the phenomenon of urbanization alone, but chiefly on socio-cultural disintegration. Particular attention should therefore be paid to the consequences of rapid social and technological change, with a view to enabling the community, as this process of change goes on, to intensify the struggle against factors making for maladjustment and to enlist as many of its members as possible in that endeavour. One of the dominant themes of preventive action in these countries is that of enabling young people to acquire good habits of work, which are closely co-ordinated with economic progress. Measures of planning for the prevention of maladjustment should therefore be dovetailed—even more closely than in other parts of the world, it would seem—into the nation's general economic policy.

171. Developing countries are essentially countries in process of organization. This, therefore, is a good time at which to co-ordinate the emerging structures. Population planning should hold a predominant place in the co-ordination of preventive efforts.

172. Many participants stressed the fact that the co-ordination of preventive efforts calls for specialists who, by using specific methods and techniques suited to each area, will increase the effectiveness of a general will to co-ordinate. All too often, for lack of specialists, this will remains sporadic or achieves no tangible results. It is therefore necessary to specify, for each type of structure, the exact functions it is intended to confer upon these new specialists in the social sciences. Co-ordination is the fruit, not of friendly meetings, but of precise functional relationships. "Functional co-ordination" means the mechanization of all the agencies involved in order to increase their over-all efficiency. Next, it is necessary to interpret the results, to modify policy accordingly, and to re-orient the available means, in accordance with the dynamic process, whenever a new stage is reached.

173. It was stressed that, in many countries, general preventive measures reached only the most exposed groups in the community. It is therefore necessary to institute programmes which can better reach such groups; street corner groups are an example.

174. Community development must counteract the feeling that, as society is developing at the present time, the individual is increasingly alone in the crowd. This apparent loneliness must be analysed, and suitable measures taken to overcome this trend. The preventive action taken must win the public over. This explains the importance of keeping a community informed, and of the participation of professional preventive staff in the work of specialists in the use of audio-visual information media.

175. The aim to be followed in the development of a community must be to regard one's neighbour, not as an interfering nuisance, but as a companion with whom certain relations can be maintained and certain exchanges carried on. Such development should therefore aim at increasingly high quality in the relations between individuals within a given group.

176. It was pointed out that the education of world public opinion in the matter of racial discrimination was an important form of preventive action in the struggle to stamp out this great crime against mankind.

177. The opinion emerged that, with the mass of information available in most countries, it would be possible even now to draw up much more specific programmes of action and apply them without delay but that, at the same time, no effort must be spared – quite the contrary – to step up long-term research work.

178. As societies evolve, new maladies continually appear; in the economically developed countries new nervous diseases are now being diagnosed, schizophrenia is on the increase, and so on. The mental factor plays an important role in criminality. The physician and, above all, the psychiatrist should be trained in forensic psychiatry and ought not to remain isolated in an ivory tower. It is observed, unfortunately, that in most countries the universities are further accentuating this isolation; the physician is trained as a specialist in therapy without being given a proper chance to familiarize himself with the structure of the society to which he belongs, and without being invited to take an adequate interest in questions of mental health and the prevention of crime.

179. Provided that they do not mechanically copy the western countries, the developing countries will perhaps be able to arrest, by dynamic action in the mental health field, a great many of the phenomena of mental disorder which beset the economically developed countries.

180. Generally speaking it is found that, if he is to be able to master the whole complex of these problems today, the physician must join working teams composed, among others, of lawyers, sociologists, psychologists and social workers, in which the specialist in each discipline must be neither overestimated nor underestimated; each of them must play his due part, in accordance with his special skills, so that a better understanding may be reached of the behaviour of individuals from the pathological, neurological, psychological, sociological, cultural and other points of view. In view of the rapid changes taking place in social structures, it is important that experiments in interdisciplinary interchange in the social sciences should be developed and intensified in number and quality. Thus all specialists, including the psychiatrist, should participate in the methodical compilation of dynamic statistics designed to provide information indicative of the prevailing trends.

181. In many countries, young physicians are much more attracted to private practice than to multi-disciplinary work in the field of social prevention. In order to reverse this trend it is necessary to demonstrate the importance of the latter field of endeavour, which will gradually emerge as the most vital of all.

182. In the developing countries, knowledge of pre-natal factors and of the emotional attitudes peculiar to tropical areas, in particular, is decisive for the purpose of drawing up a balance-sheet of personality

in which positive and negative factors are clearly brought out. The physician can play a leading role in contributing to the understanding of these phenomena and hence in fostering a realistic appreciation of behaviour patterns and of measures calculated to promote the formation of personality and character. This might facilitate, for example, the adaptation of school systems which, when they are based only on schemes left behind from the colonial era, all too often set up behavioural imbalances. In this connexion, mention was made of an example furnished by Nigeria: namely, support for parents so that, despite sometimes abrupt socio-cultural phenomena of disintegration, the family nucleus may discern the importance and the new aspects of its educative role.

183. As a behavioural specialist, the physician should be regarded as one of the essential members of the multi-disciplinary teams which every developing country ought to have for the purpose of drawing up and applying its programmes of social prevention.

184. All over the world, the need exists to make a thorough study of the deep-rooted motives which underlie anti-social attitudes, and to investigate the relationship which exists between certain types of personality and certain actions. These phenomena can be compared with the dominant attitude of a society towards its maladjusted or criminal members, an attitude which sometimes has the effect of crystallizing the unadaptability of such negative behaviour patterns. Hence the need for dynamic action to keep public opinion informed, and for specialists enlisted in multi-disciplinary research and action teams to participate in all the efforts made to mobilize the positive forces of the community.

185. In Zambia, where there are only two psychiatrists for the entire country, an open institution has been established to accommodate a large number of mental patients, including some delinquents in need of psychiatric care. All members of the staff of the institution who have completed their schooling are invited to participate in the treatment of the patients. Every member of the staff is put in charge of five or six cases. Such an officer, belonging as he does to the same culture as his patients, is particularly well placed to supply the psychiatrist with the requisite information about the patient's social and family habits.

186. While research dealing with juvenile delinquency is still at an early stage, it can help in the planning of projects undertaken either by a public agency or by a voluntary agency, in order to make them as effective as possible and to permit their evaluation. In most countries, the category most vulnerable as potential delinquents is constituted by the young male population between the ages of 12 and 18 years in large cities. The research specialist should be in a position to give advice on prevention programmes designed for this category, particularly with respect to ways of stimulating public participation which could complement administrative direction. Such projects should seek to prepare adolescents for adulthood and should go beyond mere vocational training or recreation.

187. Preventive action is the primary function of the police. It is inconceivable nowadays that a police service should not have as its first duty the prevention of crime. Any policeman capable of drawing conclusions from his action should consider, in any case where he notes a breach of the law, whether that breach does not belong to the category of acts which might have been avoided by more sustained attention, a better organization of services and the education of the public.

188. In all countries, the organic laws governing the police or the codes of criminal procedure refer to the preventive function of the police and so provide the statutory basis for this function.

189. During the debate, reference was made in the first place to the participation of the police in preventive work by means, for example, of guidance services and services responsible for organizing leisure activities. In Sweden, the Netherlands and the United Kingdom a campaign to enlighten public opinion by means of exhibitions, articles in the press, films, television and radio broadcasts is being conducted with success. Its object is in particular to alert public opinion to the serious consequences of certain breaches of the law for the person committing them, for the victim and for the community, and to draw attention to the negligence and carelessness on the part of the victim which provide favourable opportunities for the commission of certain offences. The "advisory services" set up by the Swedish police are proceeding on the same lines.

190. The preventive action of the police with respect to juvenile delinquency is steadily expanding and becoming more diversified; it includes the location of geographical areas which are breeding grounds of delinquency, the detection of young persons in moral danger (e.g. the "holiday action" in France), the spotting and identification of youth gangs, the tracing (in conjunction with social services) of criminogenic families, lectures given by police officers to teachers, the organization of leisure activities for young persons by means and under the guidance of police clubs for young persons (experiment of the Police Athletic League in New York), the establishment and specialized activities of women police to make contact with families and minors and in particular with girls who commit or are the victims of offences.

191. On the other hand, the expansion of preventive action by the police may possibly introduce a form of police supervision in too many sectors of the community, and it is desirable that the police itself should display the necessary caution with a view to protecting the rights of the individual as well as those of society.

192. There was also some discussion about the contribution which the police can make to the formulation of a policy of social defence. The modern conditions for the training of police officers are the fundamental basis for the development of a spirit and policy of social defence within the police force. In addition, in many countries the police action has as its object social protection and social welfare

(Austria, Denmark, United States of America, Guinea). In particular, the police endeavour to detect persons in danger of recidivism and to prevent cases of recidivism; an example of this approach is the proposed establishment of a service for the prevention of delinquency in the Ministry of the Interior in France.

193. For the purpose of the formulation and implementation of a social defence policy in the police services it would be necessary to set up a police corps which would be strictly preventive and which would not be bound by the routine of maintenance of law and order and criminal investigation and hence would be in a better position to win the support and co-operation of the community.

194. The Soviet Union with its "people's volunteer units" and also Hungary are carrying out interesting experiments for the purpose of strengthening the relationship between the police and the public.

195. For the purpose of co-operation between the public and the police—in cases where this is necessary—the police ought to place itself more fully at the service of the community: it should expand its information activities, it should publicize—without surrounding them with an aura of mystery—its activities, means, limitations and achievements, and it should co-operate with the social services and with the social science specialists who, at different levels, are concerned with the protection of society.

196. Social services vary greatly in outward form, not only from country to country but often from area to area within the same country. Specific sociological factors may, as a matter of history, have strongly influenced the inception of social services and then their development which, indeed, has too often been a pragmatic process hitherto. Thus some areas have given a disproportionate place to facilities of a particular type, with the result that the policy applied has had to be revised later on, sometimes at great expense.

197. It is easier to appreciate nowadays the degree to which the social services connected with prevention have grown up unplanned and without adequate co-ordination. This realization should make it possible to draw up both locally and nationally, specific programmes designed to equip the social services with functional machinery suited to the needs as they can best be assessed.

198. The participants were unanimous in recognizing that the first requirements to be met by the machinery of preventive social services are that it must offer the widest choice of possibilities and that it must be highly adaptable both to individual needs and to the needs of groups of varying size.

199. High-level co-ordination is the only means of maintaining unity of action and a satisfactory standard of quality in the work done, *inter alia* through multidisciplinary interchange.

200. In many countries the juvenile court judges have encouraged, through the understanding they show for social problems, co-operation by the judiciary

both with social services working in the field and with boarding institutions.

201. In many countries the social services are focussing their efforts of support and prevention increasingly on the family nucleus. To strengthen the family, to improve the behaviour of its members and to preserve good relations within it : these are important features of immediate action for the prevention of juvenile delinquency. Among the examples given, mention may be made of the new Italian legislation on the prevention of delinquency, giving prominence to social action of the type described, which is centred more closely on the family. The experiments being made in Syria, Sweden (prevention of alcoholism), Yugoslavia (social assistance centres), the Soviet Union and the Federal Republic of Germany are proceeding along the same lines. Thus, whereas social services were originally limited to child welfare, they are now evolving in the direction of family and social preventive action.

202. As regards efforts made to cater more effectively for specific local factors, recent positive experiments demonstrate that in an urban environment it is often advantageous to decentralize the preventive social services—to divide up the town, as has been done in some cities in the United States of America, India and Pakistan, into several sectors, and to equip each sector according to its economic, social and cultural needs. This experiment in the decentralization of social services within one and the same urban area has as its corollary very strict co-ordination and dynamic research at the policy-making level.

