

## **Feature Article: Promising family interventions in Ukraine**

Boy: *"I wanted to put this misunderstanding with my parents to an end."*

Dutch researcher Annemieke Wolthuis and colleague Yulia Yachnik conducted a research in three Ukrainian correctional juvenile institutions. They tell about the Family Conference method that was initiated by the Criminal Executive Service of Ukraine to improve contact between young detainees and their network. They also reflect on the theoretical basis of Family Conferencing and the interviews with participants.

### **A new model**

The Criminal Executive Service of Ukraine piloted Family Conferencing in 2013 in three juvenile correctional institutions. The methodology was based on knowledge provided by Dutch experts of the organisation Friends of Pryluky and the Pompidou Group of the Council of Europe. Family Conferences are focused on improving the contact between the juveniles and their families or significant other persons in order to support them during their detention period and work towards a better re-integration. Some young detainees stay in detention for years with no or only marginal contact with family members. Large distances, the volatile political situation, high travel costs and sometimes unemployment or substance use disorders prevent families from visiting their children.

### **Juvenile detention in Ukraine**

Pryluky, Kremenchuk and Melitopol are closed correctional institutions for juveniles convicted of serious offences such as aggravated theft, the use of violence and even murder. Sentences of the interviewed juveniles vary between two and ten years.

The criminal justice system in Ukraine has been modernised during the last five years. After the Maidan-revolution of 2014 in the city of Kiev, many prisoners received amnesty. Also the juvenile justice system became less punitive. An increase in the use of alternatives to imprisonment resulted in a decrease of hundreds of juveniles in closed facilities and an increase of juveniles under probation. Even though probation existed before, it was not until 2015 that a Law on Probation was adopted and in 2018 a main Government Agency Probation was set up. Now also pre-trial and supervisory probation has been developed and the social component of the work received more attention. Specific probation programs for juveniles focused on change in criminal thinking, overcoming aggressive behaviour and prevention of substance use have been started. There is cooperation with social services for children and penitentiary assistance to persons preparing for release from places of restraint or imprisonment. At the same time a draft Law on Juvenile Justice is being discussed, which may modernise the juvenile justice system even more based on previous pilot projects, also with restorative justice.

Despite those improvements, the conditions in the institutions are old fashioned compared to western European standards. There is a lack of resources to improve the conditions of buildings and furniture. The juveniles sleep together, often with six up to fourteen in one room, which is however better valued by the locals than being

isolated in a cell. The Dutch team of trainers appreciates the very committed staff members and the willingness to improve knowledge and daily practice for the juveniles.

The three institutions are based in different small cities in Ukraine:

**Pryluky:** Currently 48 boys incarcerated, in the past up to 200-250. The current group is serving rather long term sentences for serious crimes. Around 30 Family Conferences were carried out by the end of 2017.

**Kremenchuk:** In the past up to 1000 boys were incarcerated in this facility and at the time of the research 59 boys. In 2018 about 30 boys from Kharkiv were transferred to Kremenchuk. The boys are between 15 and 22 years old. They started in April 2017 with Family Conferencing.

**Melitopol:** This is the only correctional institution for girls in the country. Previously up to 200 girls were incarcerated in this facility, but now only 10. The facility is also made partly suitable for adult women. Here 11 Family Conferences were carried out by December 2017.

### **The Family Conference**

A Family Conference is a guided meeting between detained juveniles and their parents or other relatives with the aim to restore relations, in order to make plans to guide and support the juvenile during the incarceration or after release. The juvenile can focus on a particular question (s)he wants to address with persons (s)he chooses. In addition to parents and siblings, also extended family members or others concerned can be invited. Root causes of the criminal behaviour and problems often also get attention. The Family Conference is coordinated by a trained staff member who makes sure preconditions are met to have a meeting that is safe and well prepared. The plan made during the Family Conference can be used to improve family relations and to support re-socialisation and re-integration of the juveniles into society. Central for the success of the Family Conference is the aim to create space for initiatives and participation of the juvenile in his or her future plans.

As a result of word-of-mouth in the institution and the use of a video with an example case, many young detainees became interested in taking part. Internal hotel facilities hosted the juveniles' families, where the young person could stay with the family. By the end of 2017, when the evaluation research took place, more than 40 Family Conferences were held.

### **Research results**

Literature research showed that a system approach turns out to be crucial when working with youth, especially when they have taken the path of criminal behaviour. Family or the other close circles of a child are crucial for growing up in a safe and positive way. A system approach which focuses on the network around a person can also assist juveniles who have been detained towards a good and solid reintegration. It is therefore often used as an important tool in juvenile correctional institutions in many countries. Risk assessment tools and family structure methods turn out to be effective in prevention of crime, but also during detention to prevent wrongful future behaviour.

Another method that is used in many countries and settings in relation to child protection and criminal behaviour is restorative justice, for example victim-offender mediation or conferencing involving victim, offender and the community when harm has been done. The use of restorative justice in prisons and closed facilities for juveniles is also increasing. Diverse programmes aim to educate inmates about victim awareness. In some situations, offenders can work towards a meeting with the victim and if people from both networks may join, it may result in a conference. Meta studies show positive satisfaction rates of the participants, higher feelings of justice and less recidivism. Ways of working with the offender towards self-restoration and restoration with family or others in their network may also be seen as restorative justice approaches. Such experiences influenced the Family Conference method as introduced in Ukraine.

For the evaluation research twenty-five people, juveniles, parents and staff, have been interviewed. The interviews showed that two forms have been developed in practice: one using Family Conferencing to establish contact with the (family) system and to restore the relations between the members of the system during the incarceration offering direction in the way this particular juvenile should be guided and treated. The second type is focused on the release and reintegration of the juvenile in the family or another local context. The plan made then is geared towards reintegration into society. On the basis of the interviews, the focus group and the additional reflections, it is important to offer both options, thus one in the beginning of the incarceration and the other at the end phase focused on reintegration. When juveniles are imprisoned for several years, a Family Conference in between (once a year for example) may also be beneficial. Additional trainings for involved staff are a condition for continuity and maintaining quality, as well as monitoring, intervision and evaluation.

One mother said: *"First of all, it was the child's behaviour - we could not come into contact with him, it was not possible. If I made a comment to him, he was so quick-tempered. After the family conference this was changed, he agreed, he saw that we wanted to talk. It got much easier - he's calling and already talking in a different way, he can