203. In Denmark social and institutional facilities for small children—creches, nurseries, day nurseries, kindergartens and the like—set up for the use of families with pre-school children, form a direct part of the social services responsible for preventing maladjustment and delinquency. Furthermore the strengthening of the family nucleus through the creation of special facilities for infants in each urban quarter fosters the establishment of positive intra-family relationships which are bound to prove beneficial throughout the educative process.

204. Many participants stressed the need to create and multiply opportunities for co-operation with volunteer workers headed by professional members of the social services. Volunteer workers, whose contact with the public is often closer than that of the professional staff, can take very positive action to keep the community better informed and to win its support for the work in progress, as witnessed, for example, by the Volunteer Committees in Australia. It is true that the relations between volunteer and professional workers are full of pitfalls, but these are of little account compared with the vast benefits to be derived from such co-operation; that is one of the strengths of the system in so far as it seeks to involve a whole community in working towards a healthy society. In the last analysis it may be regarded as the only means of bringing about community development and the formation of a positive social outlook in order to combat maladjustment and criminality.

E. REPORT ON AGENDA ITEM (4) : MEASURES TO COMBAT RECIDIVISM (WITH PARTICULAR REFERENCE TO ADVERSE CONDITIONS OF DETENTION PENDING TRIAL AND INEQUALITY IN THE ADMINISTRATION OF JUSTICE)

RAPPORTEUR : MR. NORVAL MORRIS (AUSTRALIA)

205. There was general agreement on the great social importance of the problems of recidivism, and important topics were selected for discussion on which it was believed a useful contribution could be made to the advancement of knowledge and practice in the struggle in all countries to reduce recidivism.

206. For countries reporting increased rates of recidivism in terms of the return to penal institutions of those previously imprisoned, it was noted that these figures at least in part reflected an increasing use of non-institutional measures for young offenders and first offenders in most countries of the world, with the result that those who do come into the prisons and other correctional institutions tend to be more firmly set in criminal ways when they are first received into the institution.

207. Regarding research and the prevention of recidivism, there was general agreement on the urgent need for more scientifically established knowledge to deal with the many problems involved in reducing recidivism. It was noted, however, that social action could not await research validation and that it is frequently necessary and wise to act on the best professional opinion now; but it was agreed that all action programmes should be accompanied by an effort to evaluate their results and to draw the product of research into their further development.

208. It was stressed that research projects in this field need not be of great complexity nor sophistication. Each country, within its resources of research personnel and finances, should endeavour to build the basic information necessary to rational social planning in this field.

209. It was generally agreed that there was widespread discrimination in the exercise of the discretions to arrest and detain suspected persons, operating adversely to those of lesser financial resources and social position. It was agreed that this discrimination, where it existed, had a criminogenic effect tending to embitter and alienate persons so treated and to make their rehabilitation—if they should later be convicted—of appreciably greater difficulty.

210. Participants from some countries, reporting the disappearance of economic and social discrimination, tended to regard this problem of less immediate importance; but there was unanimity on the aim of reducing so far as possible the needless arrest and detention of suspected persons, and of detaining them in custody only when such a course was absolutely necessary for the protection of society. It was agreed that a bail system, linking as it does freedom and financial resources, should be modified so far as possible to avoid this discriminatory consequence.

Generally speaking, there was the consensus that, to date, the State has too greatly favoured its own convenience at the cost of the liberty of the suspected and accused person.

211. Certain developments having as their purpose the reduction of detention pending trial were discussed, it being the sense of the discussion that experimentation of this nature was to be welcomed with the aim of exorcizing so far as possible financial considerations from the granting of liberty to the accused person. Apart from considerations of human rights, this aim was welcomed as a means of avoiding the criminogenic effects of unfair and unduly prolonged detention.

212. The practices discussed were: reporting regularly to the police while awaiting trial; the retention of the suspect's or accused person's documents of identity pending trial; house arrest; the reliance on the personal assurances of reliable people of integrity in the community that the accused will appear for trial; and the Manhattan Bail Study, which demonstrated the value of social investigation of the circumstances of arrested and accused persons to guide the courts in permitting such persons to be at large pending trial.

213. It was further agreed that, in those cases where it is necessary to detain accused persons pending trial, such detention should be as brief as possible. The view was expressed that punishment too long delayed may be unjust punishment and may well have an effect of increasing the incidence of recidivism and, in the case of those later found not guilty, its serious interference with the balance of their lives and that of their family needs no elaboration. The practice in Turkey was reported by which, if a person is detained in custody awaiting trial and is then acquitted, he will be compensated financially for that detention.

214. There was some discussion concerning conditions of detention prior to trial. Several participants expressed the opinion that the unconvicted person awaiting trial should in all circumstances be kept separate from convicted persons. Others doubted the necessity for this in all cases, since they considered that it depended in part on the size of penal institutions in the country (if they are small the need for such segregation is less great) and on the financial resources of the country in question.

215. The question was raised whether the treatment programme should ever begin — on a voluntary basis — during the detention period, and whether voluntary work should be offered to the detained person; risks in such practices were noted. No consensus emerged on these questions, which were nevertheless regarded as of importance and worthy of further study and research.

216. Concerning unjustified disparity of sentences, it was the firm consensus that fair sentencing and the fair and even-handed administration of justice is a cornerstone of the struggle against crime and recidivism. Unjustified disparity of sentences was noted in many parts of the world — by this was meant not different sentences for similar crimes, which is a

necessary and desirable concomitant of a system of rationally individualized justice, but the application of different sentencing principles to offenders alike in terms of crime, criminal record, personality and social dangerousness. It was agreed that disparity of this nature has a serious adverse effect on the effort to reduce recidivism.

217. Even those who reported the disappearance of social and economic inequities within their countries agreed that such unfair disparity of sentences must be avoided; procedures were described which involved members of the local community in the sentencing process for this and other crime and delinquency preventing purposes.

218. Equal justice under law, an agreed aim, requires the collaboration of the judiciary at all stages of the crime prevention and treatment process. Developments in several countries were noted aiming at improving the sentencing process. The programme of training for magistrates in the United Kingdom and the preparation of guides to sentencing to assist the courts in several countries were welcomed. An important development in the United States of America, outlined in the ensuing paragraph, was also regarded as worthy of consideration with a view to emulation elsewhere.

219. The eight judges of the Federal District Court of the Eastern District of Michigan have developed a Sentencing Council. This involves the independent study of the pre-sentence report by a panel of at least three judges, who endeavour to identify and give appropriate weight to the several factors relevant to the optimum disposition. Each judge indicates his suggested sentence and then they meet, together with the chief probation officer, to discuss their recommendations and their reasons supporting it. Each judge, of course, reflects in his presentation his personal background of experience and philosophy, and the judge with the responsibility for pronouncing sentence emerges with the benefit of the varied experiences and insights of his colleagues. The sentencing judge is not obliged to change his original proposed disposition. However, over its four years' experience, the work of the Council has resulted in a drastic reduction in disparity of sentences. The Council has introduced into the sentencing function the values of group decision. It affords a substantial protection to both the community and the offender from the consequences of individual whim, idiosyncrasy or bias. It also has enabled the Court to develop a group philosophy on the appropriate factors in formulating the proper sentence in given circumstances.

220. It was recognized that the court, in fulfilling its onerous burden of rational and even-handed justice, must be better guided by the product of research studies designed to discover the effects of different sentences on diverse groups of offenders; it was the sense of the discussion that this could be achieved without any risk of interference with human rights in the acquisition of such knowledge. The fact was not overlooked, of course, that in imposing a sentence

the court has also to fulfil purposes of ensuring public confidence in the administration of justice and the protection of the public; that criminal sanctions may have a generally deterrent as well as a rehabilitative purpose; but here too the need for research to provide guidance as to the truth of this expectation and the facts of this effect was noted and approved.

221. Concerning the issue of reducing the ambit of operation of the criminal law, there was some discussion of the wisdom of excluding young persons from the operation of the traditional criminal law system, including that of the juvenile or children's court. Several participants expressed a strong preference for early intervention by other than judicial agencies in anti-social behaviour by children. Participants from the United Kingdom outlined developments in England and Scotland moving to an extent away from their established system of juvenile courts and towards the system of child welfare boards, as in Scandinavia, but preserving the power of judicial control of such intervention by the State by way of appeal to the courts.

222. The particular problems of women offenders, of persons accused and convicted of motoring offences, and of persons accused and convicted of offences involving drunkenness or the taking of narcotics were mentioned, with a view to their exclusion from traditional criminal law processes or the modification of such processes to deal with their particular problems; no consensus emerged on this point.

223. Several participants expressed the view that crimes against peace and humanity were of such gravity and so seriously influence public confidence in the administration of justice that to neglect their condign punishment would have a tendency to increase crime and recidivism generally in the community. They therefore strongly opposed procedures by which statutes of limitations should be allowed to run so as to exclude such offenders from the control of and punishment by the criminal law.

224. The availability of legal aid for arrested, accused and convicted persons was discussed. There was unanimity on the need to provide legal assistance to arrested and accused persons, and to those convicted of crime who may wish to appeal. Systems of court appointment of counsel for those who could not themselves afford or obtain adequate legal representation were described, but it was the general view that such a system may have the defect of providing legal assistance at too late a stage in the proceedings and at a time when an adequate defence is difficult hurriedly to prepare. It was therefore felt that adequate and timely legal assistance must be available as of right to all arrested and accused persons at a sufficiently early stage in the criminal process adequately to protect their human rights and to ensure the fair and non-discriminatory application of the criminal law to all citizens. This aim is justified not only in terms of human rights and social decency, but also because the failure to provide adequate legal aid may well leave the convicted person with a sense of

injustice which greatly complicates the task of encouraging and assisting him to eschew criminal conduct in the future: the lack of an adequate legal aid system thus tends to increase recidivism.

225. With regard to conditions in penal institutions, classification and treatment techniques aimed at preventing and minimizing recidivism were discussed. Much attention was devoted to the important problems of training prison staff and other correctional officers for their difficult work, the opinion being expressed that in many countries such training or in-service training programmes were rudimentary, with the result that a valuable source of rehabilitative effort was neglected.

226. Problems of the employment of prisoners, their accommodation, their supervision inside and outside correctional institutions were discussed, and there was general agreement that treatment within and outside the institution, for those who are sent to a penal institution and released under supervision thereafter, is a continuum, and must be planned to provide a continuous and integrated retraining and rehabilitating programme. Some opinion in favour of the administrative integration of prison and parole staffs was expressed as one means of ensuring this continuity of treatment.

227. It was recognized that correctional treatment is an entity, not something done at special times and by special members of the prison staff. Security and custody measures may well be a necessary element in such treatment programmes, but they should not be overvalued at the cost of other necessary elements in those programmes. On this topic, several participants reported a greatly increased use of open institutions to replace closed security prisons. In this connexion it was noted that in Hong Kong all offenders under twenty-one years of age are first classified to open institutions as a matter of routine, and in Denmark there are open institutions for recidivists serving terms of up to four years.

228. There was widespread agreement on the need to mobilize community support to assist the rehabilitation of convicted offenders, and various methods were described of marshalling such support and allowing it expression.

229. In conclusion, there was recognition of the fact that it is easier to point to defects in methods of minimizing recidivism than to achieve the social action necessary for the elimination of those defects; on this topic the gap between precept and practice, between agreed aims and present achievements, is very great. Means of narrowing this gap were discussed and two such were thought to merit particular attention. Firstly, in every country a continuing effort should be made to involve the judiciary and the organized legal profession in the prevention and treatment of crime; secondly, on-going continuing research evaluative of current and developing methods of preventing recidivism is a necessity if social protection is to be achieved, human suffering minimized, and financial waste avoided.

**F. REPORT ON AGENDA ITEM (5) : PROBATION
(ESPECIALLY ADULT PROBATION) AND
OTHER NON-INSTITUTIONAL MEASURES**

**RAPPORTEUR : MR. MAARTEN E. TJADEN
(NETHERLANDS)**

230. Probation in its various forms is a treatment measure which is very flexible in its application. It has developed to the point where it may now be considered as a treatment method in its own right, by means of which an offender may be reintegrated into society without recourse to traditional methods of correction. Its results are particularly striking wherever it has been integrated in the cultural patterns and social setting.

231. It is well established that probation provides sufficient safeguards for the protection of society, while retaining its unique quality of adaptability to individual needs and pressures. Thus, it may be regarded as a major element in penal policy in both the developing and the developed countries. In countries which rely on traditional methods of punishment, its introduction would be a major step in the evolution of penal policies.

232. In many countries, probation began as a treatment measure for juvenile delinquents and was subsequently extended to adult first offenders; in some countries it is even used as a treatment measure for recidivists. Reference was made to unofficial or para-judicial forms of probation whereby an offender could be spared an appearance in court if he could prove to the satisfaction of the authorities that he was making a genuine effort to change his behaviour. In this connexion, reference was made to the system of "prosecutor's probation" practised in Japan, for example, although there was no provision for it in law.

233. The development and efficient use of probation would be impeded if the sentencing authorities were excessively restricted by legislative provisions confining its application to specific categories of offenders or offences.

234. On the other hand, it was submitted that probation officers tended to advocate a more selective policy since this would minimize the failure rate and so make the probation system itself more acceptable to the public.

235. In the selection of offenders for probation, the sentencing authority should be guided by a pre-sentence investigation providing the necessary information about the personality of the offender, his family history, social background, work record, and some indication of his suitability for probation. It was observed that in the actual selection process for probation, the approach should be social rather than purely clinical.

236. The question of the confidential nature of the pre-sentence report was raised, and while it was conceded that the offender might have a right to know what the report said about him, the withholding of certain information sometimes became inevitable. The opinion was expressed that perhaps a balance

might be struck between the requirements of confidentiality and the desirability of free access to information by providing for a discussion between the offender and the probation officer on the contents of the report before it was submitted to the sentencing authority.

237. A decision regarding a probation order is generally based, in great measure, on the pre-sentence report. Since human lives could be ruined because of judicial action based on erroneous information contained in the pre-sentence report, great care should be taken to ensure that the data contained in the report was accurate and not distorted by gossip or hearsay. In this connexion, the possibility of an appellate review of a decision concerning probation was raised, and it was observed that such a review had been provided for in recent years in a number of jurisdictions, for example, in the United States.

238. The probation officer's time should generally be divided in a rational way among the functions he is to discharge. It was observed that pre-sentence investigation and routine administrative work often take up too much of his time, with the result that he is unable to give sufficient attention to supervisory and case-work functions.

239. A note of warning was sounded regarding the danger of what was termed "an information explosion". It was suggested that more effort should be devoted to the development of practical scientific techniques for gathering only useful and relevant information. A suggestion was made, in this connexion, that pre-sentence investigations should be carried out by special diagnostic units rather than by probation officers.

240. Since probation is a form of treatment in the community, its development requires the acceptance and support of the public. It was stated that the expansion of probation was hampered by an insufficient realization on the part of the public that this method is in fact an efficient means of preventing crime. Even today, probation is often criticized as being too lenient a measure. It was said that this lack of understanding also influences legislators and judges, inasmuch as the administration of justice cannot diverge too far from public opinion. Among other things, these attitudes are reflected in the insufficient allocation of funds for the adequate staffing of the probation organization.

241. Hence, it must be made clear that probation serves not only the interest of the offender but also that of the public, and is not inconsistent with public security. The co-operation of volunteers and the support of social groups and associations, such as trade unions and employers' federations, could further the development of probation and promote its full acceptance in a country.

242. The public should be made aware that probation is one of the least costly and most effective ways of combating criminality. It was observed in this connexion that certain experiments conducted in the United States had effectively demonstrated the validity of this contention.

243. Nation-wide campaigns to change public attitudes and win public support for probation and other non-institutional treatment measures should be vigorously promoted. In this connexion, note was taken of the public campaigns effected regularly in Japan and in the Netherlands. Mass communication media and non-governmental organizations could play a vital role in this respect.

244. Although there is still much to be learnt about the effectiveness of probation, it seems clear that in many countries probation has had a favourable influence on the rate of recidivism, and has contributed to reducing the prison population. In the Netherlands, for instance, the prison population of about 2,000 has remained fairly constant despite a doubling of the general population in the last 25 years. It was said that this favourable ratio was closely connected with the development of probation in that country; over 19,000 adults are now under probation supervision.

245. It was urged that countries, particularly those whose prisons were overcrowded, should take steps to introduce or expand the probation system. The United Nations was asked to take appropriate action to help those countries to achieve these objectives.

246. In many countries, particularly in developing countries, the use of probation for adults is hampered by a number of factors: the probation system cannot simply be transplanted to cultural settings different from those where it was devised; the legal framework does not lend itself easily to the introduction of the probation system; trained judges and trained personnel are either lacking or insufficient; and in general, the lack of public support for the probation system. Gradual steps for the purpose of introducing probation were recommended as the best approach, in order that the public should come to realize that probation does not involve a greater risk to society than do more traditional methods. In some countries, general feelings of mistrust towards adult probation were reported to have lessened in recent years.

247. Community action in the field of probation is important. A social group, for instance, can be put to use in probation treatment as a source of pressure on the offender to change his attitudes and behaviour. The social group may be a spontaneous entity, or it may be specifically constituted for the purpose of exerting psychological pressure on the probationer placed within it. This method of group work has the additional merit of allowing the probation officer to give more of his time to those probationers who particularly need individual attention. Group counselling methods, it was noted, have proved particularly successful with hostile and aggressive young adult probationers.

248. Treatment should not necessarily be restricted to the probationer, but could, in some cases, be advantageously extended to his family, particularly through family-centred interviews. The purpose of such action is to bring together all members of the probationer's family and impress on them their share of responsibility in his rehabilitation.

249. Constructive human relations between the probationer and his supervisor are an essential element in rehabilitation. It was observed in this connexion that, according to the results of specific research, the transfer of cases from one supervisor to another tended to have harmful effects. The danger of overburdening a probation officer with administrative duties was also stressed; such a burden would be detrimental to the therapeutic relationship which he is expected to establish and maintain with the probationer.

250. The rehabilitation of the probationer depends to a great extent on the competence of the probation officer. The problem of obtaining qualified staff seems to be a cause for concern everywhere. In many countries this problem is compounded by the inadequacy of training facilities which, among other disadvantages, hinders the extension of the probation system. In addition to the relevant academic training required in most of the developed countries, it was pointed out that the probation officer should have such personal qualities as would enhance and enrich his relationship with the probationer.

251. The matching of probationers with probation officers according to age and to the need for either authoritative or supportive guidance should help to increase the effectiveness of treatment in the community. It was pointed out that such matching was particularly important for the younger age groups, and that sometimes young adult males were better helped by female probation officers and *vice versa*. In the case of voluntary workers, the social milieu of the offender should be taken into account as much as possible by assigning the probationer to a supervisor from the same socio-economic group in order to facilitate understanding and constructive influence.

252. The need to bridge the gap between institutional and non-institutional treatment methods was stressed. Many participants emphasized the usefulness of community-based residential centres, hostels and "half-way houses" for persons who were unable to adjust themselves to life in the community. A strong plea was made for the increase of such facilities, particularly in urban and industrialized areas. In conjunction with furloughs, work-release to the community and pre-release training centres, it was observed that such measures can help the offender to make a gradual adjustment to life in freedom and so tend to prevent recidivism.

253. It was stated that there was a striking parallel between the evolution of the prison regime and that of methods of treatment in freedom, in that both were becoming more flexible and diversified. Institutional treatment, in some of its forms, is approximating to probation and, to some extent, probation and other measures of treatment in freedom are tending to resemble certain methods of institutional treatment. As a consequence, there is often a confusion in terminology when describing the role of probation and that of parole after release from an institution. It was even suggested that one possible reason why the use of probation was not increasing in some

countries was that institutional treatment itself was coming to be regarded as more therapeutic. It is therefore natural to conclude that treatment ought to form one continuous process and that it would be desirable to merge the administrations responsible for the different phases of correctional treatment.

254. A number of participants urged that judges, probation officers, sociologists and prison officials should be encouraged to co-operate in team work, to establish systematic contacts with each other, to seek new approaches and to experiment. Administrators and policy-makers should be given opportunities to test new methods and introduce methods of treatment in keeping with local conditions, without running the risk of being personally penalized in case of failure.

255. There was widespread support for unification of the relevant services with a view to achieving a more constructive relationship between them, for a commonly accepted penal philosophy for prison and probation officers, and for common training principles. Support for such integration was seen as one of the most important factors emerging from the discussions. Advantages were also seen in the application of more uniform policies by the courts and in increased possibilities for experiment. This would include group action and individual attention to the most difficult cases.

256. Action toward a unified service was said to be needed from within and from the top levels of the administrations concerned. The convening of conferences and, more specifically, seminars at which to exchange experience was seen as important in encouraging this development.

257. In view of this trend towards flexibility, new treatment research and the development of a treatment continuum, as well as the establishment of a unified service, it was submitted that a purely negative attitude towards the combination of institutional and non-institutional measures is not justified.

258. On the other hand, the combination of a fine with probation was reported to be an effective measure in Japan.

259. From a brief discussion of non-institutional measures other than probation, it appeared that in some countries the stay of prosecution or deferment of judgment yielded favourable results when combined with voluntary probation whereby the offender is entrusted to his fellow workers. It was said that very few of the cases so handled subsequently came to trial.

260. Extra-mural labour based on the idea of rehabilitation through work was found to offer prospects as a particularly useful form of penal sanction of an intermediate character between the fine and deprivation of liberty. As a recent example, extra-mural employment for petty offenders has been introduced in Kenya, resulting in a reduction of approximately 40 per cent in prison committals.

261. Mention was made of new developments in several East European countries whereby the judge is empowered to apply conditional suspension of

prison sentences and of sentences of corrective labour without imprisonment.

262. Restitution to the victim, in one form or another, was advocated as a separate and constructive means of penal action and crime prevention. The successful experiment reported from Ghana was noted in this connexion, and further attention to the matter was invited.

263. While limited research undertaken on certain pilot projects in institutional and non-institutional treatment in recent years would seem to indicate better success rates for those experimental groups which had been given more intense treatment than the control groups (by doubling the number of social workers, for instance), it was admitted that there still were wide gaps in knowledge referring to different risk categories and other matters. Control groups should be used in order to identify the individual factors affecting the results. Efforts should be made to establish much closer relations between practitioners and universities as well as research bodies. It was recognized that those responsible could not wait for the completion of the studies undertaken, and that it was essential to continue practical efforts in the directions indicated above.

264. In a general way, research and experience have so far shown that probation and related measures could safely be expanded within the general framework of modern criminal policy.

G. REPORT ON AGENDA ITEM (6): SPECIAL PREVENTIVE AND TREATMENT MEASURES FOR YOUNG ADULTS

RAPPEUR: MR. DUNCAN FAIRN
(UNITED KINGDOM)

265. Discussion on this agenda item disclosed wide variations in the definition of the term young adult. The chronological age limits for the "young adult" category as defined in legislation and regulations seemed to fall into one of two basic patterns. One, and this seemed to be the predominant pattern, fixed the age range of young adults from the upper limit for juvenile delinquents (usually between 15 and 18 years) to a maximum of 21 years. The trend in this first pattern seemed to be towards a raising of the upper age limit to 24 years; and, in one particular case – under a recent amendment to the Federal Youth Correction Act of the United States of America – to a maximum of 26 years. The second pattern set the young adult group between the ages of 15 and 17. This lack of precise definition was matched by the admitted absence of fundamental research, and especially research derived from understanding between the research worker and the practitioner in the field. In addition, in most countries, the young adult group is recognized as a definable entity either by statute or by some other means; the basis for such recognition has often been impelled by tradition or such other factors as physiological maturity, prevailing

cultural expectation and social and economic responsibility. These considerations produced a consensus that each country should establish its own criteria for identifying the young adult, that whatever criteria are established must be based upon realistic factors and that legal definitions and national youth policies should be determined in accordance with these realistic considerations.

266. There is also some variation in the incidence of young adult crime. A proportionately low or declining incidence of crime was reported for some countries but others reported great concern both because of the increasing incidence and because of the seriousness of the crimes committed; the young adult offender was invariably the young adult male. In some countries, it was observed, the young adult male was responsible for at least half of the total volume of the serious crime reported; and the fact that very few crimes involving young adult females were reported was ascribed by some speakers partly to the tendency of parents and the public to protect young women by concealing their actions and partly to the greater hold of the family on them.

267. Despite the difference in definition and incidence, a common anxiety was voiced during the discussion. In all countries, it was observed, the young adult group merits special attention because its potential could present immense social danger, as well as unlimited opportunity for social development.

268. In some countries, the young adult age group constitutes a very high percentage of the total population, and in these countries it is particularly important to be alert to the group's potential for social revolt or for social reconstruction.

269. Despite the failure to promote adequate research, there was a general recognition of the effects of social forces on youth, of the influence of the mass media of communication (television, radio, pressure advertising, cinema, publications and the like), and what was generally described as the "excessive enticements of modern life". Also, participants referred to the effect in many countries of the break-up of patterns of family and religious life, and of the stresses and strains inherent in the transition to a new and mechanized civilization. In a time perspective, however, the problems of youth are not new: only the forms in which they manifest themselves are different. Mankind has always lived in an age of transition, and the age of adolescence has been perceived as an age of rebellion.

270. Particularly in the developing countries, it is vitally important to ensure that the restlessness and rebelliousness of youth against traditional controls and legal restraints are constructively channelled. Young adults in these countries are expected not only to participate actively in national development but also to assume leadership. They are regarded as the main instruments as well as the main beneficiaries of national developmental programmes; their dual role thus deserves and demands special attention. National development plans should therefore be prepared with a view not only to preparing the young adult for

working life and fuller participation in national development, but also to incorporating measures designed to counteract the criminogenic influences surrounding youth. The attainment of such objectives can be greatly facilitated by both comprehensive planning at the national level and by proper co-ordination of the work of various agencies engaged in youth programmes. In this connexion, reference was made to the existence in some countries of governmental ministries and agencies set up specifically for the youth.

271. It was emphasized that crime prevention could be made more effective if more challenging work opportunities were available for young people and if they were more closely involved in the planning and directing of such work. "Youth responds to youth", and at least in one country, Israel, it was reported that very satisfying results were obtained by inducing the youth themselves to initiate and carry out work with young delinquents.

272. Although crime cannot be ascribed to any class or any race, there is abundant evidence that much of it occurs in the poorer parts of the great urban complexes, where bad housing, poor schooling and spells of unemployment ultimately result in creating an army of the under-privileged. It was felt that insufficient attention was paid to the impact on the school leaver of his first job. The apprehension and eagerness with which he begins are too often followed by boredom. The experience in the Byelorussian SSR with community care for the young worker was felt to provide a means for preventing that boredom from leading to delinquency. Induction schemes in industry should be encouraged.

273. The traditional institutional approach to the treatment of the young adult offender was consistently and strongly criticized, and emphasis was placed on devising methods which could resolve the young adults' delinquency problems within the community. Such efforts, of course, called for the closest co-operation between government and private agencies, and for the integration of case and group work within the community framework.

274. Judging from the report of many speakers, the use of probation as a substitute for institutionalization is increasing, and experiments were reported which indicated that intensive supervision can succeed even with repeated offenders, without recourse to institutionalization. New and increased uses were reported of group methods and of controlled living in hostels, half-way houses and the like, as adjuncts to probation.

275. In connexion with the application of probation to young offenders, it was strongly emphasized that much greater use should be made of the services of volunteers in supervising probationers. It was pointed out that probation officers were in exiguous supply almost everywhere and that, even where they were available, they were required to devote so much time to routine administrative work that their supervisory and counselling time inevitably became minimal.

276. Although non-institutional treatment should be given preference, institutional treatment, with its attendant deprivation of liberty, is sometimes necessary for certain types of young offenders. Several types of short institutional treatment were described, such as short-term detention in special institutions for periods of between six to eight weeks, week-end detention and short-term arrest for periods not exceeding six days.

277. Longer institutional treatment in other types of institutions varied from nine months to three years in duration.

278. Whatever the type of institution, and whatever the length of the period of detention within it, it was felt to be essential that the institutional programmes should be educative and not punitive. The young inmates should be kept fully occupied with programmes of study, physical education, work training, group discussion and the like. Such programmes should, additionally, be attuned to local needs and cultural patterns. Institutions and their programmes are not to be transplanted from one culture to another; each culture has to evolve its own form of treatment.

279. Vocational and educational training programmes in the institution should take account of prevailing conditions relating to employment, as well as the offender's own occupational interests, in order to meet the needs of post-release life. In countries where this was necessary, attention should be given to ways and means of co-operating with the different labour organizations.

280. The point was made that there was always a risk that work training programmes within youth institutions might stagnate and become anachronistic in the context of rapid technological development outside. Young adults in institutions have to be trained for employment in freedom; instruction in outmoded skills and crafts adds to the disadvantages faced by these young people after their release to the community and this makes them all the more prone to recidivism.

281. It was urged also that long-term institutional treatment should preferably be followed by a mandatory period of after-care. The success rates obtained in countries which had made provision for such mandatory after-care seemed to support this contention. It was stressed, however, that the period of after-care should not be excessively prolonged, because it tended to yield diminishing returns after a certain point. Experience seemed to indicate a maximum of two years.

282. Poland, Spain and New Zealand, amongst others, described different kinds of treatment. Further, the group probation experiment in the District of Columbia in the United States was contrasted with the Highfields programme and the forestry groups in New Jersey, where work and group counselling were combined. Pleas were made for active co-operation between prison chaplains and psychiatrists, and for the training of administrators in the uses and application of research. In one country, unofficial prison

visitors played an important role in preserving contact with the larger community.

283. Towards the end of the discussion, attention centred on the role of the family and the part it could play in preventive and treatment programmes for young adults. Marriage guidance could help towards better family life. These techniques were also effective for persons in institutions. Families could also be mobilized to open their homes to the offender. This individual approach was felt to be in accordance with the retreat from institutionalism which characterized the entire discussions; it emphasized the essential humanity of the offender. In the long run, whether in court, under probation, or even, if necessary, in some institution, the offender will still need understanding friendship, and must be regarded not as a case but as a man.

284. The need for research was a recurrent theme in the deliberations of the Section. Since criminological research is hampered by imprecision in conceptualization and methodology, efforts must be made with the help of control groups to isolate variables, to identify prime factors and, by the exchange of knowledge between one country and another, to enlarge understanding of the turbulent adolescent and his group.

285. Research in crime prevention and treatment still has far to go before the findings are conclusive enough to justify action based upon them; and there are also many areas in which little or no research has been done. Practitioners and researchers must work more closely together as members of a team in order to facilitate communication. There is a place for both small and large-scale research, and the decision as to which kind of research should be favoured should generally be left to a competent team rather than to individuals.

286. So far, much research has been done with reference to the role of the family in delinquency prevention. There is a need for increased research into the fields of other socializing agencies, notably the school, work and leisure environment. In particular, research on the capacity of teachers, youth leaders and employers for attitude changes needs to be investigated.

287. There is also a need for increased research into the efficacy of small group techniques as currently applied in youth and other correctional institutions, at schools, and the like. If group-work brings about a relatively rapid change in attitude, then such work needs to be applied increasingly as preventive agent.

288. Research on the possible harmful effects of preventive programmes as well as their possible good effects should not be neglected. Many countries have initiated so called preventive programmes, aimed at both the general mass of young adults and also at the seemingly more recalcitrant groups within them which appeared to pose a threat to the security of the community. It is necessary to try and ascertain whether these programmes create more problems than they apparently solve; whether they in fact reach the rebellious groups at which they are specifically aimed; and, if these programmes do reach the target groups,

whether they tend to identify and therefore incriminate these groups.

289. Research on special treatment measures for young adult offenders seems to be closely related to typology-personality research based on analysis of various factors. Some of these factors, which dominate differently at different times in various kinds of people, are physiological and environmental factors as well as psycho-social factors, degrees of neuroticism, degrees of maturity and the like. After further validated research, the next step will be to relate these factors to different types of crime and to various types of treatment regimes.

290. Complex analytical research, linked with typology and different types of crime and treatment regimes, should form only one end of the research continuum. The other end is, of necessity, a concern with a microscopic approach to study how young adults are motivated under different conditions; how they generate anxiety and aggression; how they have different learning and perceptual difficulties at different times of their lives; and how these difficulties can be overcome.

291. Research, however thorough, would nevertheless find little application in day-to-day programmes for young adults unless its findings were incorporated in executive and management training programmes. Those responsible for the critical decisions as to whether or not research findings are to be applied, must be made aware of the importance of such research to the success of their operational programmes, and of techniques of applying this research in actual practice.

III. Closing plenary meeting

292. After the various reports summarizing the debates had been given final consideration as already indicated, the Congress was informed at the closing plenary meeting of a written request from the Liberian delegation asking the Steering Committee to arrange a special plenary meeting of the Congress so that the Liberian delegation could register a formal protest on the presence of a delegation from South Africa at the Congress. The Steering Committee, however, had recognized that questions pertaining to the inclusion or exclusion of any particular country were not within the competence of a technical conference. By standard United Nations practice invitations had been extended to all Member States of the United Nations. The Steering Committee had therefore been unable to accede to the request of the Liberian delegation.

293. Looking back on the work of the Congress, Mr. E. Galway, speaking as representative of the Secretary-General, said it was characterized by two major trends: on the one hand, a growing emphasis on the need for more technical knowledge as a basis for the development of social defence policy and, on the other hand, an interest in more imaginative approaches to the prevention of crime and the treatment of offenders, such innovations calling for support by government and other agencies. The

important role that the public could play in this field had been defined. The new emphasis laid on research was most encouraging and coincided with new prominence given to research and the training of research workers in the United Nations expanded programme of technical assistance. These various endeavours should be geared towards the integration of programmes of crime prevention and control into general economic and social programmes as had been pointed out by Mr. de Seynes at the beginning of the Congress. The many different disciplines represented at the Congress had brought about a striking sense of professional unity among participants and agreement about common objectives. Finally, Mr. Galway expressed the gratitude due to the chairmen, rapporteurs and panel members for the time and effort they had devoted to the work of the Congress.

294. On behalf of the Government of Japan, Mr. Baba extended a cordial invitation to the United Nations to hold the Fourth Congress on the Prevention of Crime and the Treatment of Offenders in 1970 in Japan. He expressed the hope of his Government that all Member States would be represented.

295. On behalf of the Third Congress, the President expressed to the Government of Japan and to Mr. Baba appreciation for this generous offer which he assumed would be accepted.

296. He then informed the Congress of a draft resolution submitted by the delegations of Brazil, Chile, Colombia, Nicaragua and Venezuela in accordance with rule 26 of the Rules of procedure. On behalf of the sponsoring Latin-American delegations, Mr. M. López-Rey introduced the text in which some minor drafting changes had already been introduced in consultation with other delegations. The draft resolution welcomed the recent proposals of the Secretary-General for strengthening the activities in the social defence field, emphasized the role of technical assistance, especially through regional institutes and research projects, the employment of regional advisers and co-operation with existing national or regional research centres, organizations or institutes; it noted with satisfaction the functions of the enlarged Advisory Committee of Experts as a new continuing body, as well as the decision of the Secretary-General to establish a trust fund account to strengthen the United Nations activities in this field; finally it expressed gratitude to the Government of Sweden and the Swedish Organizing Committee for their hospitality and to the Secretariat of the United Nations and other bodies for the documentation and organization of the Congress.

297. The resolution was seconded by Mr. Hedayati (Iran) and was adopted by acclamation. The text appears in annex I.

298. Mr. Wahl, speaking on behalf of the International Prisoners Aid Association which had held several meetings of member agencies in conjunction with the Congress, expressed his gratitude to the Government of Sweden and the United Nations Secretariat for the courtesies extended. He recalled

the role of this non-governmental organization essentially based on citizen participation, willing to make its findings available to governmental units concerned with the administration of justice, and hoping to serve as a channel of communication and a source of possible counsel.

299. After a number of participants had expressed gratification at the hospitality extended to the Congress, the way in which it had been organized and the work achieved by it, the President declared the Third United Nations Congress on the Prevention of Crime and the Treatment of Offenders closed.

PART TWO. LECTURES¹

I. The challenge of fair and effective criminal administration

300. The first lecture, dealing with the challenge of fair and effective criminal administration, was delivered by Mr. Thurgood Marshall, Judge of the United States Court of Appeals of the Second Circuit (New York) and Solicitor-General Designate of the United States of America. He began his address by conveying to the Congress greetings and personal good wishes for its success from President Johnson. He also informed participants that, because of pressing constitutional enactments at home, Attorney General Katzenbach was unable to attend the Congress as originally planned, but he had been in close touch with him in preparing his statement to the Congress.

301. Noting the importance of international co-operation in the field of criminal justice, Mr. Marshall emphasized that much could be learned and accomplished through increased contacts and the exchange of views on the experience of different countries. International co-operation on law enforcement was necessary also for a very practical reason, he added, because crime did not stop at national frontiers. Since crime had assumed an international character as a result of faster transportation, improved communication, and the complexity of international trade, it was necessary to organize international forms of protection. Such co-operation was already evident in organizations such as Interpol.

302. While lawlessness was as old as history, its causes were still the subject of much debate and controversy. The roots of criminal behaviour were a complex interweaving of psychological, sociological and economic factors. The competitive pressures of urbanization and the changing social patterns of modern life made criminality an acute problem almost everywhere. This was the core issue of the Congress. The common dilemma shared by all countries was to give increasing recognition to the freedom, the rights and the dignity of the individual and yet repress lawlessness. This made the struggle against crime such a difficult task.

303. Recognizing the close relationship between crime and poverty, Mr. Marshall stressed that it was essential to share more broadly the benefits of modern society. Similarly, full political and social equality was fundamental in providing a sense of community participation.

304. A tragedy shared by all countries was the heavily disproportionate rate of crimes committed by young people; as an example, more than one third of the serious crimes solved by the police in the

United States last year were committed by persons under 18 year of age, and more than 70 per cent of all arrests for serious offences involved persons under 25 years of age.

305. The search for a thoughtful solution to the problems of criminal justice, Mr. Marshall said, was being pursued constructively by the United States in an endeavour to eradicate injustices which for many years had plagued the administration of the criminal law. Decisive progress was made in safeguarding the rights of the individual under the criminal law and the constitution, and poverty ought no longer to be a barrier to the full attainment of equality before the law. One notable advance in this connexion, he said, was the sharp reduction in pre-trial detention of those who were too poor to secure their release by posting bail. Indeed, for all too many persons the first taste of jail and the degradation involved by it had come at the pre-trial stage, and the incarceration of a defendant should be avoided wherever possible.

306. Finding sound and fair treatment and control for those who had violated the criminal laws, Mr. Marshall said, was another of the difficult problems shared in common by all countries. There was a growing realization that a rigid adherence to traditional imprisonment might be tragically self-defeating. Substantial periods of imprisonment exceeding the reasonable needs of society could only engender bitterness and hatred, thereby impeding rather than furthering the rehabilitation of the offender. Deprivation of self-respect and alienation from the community would produce new recruits to a "criminal culture", presenting dangers greater than those the penal system seeks to avoid. Along with other countries represented at the Congress, the United States was exploring new methods of treatment which would fairly reflect the protection of society and yet provide the maximum opportunity for the individual to turn away from a criminal career. There was increasing emphasis on treatment outside of institutions, both by greater use of probation and by affording early parole or work release in suitable cases. Close and effective supervision was the key to the success of such programmes, and this required vastly increased numbers of trained correctional personnel.

307. With respect to the direct control of lawlessness also, much needed to be done by providing more adequate training for the police and other law enforcement officials, since a trained and adequate police force was a strong bulwark against invasion of citizens' rights and dignity.

308. To meet these needs and improve crime prevention, President Johnson had committed his

¹ See para 18 on page 2.

country to a broad programme to deal with the problems of crime and had appointed recently a Commission on Law Enforcement and Administration of Justice, the first official body of its kind, to conduct a systematic nation-wide study of crime problems.

309. While criminal behaviour would never be eradicated from life in an organized society, the speaker hoped that broad social changes such as the direct onslaught on racial discrimination and poverty would make marked inroads in the conditions underlying criminal behaviour. The conflict between the freedom of the individual and the interests of society was not irreconcilable even though the task of finding a fair balance for reconciliation was enormously difficult. Progress, however slow, had been made since the last United Nations Congress and, now again, delegates had much to learn from each other. Mr. Marshall pledged the total co-operation of his Government to those seeking solutions to some of society's oldest and most difficult challenges.

II. Comradeship courts and related innovations in the Soviet Union

310. The second lecture, on comradeship courts and related innovations in the Soviet Union, was delivered by Mr. L. N. Smirnov, President of the Supreme Court of the Russian Soviet Federated Socialist Republic.

311. He first outlined the history and scope of comradeship courts in the Soviet Union, this approach being important to dispel certain misunderstanding about these public institutions in the western countries.

312. Comradeship courts were created by a decree signed by V. I. Lenin on 14 November 1919. The significance of this decree lay in the fact that it associated workers with the performance of judicial functions in public sittings. These courts were elected by a general meeting of workers, and they were comprised of a representative of the factory administration, a representative of the trade union, and a representative of the workers' collective. A decree of 5 April 1921 widened the disciplinary competence of comradeship courts from dealing with the rank-and-file workers to the examination of charges brought against administrative and technical personnel. These courts had to combat not only various violations of labour discipline but also amoral acts committed by individual members of the collective such as hooliganism, indecent behaviour, petty pilfering, etc.

313. The main objectives of these courts were to apply stringent measures against serious offenders, and to use the widest possible means of exerting social influence on chance violators of law and order. The working community was considered more competent and desirable in effecting social conformity and in rehabilitating weak and irresponsible comrades. To achieve these objectives, the co-operation of a broad strata of Soviet Society was enlisted.

314. The decrease in the number of persons convicted by the people's courts for offences initiated

by private complaint bore witness to the constructive role and considerable educational value of the comradeship courts. These social courts existed widely in the early thirties but declined thereafter and practically ceased to exist during the Second World War. They emerged again during the fifties together with such forms of community activity as the people's voluntary detachments, commissions on juvenile delinquency, etc. Mr. Smirnov stressed the spontaneous initiative of the people in reviving the comradeship courts and other forms of crime prevention, which had not been entirely new as maintained by some researchers in other countries. For the Soviet Union as a whole, the widespread development of comradeship courts, the expansion of their area of competence and the intensification of their activity occurred in the mid-fifties.

315. The first voluntary people's militia units for the preservation of law and order were established at the Kirov factory in 1958 in Leningrad. They were now operating in all towns and districts in the Soviet Union. Mr. Smirnov stressed that people's militia units represented one of the mass workers' organizations primarily dedicated to eradicating the factors and conditions favourable to the commission of crime. They were not a volunteer substitute for the police but a means of strengthening social self-discipline. They operated in conjunction with the comradeship courts and the commissions for minors, and a prominent part was played by the children's rooms of militia units.

316. Publicity was a key factor in achieving the desired objectives of the comradeship courts, and it exerted considerable influence in their deliberations through the formation of a definite public opinion against the offence and offender. Such public proceedings held in the presence of several dozens of a worker's comrades were found more effective than a fine or even detention.

317. In order to take local peculiarities more adequately into account, appropriate statutes and regulations were enacted within the Union Republics rather than for the Union as a whole. Thus, regulations were laid down for the Russian SFSR on 3 July 1961 and supplemented on 3 March 1962 and 23 October 1963, further widening the competence of these courts. On this basis, judicial and administrative bodies would transfer to them certain cases of a minor character relating to first offenders, as well as civil cases relating to title disputes over collective farms, and personal property. But the examination of such cases by comradeship courts was subject to the consent of the parties to the dispute.

318. Mr. Smirnov went on to review the relationship between the comradeship courts and the people's courts. Comradeship courts were not supplementary to the ordinary judiciary. They were accountable only to trade unions or to local councils. People's courts could render legal assistance to them and take measures to improve the legal knowledge of their members, but could not interfere with their activities. On the other hand, a comradeship court could refer a case to the

people's court when it found it necessary to institute criminal proceedings.

319. The scope of the activities of comradeship courts was by no means unlimited. They had an obligation to act strictly within the framework of the law. The State took full cognizance of the rights of the citizen, and comradeship courts did not imply contraction of those rights. Facilities existed for dual examination of cases in either comradeship courts or people's courts, according to the choice of the citizens. The rights of the citizen were further protected by denying comradeship courts the right to enforce their decisions. Enforcement orders could only be issued by people's courts after the people's judge had verified the information submitted and the legality of the decision. He could refuse issuing an order if the decision of the comradeship court was not based on law, but could not set aside its original decision. Only the appropriate executive committee of the council of workers' deputies could suggest re-examination of a case. Appeals were also dealt with by this executive body.

320. Under the Regulations, comradeship courts were entitled to apply measures of social influence to persons found guilty, and these measures were mainly preventive in character, such as social reprimand, censure and comradely warning. An important factor in the success of the preventive activity of these courts was the supervision of the subsequent behaviour of the person concerned. They also notified the social organizations and persons in authority of the causes and conditions which had contributed to the offence or other wrongful act.

321. Facilities were provided for the legal training of members of comradeship courts. Special annual and biennial training courses were arranged at faculties of comradeship courts at people's universities for legal studies.

322. Concluding his lecture, Mr. Smirnov drew the attention of Congress participants to the diversity of social and state structures which had given rise to different criteria in determining which actions should be labelled criminal. Such diversity had also led to the formulation of different programmes for the suppression and prevention of crime. But in spite of all these differences in fundamental concepts, there appeared to be agreement among participants that a broad programme for crime prevention must receive the support of the whole community. In this connexion, the whole system of state and social organization in the Soviet Union was directed to the education of the workers in a spirit of voluntary and conscientious discharge of their social obligations.

III. Approaches to crime prevention in rapidly changing societies

323. The third lecture, dealing with approaches to crime prevention in rapidly changing societies, was delivered by Mr. B. K. Bhattacharya, Senior Advocate at the Supreme Court of India.

324. In introducing the topic, he remarked that the morality of a society had a direct bearing on criminality, because of its influence on character formation. He observed that in many developing countries there was a marked decline in moral standards of conduct, particularly among important citizens and government officials. The restoration of moral standards was therefore an important prerequisite in any endeavour to reduce the incidence of crime and juvenile delinquency.

325. Mr. Bhattacharya went on to discuss the rapid changes in modern society and their effects on institutions. Many traditional institutions were going through a transformation, and the most important of these institutions in moulding the personalities of young people were the family and the school. For example, traditional forms of social control which were inherent in the extended family system were disappearing under the impact of urbanization. Overcrowding in schools and loss of a sense of dedication by school teachers had contributed to a lowering of the strict standards of school discipline.

326. Mr. Bhattacharya briefly referred to the dangers inherent in an unbalanced programme of training for higher education. The current trend in Asia was to produce too many graduates in the arts and letters, for all of whom corresponding employment could not be provided. It should be noted that Asian societies needed today more technicians for industrial development.

327. Food rationing in countries experiencing a dearth of food was, in a sense, speeding up the process of urbanization. People were moving from the rural areas to the towns because food was available there on ration books. Still, the wearisome search for food in urban streets, and its disruptive effects on family life by the standing in line for long hours to obtain meagre supplies, had widened the scope for the commission of crime. Mr. Bhattacharya felt that in India the distressing situation of immigrants on account of the partition was also intensifying the problem of crime in the urban areas, and suggested that the undertaking of special research into crimes committed by immigrants be considered.

328. The lecturer felt that it was in the context of rapid urbanization and industrialization and of shifting social values that measures to combat crime and delinquency had to be taken. Grossly deferred justice and prolonged detention in many Asian countries embittered those under trial and exposed them to the risk of a criminal career, and the judiciary, a prestigious body in each country, ought to initiate reforms to expedite the course of justice as perhaps one way of keeping up with rapidly changing social conditions.

329. As regards treatment measures for convicted offenders, Mr. Bhattacharya stated that the introduction of western-type correctional institutions required considerable modification to suit local conditions. For economic reasons, a wide preventive programme was considered more desirable in developing countries than institutional treatment, and the latter should only

be used after preventive social work methods had failed. The developed countries themselves, which had evolved a network of institutions for the treatment of young offenders, should now benefit from the imaginative innovations being implemented by the developing countries and get away from the traditional reliance on commitment to institutions.

330. For obvious reasons, institutional treatment could not be ruled out entirely. Some form of institutional treatment had to be maintained for certain categories of offenders. But in many developing countries, Governments could not provide the necessary funds to improve conditions of existing institutions. In this regard, short-term imprisonment should be avoided whenever possible to minimize the dangers of overcrowding. Defaulters to pay fines might be put to work on public projects; caution and discharge ought to be used more extensively, and probation should have a wider application. Measures should be taken to expedite the process of justice in order to avoid contamination and the traumatic experience of prolonged detention. Committal to prison should be a last resort. Magistrates and judges should be trained in penology and criminology so as to be able to dispense social justice not merely based on legal technicalities.

331. Speaking on the possibilities of treatment in open institutions, Mr. Bhattacharya stated that they could be used much more extensively. He envisaged a system that would begin rather than end with open institutions and, moreover, would be used particularly for short-term prisoners. He cited India as one country in Asia which had now experimented on open institutions for some time. These institutions offered inmates some sort of family life, and those serving life sentences were permitted to bring their families to stay with them in the camp.

332. Regarding penal institutions in general, Mr. Bhattacharya continued, classification of offenders was a major problem in developing countries. Without proper classification individualized treatment was impossible, contamination in institutions could not be avoided, and the possibility of re-education and rehabilitation on an individual basis would be remote. Therefore, a thorough assessment of the inmate's personality in a receiving or allocation centre was essential.

333. The problems of after-care also required close attention to prevent recidivism. Transition from the sheltered and regulated life of an institution to the rough and tumble of free life was not easy for a released inmate. An after-care officer should prepare well in advance for the release of a prisoner, and the work of after-care associations should be shared by voluntary workers, to overcome a certain apathy on the part of the State and the public. A system of home leave for easing transition from institution to free life should also be maintained.

334. Staff problems were common to both developed and developing countries. Staff to be recruited should be of a high calibre to be able to apply enlightened treatment techniques and willing to dedicate themselves

to their tasks. But the conditions of career in the correctional service in many developing countries were so bad that mostly those rejected from other employment areas were available for recruitment. Thorough training of suitable candidates was a prerequisite to the implementation of progressive penal programmes.

335. In conclusion, Mr. Bhattacharya stated that progress in social defence would depend on the advancement of scientific knowledge directed to the prevention of crime, and on a continuing evaluation of policies and programmes intended to control and prevent crime. Critical re-appraisal should aim at linking rationally the improvement of existing and the adoption of new methods in this field.

IV. Youth and criminality in Africa today

336. The fourth lecture, on youth and criminality in Africa today, was delivered by Mr. H. Kefacha, the Secretary of State for Justice of Tunisia.

337. He began by stressing the importance that the African countries attached to international co-operation in this field. Progress was being made in this direction through technical co-operation, expert group meetings convened by the United Nations, its regional commissions and specialized agencies, and through the activities of non-governmental organizations in the field of social defence.

338. Juvenile delinquency, he said, often denoted a social imbalance and thus was a symptom of social sickness. Suppressing this symptom and its other manifestations would not be enough, and a real cure should take the form of a frontal attack on the causes of the disease. In Africa, where juvenile delinquency had not yet shown itself in a particularly marked degree, there was hope to find satisfactory solutions to the problem if the phenomenon was given the necessary attention from the outset by taking vigorous measures against criminogenic breeding-grounds and formulating a well-considered policy of prevention. In this connexion, Africa was in the fortunate position of having gained from the sometimes painful experience of other regions, and the United Nations Congress was a welcome opportunity for exchanging lessons and experience.

339. Two important factors dominated juvenile maladjustment and these were the high proportion of young people in the African population today, and the breakdown of traditional institutions. It was also considered that the lack of employment opportunities and facilities for vocational training contributed to the inability of migrants and young people to fit properly into city life. Moreover, migrant parents were unable to exercise proper control over their children. Because of the adverse effects of urbanization and industrialization on traditional institutions, especially the disintegration of family groups, it was necessary to create more durable new institutions to replace certain old ones.

340. It would seem that in Africa the delinquent children did not manifest such character disturbances

and behavioural disorders as would necessitate a costly re-educational machinery. They rather needed educational measures in general.

341. By way of illustration, the lecturer referred to the experience of his own country, which had concentrated its efforts on strengthening the family environment by adapting it to the new requirements and on fighting against juvenile delinquency by measures of control and prevention. The main emphasis was being placed on halting the break-down of family groups which had been caused by the mass exodus to the capital. Among measures taken to promote the welfare of migrants repatriated to their villages were the creation of employment opportunities, land reform, low-income housing, and re-organization of small craft industries. To strengthen the family unit, polygamy was prohibited, birth control was advocated, contraceptives made available and medical abortion legalized in certain circumstances. A school to prepare parents for family responsibility was established. Repudiation was abolished and judicial divorce instituted. Finally, adoption was instituted to give abandoned children a family, and it met with great success.

342. The most significant approach to the problem of juvenile delinquency, Mr. Kefacha continued, was prevention. Under Tunisian law a young person was not criminally liable before attaining the age of 13 years. Imprisonment was quite exceptional for juveniles, and the possible courses of action were either to restore the offender to his family if it could offer adequate safeguards, or to entrust him to the care of a fit person, or to commit him to a specialized institution. These were supervised education and training centres resembling ordinary boarding schools. They included vocational training workshops for ten different trades, as well as agricultural training for illiterate inmates who received at the same time elementary education. Certificates of occupational aptitude or apprenticeship were issued to the pupils as in other schools. The two existing centres proved to be successful.

343. Children's villages which started as an expedient measure to provide relief for children and young persons abandoned in the streets of Tunis during the exceptionally severe winter of 1955-56, became a new institution designed to replace the missing family. To

ensure their success, the villages had to be organized in such a way that they did not resemble prisons or supervised schools. The main emphasis was placed on recreating the missing family and involving the children directly in group life. The size of each house was limited to twenty-five children and the village to a group of ten houses. There were 23 villages accommodating a total of 5,096 children.

344. The villages were run on the lines of a boarding school under the control and supervision of the Secretariat of State for Social Affairs, Youth and Sports. A village was headed by an administrative staff with special educational qualifications, assisted by a number of other professionals. The village administration enjoyed a certain degree of autonomy.

345. Education of the children was individualized, and the *éducateurs* who were specially selected were expected to act as substitute for the parents. For this reason it was desirable that *éducateurs* should be married. To avoid isolating these displaced children, they were admitted to the regular schools attended by children in the localities of the "children's villages". Efforts were made to maintain family contacts. In view of the great distances involved, contact with some relatives was impossible, and for this reason more villages were going to be set up so that children could be sent to those nearest to their homes.

346. More generally, the results obtained in the campaign against juvenile delinquency were encouraging but had to be supported by preventive action. A system of institutions had been created in Tunisia to supplement and substitute the family unit. Educational facilities were improved as this was considered a definite factor in the process of adjustment. Adequate provisions were also made for leisure activities including sports clubs, scout groups, youth hostels and holiday camps. There was a plan to establish children's clubs run by *éducateurs* to induce young people to take part in cultural and physical activities.

347. Concluding, Mr. Kefacha stated that punitive measures should only be employed as a last resort, and emphasis should be placed on prevention. Successful implementation of preventive measures depended on the ability of trained personnel to translate such measures into action.

ANNEXES

Annex I

RESOLUTION ADOPTED BY THE CONGRESS

The Third United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Taking into account resolution 731 F (XXVIII) adopted by the Economic and Social Council on 30 July 1959 and noting with satisfaction the recent resolution 1086 B adopted by the Council on 30 July 1965, which enables the United Nations to intensify and enlarge its programme in the field of the prevention of crime and the treatment of offenders,

1. Welcomes the Secretary-General's proposals for strengthening the activities of the United Nations in the field of social defence;

2. Expresses the wish that technical assistance in this field be continued, especially through the organization of regional institutes or projects for criminological research, for the prevention of crime and for vocational training, and through the employment of regional advisers and effective co-operation with existing national or regional research centres, organizations or institutes;

3. Notes with satisfaction that the *Ad Hoc* Advisory Committee of Experts on the Prevention of Crime and the Treatment of Offenders should be a standing body, that the said Committee

should report direct to the Social Commission and that its membership should be increased from seven to ten;

4. Notes also with satisfaction, especially with a view to achieving the objectives mentioned in paragraph 2, the decision that the Secretary-General should proceed to establish a funds-in-trust account to be administered by the United Nations, for the purpose of using the said funds to strengthen the Organization's activities and responsibilities in the social defence field, and should invite the Governments of Member States to contribute to the said account;

5. Expresses its gratitude to the Government of Sweden and to the Swedish Organizing Committee for their hospitality and for the work done in organizing the Congress, and also expresses its gratitude to the Secretariat of the United Nations and of the specialized agencies and other bodies for the excellent documentation and organization of this Congress, in keeping with the tradition and importance of the quinquennial United Nations Congresses on the Prevention of Crime and the Treatment of Offenders.

Annex II

LIST OF PARTICIPANTS

Note. The information regarding participants is, as a rule, given in the language in which it was communicated to the Secretariat. The names of participants are listed in alphabetical order. In some cases, the names of participants appear several times in this list because they attended the Congress in several capacities; the professional titles of such persons are only given in the first listing of their names.

1. Representatives of Governments

ARGENTINA

Sr. A. R. Tognoni
Director Nacional de Institutos Penales,
Buenos Aires

AUSTRALIA

Mr. F. D. Hayes,
Principal Parole Officer, Prison Field Service,
Department of Prisons
State of New South Wales

Mr. M. E. Lyon
First Secretary
Australian Embassy
Stockholm

Mr. W. S. Matsdorf
Parole Officer, Prison Field Service,
Department of Prisons
State of New South Wales

Mr. Justice J. H. McClellens
(Head of the Delegation)
Judge of the Supreme Court
State of New South Wales

Mr. Norval Morris
Julius Kreeger Professor of Law and Criminology
University of Chicago

Mr. D. C. Swanson
Principal Probation Officer
Attorney General and
Justice Department,
State of New South Wales

AUSTRIA

Mr. Viktor Pickl (Head of the Delegation)
Ministerial Secretary
Federal Ministry of Justice, Vienna

Mr. Gottfried Reissig
Ministerial Secretary
Federal Ministry of Justice, Vienna

Mrs. Elisabeth Schilder
Municipal Councillor
Managing Director of the Association for the Treatment of
Juvenile Law Offenders, Vienna

BELGIUM

M. Paul Cornil (Head of the Delegation)
Secrétaire général du Ministère de la Justice, Bruxelles

M. Paul De Cant
Substitut du procureur général de Bruxelles

M. Maurice De Cnyf
Inspecteur général de l'Office de la Protection de l'Enfance,
Bruxelles

Chevalier Joseph De Ghellinck d'Elseghe
Président de la Commission royale des patronages, Bruxelles

M. Jean Dupréel
Directeur général de l'Administration des établissements péniten-
tiaires, Bruxelles

M^{re} E. Jacobs
Conseiller-adjoint à l'administration des établissements péniten-
tiaires, Bruxelles

M. P. Simons
Procureur du Roi à Louvain

M^{lle} L. Soetermans
Inspectrice principale à l'Office de la Protection de l'Enfance,
Bruxelles

M. Marcel Van Helmont
Inspecteur général des prisons, Bruxelles

M. Séverin-Carlos Versele
Juge au tribunal de Première instance de Bruxelles

BOLIVIA

Mr. Stig Erland Sandström
Vice-Consul of Bolivia
in Stockholm

BRAZIL

Mr. Benjamin Moraes Filho
(Head of the Delegation)
Director of the Institute of Criminology
University of the State of Guanabara
Rio de Janeiro

Miss Zuleika Sucupira Kenworthy
Latin-American Institute of Criminology, Sao Paulo

BULGARIA

Mr. Grigor Grigorov
(Head of the Delegation)
Deputy General Public Prosecutor

Mr. Ivan Voyvodov
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Mr. Leo J. Grille

Mr. Roman L. Hruska
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Mr. Thurgood Marshall
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Judge of the United States Court of Appeals of the Second
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Judge, United States District Court for the Eastern District
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Mr. Samuel F. Pryor

Mr. Milton G. Rector
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Mr. Bernard Russell
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Mr. Robert J. Thornton
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Mr. Edward Toothman
Chief of Police
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Mr. James Vorenberg
Director, Office of Criminal Justice
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Mr. Lee White
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Executive Office of the President
Washington, D.C.

Mr. Richard W. White (Secretary of the Delegation)
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Mr. Franklin H. Williams
Ambassador, United States Representative on the United Nations
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Mr. Edwin E. Willis
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Mr. Dragutin Lenard
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Ljubljana

ZAMBIA

Mr. Alan Haworth
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Lusaka

2. Specialized agencies

INTERNATIONAL LABOUR ORGANIZATION

Mrs. Marion Janjic
Office of the Programme Co-ordinator
Women, Young Workers and Older Workers Programmes

Mr. Cecil Herbert Lindsey
Youth Specialist
Woodford Green, United Kingdom (Expert)

M. Paul Lutz
Conseiller à la Cour d'Appel de Paris (Expert)

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

Mr. George Victor Coelho
Programme Specialist, Department of Adult Education and Youth
Activities

Mr. R. G. Andry
Lecturer in Psychology
Institute of Education
London University (Expert)

Mr. William Clement Kvaraceus
Professor of Education and Director of Youth Studies
Lincoln Filene Center
Tufts University, Medford, Mass. (Expert)

Professor P. M. Jacobson
Institute of Psychology
Academy of Pedagogical Sciences
Moscow (Expert)

WORLD HEALTH ORGANIZATION

Dr. Pieter Baan
Chief, Mental Health Unit
Geneva

Professor Thomas Adeoye Lambo
Professor of Psychiatry and Head of Department of Psychiatry,
Neurology and Neurosurgery
University of Ibadan
Nigeria (Expert)

Dr. Anna Maria Roosenburg
Medical Superintendent

Dr. H. van der Hoeven Kliniek
Utrecht, Netherlands (Expert)

3. Inter-governmental organizations

COUNCIL OF EUROPE

Mr. Norman Bishop
Head of Division of Crime Problems
Legal Directorate
Strasbourg

LEAGUE OF ARAB STATES

Mr. Hassan Allam
Executive Secretary of the Pan Arab Organization for Social
Defence
Cairo

4. International non-governmental organizations invited to the Congress

(a) Non-governmental organizations in consultative status with the Economic and Social Council

BOY SCOUTS WORLD BUREAU

M. Jean Somers
Secrétaire national
Bruxelles-Watermael, Belgique

CATHOLIC INTERNATIONAL UNION FOR SOCIAL SERVICE

M^{lle} Marie-Louise Marck
Inspectrice au service social pénitentiaire
Ministère de la Justice
Bruxelles, Belgique

FRIENDS WORLD COMMITTEE FOR CONSULTATION

Mr. Arthur W. Clark
Secretary, Prison Service Committee
Philadelphia, United States of America
Mrs. Mary B. Clark
Delegate, Prison Service Committee
Philadelphia, United States of America
Mrs. Jane S. Drouman
Executive Director, Quaker Committee on Social Rehabilitation
New York, United States of America

HOWARD LEAGUE FOR PENAL REFORM (UNITED KINGDOM)

Mrs. Anne Elizabeth Allen
Member of the Executive Committee
Mr. Donald F. Broadhead
Prison Visitor
Kidderminster, United Kingdom
Rev. J. Arthur Hoyles
Co-ordinator of Prison Pastors
Buckingham, United Kingdom
Mr. Hugh John Klare
Secretary of the League
Mrs. Monica Rachel McKenna
Mölnlycke, Sweden
Mrs. Florence M. McNeill
Birmingham, United Kingdom
Mr. Martin C. Mitcheson
London, United Kingdom

INTERNATIONAL ABOLITIONIST FEDERATION

Mrs. Margaret F. Bligh
Teddington, United Kingdom

INTERNATIONAL ALLIANCE OF WOMEN

Mrs. Edith Anrep
Vice-President
Stockholm, Sweden
Mrs. Kastner
London, United Kingdom

INTERNATIONAL ASSOCIATION OF PENAL LAW

Mr. Gerhard O. W. Mueller
Vice-President and Chief United Nations Representative
New York, United States of America

M^{me} Hélène-Gr. Romnicio
Représentante permanente auprès de l'Office européen des Nations Unies
Genève, Suisse

INTERNATIONAL ASSOCIATION OF SCHOOLS OF SOCIAL WORK

Miss Kerstin Widén
Lecturer in social legislation
Stockholm, Sweden

INTERNATIONAL ASSOCIATION OF WORKERS FOR MALADJUSTED CHILDREN

M. Henri Joubrel
Président
Paris, France
M. Pierre Zumbach
Représentant permanent auprès de l'Office européen des Nations Unies
Genève, Suisse

INTERNATIONAL ASSOCIATION OF YOUTH MAGISTRATES

M. Maurice Veillard-Cybulski
Président
Lausanne, Switzerland
M. David Reifen
Vice-Président
Tel-Aviv, Israel

INTERNATIONAL CATHOLIC CHILD BUREAU

M. Henri Paul Bissonnier
Secrétaire général de la Commission médico-pédagogique et psycho-sociale du Bureau
Paris, France

INTERNATIONAL COMMISSION OF JURISTS

Judge Per-Erik Fürst
Bromma, Sweden
Judge Bertil Voss
Judge in the Court of Appeal
Stockholm, Sweden

INTERNATIONAL CONFERENCE OF CATHOLIC CHARITIES

M. R. P. Rousset
Adjoint de l'Aumônier général des prisons en France
M. R. D. Schmitz
Président de la Conférence des Aumôniers catholiques des prisons en Allemagne
Mgr H. Verheggen
La Haye

INTERNATIONAL CONFERENCE OF SOCIAL WORK

Miss Elsa Wollmer
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Swedish National Committee of the ICSW
Stockholm, Sweden

INTERNATIONAL COUNCIL OF WOMEN

Mrs. Margaret F. Bligh
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Teddington, United Kingdom

Mrs. Sigrid Lindblad
Member of the ICW Standing Committee on Social Welfare
Norrviiken, Sweden

Miss Louise C. A. van Eeghen
ICW Representative at the United Nations
Geneva, Switzerland

INTERNATIONAL CRIMINAL POLICE ORGANIZATION

M. Henri Féraud
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Paris, France

INTERNATIONAL FEDERATION OF SENIOR POLICE OFFICERS

M. Erik Meijer
Vice-Président
Aerdenhout, Netherlands

INTERNATIONAL FEDERATION OF UNIVERSITY WOMEN

Mrs. Valborg Lundgren
Barrister
Stockholm, Sweden

Miss Harriet Stangenberg
Councillor and Secretary in the Department of Justice
Stockholm, Sweden

INTERNATIONAL FEDERATION OF WOMEN LAWYERS

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M^{me} Susana Solano R.
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Lima, Peru

Sta Rosa Clelia Valentino
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Mr. P. A. Pols
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Mr. Sture Petré
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INTERNATIONAL LEAGUE FOR THE RIGHTS OF MAN

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President Designate
Philadelphia, United States of America

Mrs. Ruth P. Baker
Executive Director and Secretary-Treasurer,
Milwaukee, United States of America

Mr. A. M. Kirkpatrick
Vice-President
Toronto, Canada

INTERNATIONAL SOCIETY FOR CRIMINOLOGY

Mr. Thorsten Sellin
President
Philadelphia, United States of America

INTERNATIONAL SOCIETY OF SOCIAL DEFENCE

M. Filippo Gramatica
President
Genoa, Italy

M. Séverin-Carlos Versele
Bruxelles, Belgique

INTERNATIONAL UNION FOR CHILD WELFARE

Mr. D. Q. R. Mulock-Houwer
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Geneva, Switzerland

INTERNATIONAL UNION OF SOCIALIST YOUTH

Mr. Stig Gustafsson
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LEAGUE OF RED CROSS SOCIETIES

Mr. Eirik Guldvog
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WORLD FEDERATION OF UNITED NATIONS ASSOCIATIONS

Mr. Bertil Bolin
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Mr. Lars Eriksson
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WORLD JEWISH CONGRESS

Mr. Lionel Daiches Q.C.
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WORLD UNION OF CATHOLIC WOMEN'S ORGANIZATIONS

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WORLD YOUNG WOMEN'S CHRISTIAN ASSOCIATION

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(b) Other non-governmental organization

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Annex III

RULES OF PROCEDURE OF THE CONGRESS

I. CONGRESS MEMBERSHIP

Rule 1

The Congress shall include three categories of participants:

- (a) Delegates officially designated by their Governments;
- (b) Representatives of United Nations specialized agencies, inter-governmental organizations, and non-governmental organizations in consultative status with the Economic and Social Council;
- (c) Individual participants having a direct interest in the field of social defence, including representatives of criminological institutes and of national non-governmental organizations concerned with social defence matters.

Rule 2

Each Government invited by the United Nations which proposes to participate in the Congress shall communicate the names of its delegates to the Secretary-General via official channels. The name of the head of the delegation and of the delegates who in his absence are authorized to cast the vote of the delegation shall be communicated to the Secretariat upon registration at the Congress.

Rule 3

Each specialized agency, inter-governmental organization and non-governmental organization which proposes to participate in the Congress shall communicate the names of its representatives to the United Nations Secretariat.

Rule 4

Persons who meet the requirements for Congress membership set forth by the Secretariat on the advice of the *Ad Hoc* Advisory Committee of Experts on the Prevention of Crime and the Treatment of Offenders may attend the Congress as individual participants if their applications have been accepted by the United Nations Secretariat.

II. ORGANIZATION OF THE WORK OF THE CONGRESS

Rule 5

The Congress shall consider the items included in the topical agenda prepared by the Secretariat of the United Nations on the advice of the *Ad Hoc* Advisory Committee of Experts on the Prevention of Crime and the Treatment of Offenders.

Rule 6

The work of the Congress shall be conducted in plenary and Section meetings, in accordance with a programme prepared by the Secretariat of the United Nations and distributed to participants in advance of the meetings.

Rule 7

The Congress shall establish six Sections corresponding to the six agenda items; Sections I, II and III will hold their meetings simultaneously with Sections IV, V and VI.

Rule 8

Each participant shall choose to participate in the work of up to three Sections. For purposes of continuity of debate, participants shall not take part in Section meetings scheduled to be held simultaneously.

Rule 9

A special plenary meeting shall be held on the question of research, prior to the debates on the agenda items in the respective Sections.

Rule 10

In Section meetings, the discussions shall be initiated by a small panel designated in advance of the Congress by the Secretary-General of the United Nations from among the registrants with due regard to geographical representation.

Rule 11

The deliberations of each Section shall be synthesized by its Rapporteur in a report which shall be presented to the Congress in a plenary meeting.

Rule 12

The United Nations Secretariat and the Host Government shall be responsible for making all the necessary arrangements for meetings of the Congress, interpretation and translation, and shall provide the services which the Congress may require.

III. OFFICERS

Rule 13

The Congress shall elect a President and up to a maximum of fifteen Vice-Presidents.

Nominations for President may be made by any delegation and will be retained if seconded by another delegation. If two or more candidates are so nominated, a vote shall be taken in accordance with the provision of rule 31.

For the posts of Vice-Presidents, a list may be presented jointly by any three delegations for election by the Congress at its first plenary meeting. If two or more lists are so presented, a vote shall be taken in accordance with the provision of rule 31.

Rule 14

The Secretary-General of the United Nations shall designate, in advance of the Congress, a Chairman, Vice-Chairman and Rapporteur for each Section, and in their selection regard shall be had to an equitable geographical distribution of posts. The list of officers so designated shall be placed before the Congress at its first plenary meeting for affirmation.

Rule 15

If the Chairman finds it necessary to be absent during a meeting or any part thereof, the Vice-Chairman acting as Chairman shall have the same powers and duties as the Chairman.

If the Chairman or any other officer of the Section must withdraw from the Congress, the Secretary-General shall designate a new officer for the post.

IV. CONDUCT OF BUSINESS

Rule 16

At the opening of the Congress, the representative of the Secretary-General of the United Nations shall preside until the Congress has elected a President.

Rule 17

The President of the Congress shall declare the opening and closing of each plenary meeting, accord the right to speak, direct the discussion in plenary meeting, ensure the observance of these rules, put questions and announce decisions. He shall rule on points of order and, subject to these rules, shall have control of the proceedings. He may call a speaker to order if his remarks are not relevant to the subject under consideration.

Rule 18

If the President is absent from a meeting or any part thereof, he shall designate a Vice-President to take his place. A Vice-President acting as President shall have the same powers and duties as the President.

Rule 19

The President may limit the time allowed to each speaker and the numbers of times each participant may speak on any question. He may request that participants who may wish to take part in the discussion should complete, in advance of the meeting, a speaker's form indicating briefly the subject of their intervention. When debate is limited and a participant has spoken his allotted time, the President shall call him to order without delay.

Rule 20

If the time allotted to the item under consideration does not permit the Congress to hear all participants who signify their desire to speak, the Presiding Officer may accord the right to speak to only a limited number of participants. In the choice of

participants on the speakers list, due regard shall be had to geographical representation and the points which each speaker proposes to discuss.

Rule 21

Each Section shall be presided over by a Chairman whose powers and functions shall be similar to those of the President of the Congress at plenary meetings, as provided in rules 17 and 19.

Rule 22

In Section meetings, the right to speak shall first be accorded by the Chairman to panel members, and in the ensuing general discussion all participants shall have the right to ask for the floor, subject to the provisions of rules 19 and 20.

Rule 23

The provisions of rules 21 and 22 shall be applicable *mutatis mutandis* to the proceedings of the special plenary meeting on research.

Rule 24

The representative of the Secretary-General or any officer of the Secretariat designated by him may, at any time, make oral as well as written statements concerning any question under consideration by the Congress.

Rule 25

Any proposal on matters pertaining to the substance of an agenda item shall not be submitted to or entertained by the Congress if it requires adoption by voting. The Presiding Officer of any meeting may, however, ascertain the sense of the meeting on matters not relating to the substance of an item on the agenda.

Rule 26

Any draft resolution proposed for adoption by the Congress cannot be submitted for consideration at a plenary meeting unless it is sponsored by not less than three delegations and cleared by the Steering Committee in advance of the plenary meeting. The text of any such resolution shall be circulated to the participants twenty-four hours before it is discussed and voted upon, unless the Congress decides otherwise.

V. STEERING COMMITTEE

Rule 27

The Steering Committee shall be the governing body of the Congress. It shall assist the President in the general conduct of the work of the Congress, ensure the co-ordination of the work of the Sections, review the progress of the Congress and make recommendations for furthering such progress. It shall also have the authority to decide on the submission to the Congress of any question not closely related to the agenda items. It shall not, however, decide any political question.

Rule 28

The Steering Committee shall comprise the President of the Congress, the representative of the Secretary-General of the United Nations, the representative of the Host Government, the Chairmen of the six Sections, the Chairman of the special plenary meeting, the representative of the Host Government for the next quinquennial Congress and the Executive Secretary of the Congress. The Steering Committee may co-opt up to four additional members to participate in its meetings.

Rule 29

The Steering Committee shall elect its own Chairman, Vice-Chairman and Rapporteur, and set the schedule of its meetings.

Rule 30

The decisions of the Steering Committee shall be made by a majority of members present and voting.

VI. VOTING

Rule 31

In plenary meetings, voting shall be confined to Government delegations, each of which shall have one vote. The vote of each delegation shall be cast by the head of the delegation or by a duly authorized delegate. The vote shall normally be taken by show of hands, but any delegation may request a roll-call. The roll-call shall be taken in the English alphabetical order of the names of delegations, beginning with the delegation whose name is drawn by lot by the President.

Rule 32

Decisions of the Congress shall be made by a majority of Government delegates present and voting. The delegations which abstain from voting are considered as not voting.

Rule 33

Subsequent to any vote taken in accordance with rule 31, the Presiding Officer may request, for consultative purposes, that the views of individual participants and of the representatives of

specialized agencies, inter-governmental and non-governmental organizations be expressed by show of hands.

Rule 34

In Section meetings, all participants have the right to vote. Decisions shall be made by a majority of participants present and voting.

VII. LANGUAGES

Rule 35

English, French, Russian and Spanish shall be the official languages of the Congress. Simultaneous interpretation to and from any of these languages shall be provided in Section and plenary meetings.

VIII. REPORT OF THE CONGRESS

Rule 36

The report of the Congress shall be prepared by the Secretariat of the United Nations and distributed after the close of the Congress to the participants as well as to all States Members of the United Nations.

IX. GENERAL PROVISION

Rule 37

Any question not specifically covered by these rules shall be settled by the Presiding Officer following as closely as possible the rules of procedure of the functional commissions of the United Nations.

Annex IV

LIST OF DOCUMENTS

Unless otherwise indicated, the basic documentation for the Congress listed below was published in English, French, Spanish and Russian. A Conference Handbook in four languages, prepared by the Swedish Organizing Committee, was distributed to all participants. The reports submitted by the Rapporteurs were also made available to all participants in the four languages. Minutes of the Plenary and Section meetings were prepared for the use of the officers of the Congress and the Secretariat only.

The basic documentation for the Congress was as follows:

- | | |
|---------------|---|
| A/CONF.26/1 | Social change and criminality
Working paper prepared by the Secretariat |
| A/CONF.26/2 | Social forces and the prevention of criminality (with particular reference to the public, the family, educational facilities and occupational opportunities)
Working paper prepared by the Secretariat |
| A/CONF.26/3 | Community preventive action (with particular reference to the planning and implementation of medical, police and social programmes)
Working paper prepared by the Secretariat |
| A/CONF.26/4 | Measures to combat recidivism (with particular reference to adverse conditions of detention pending trial and inequality in the administration of justice)
Working paper prepared by the Secretariat |
| A/CONF.26/5 | Probation (especially adult probation) and other non-institutional measures
Working paper prepared by the Secretariat |
| A/CONF.26/6 | Special preventive and treatment measures for young adults
Working paper prepared by the Secretariat |
| A/CONF.26/L.1 | The role of vocational guidance, training, employment opportunity and work in youth adjustment and the prevention of juvenile delinquency
Paper prepared by the International Labour Office |

- A/CONF.26/L.2 Mental health aspects of the prevention of crime
Paper prepared by the World Health Organization
English, French and Spanish
- A/CONF.26/L.3 The mental health approach to the problem of juvenile delinquency in developing countries
Paper prepared by the World Health Organization
English, French and Spanish
- A/CONF.26/L.4 The role of school and out-of-school education in delinquency prevention
Paper prepared by the United Nations Educational, Scientific and Cultural Organization
English, French and Spanish
- A/CONF.26/L.5 International Review of Criminal Policy No. 21
(ST/SOA/SER.M/21) English, French and Spanish (United Nations publication Sales No. 64.IV.3)
- A/CONF.26/L.6 International Review of Criminal Policy No. 22
(ST/SOA/SER.M/22) English, French and Spanish (United Nations publication Sales No. 65.IV.1)
- A/CONF.26/L.7 International Review of Criminal Policy No. 23
(ST/SOA/SER.M/23) English, French and Spanish (United Nations publication Sales No. 65.IV.4)
- A/CONF.26/L.7/Add.1 Some theoretical and practical problems of the study and prevention of criminality in the Soviet Union
English, French and Russian
- A/CONF.26/L.8 The young adult offender: A review of current practice and programmes in prevention and treatment
(ST/SOA/SD/11) Report prepared at the request of the Secretariat by the National Council on Crime and Delinquency, New York
English, French and Spanish (United Nations publication Sales No. 65.IV.5)
- A/CONF.26/L.9 Criminological Research and the Council of Europe
Paper prepared by the Council of Europe
English and French
- A/CONF.26/NGO.1 The role and future of the police in the field of crime prevention
Paper prepared by INTERPOL
English, French and Spanish
- A/CONF.26/NGO.2 Measures tending to combat recidivism among women
Paper prepared by the International Council of Women
English and French
- A/CONF.26/NGO.3 Some aspects of the prevention of juvenile delinquency
Paper submitted by the following organizations:
International Union for Child Welfare (IUCW)
International Association of Youth Magistrates (IAYM)
International Catholic Child Bureau (ICCB)
International Union of Family Organizations (IUFO)
International Association of Workers with Maladjusted Children (IAWMC)
World Union of Organizations for the Safeguard of Youth (UMOSEA)
English and French
- A/CONF.26/NGO.4 Cultural factors in delinquency
Paper submitted by the World Federation for Mental Health
English and French

For the general information of Congress participants, a list of documents and publications of the United Nations and the Specialized Agencies on the prevention of crime and the treatment of offenders was also distributed.

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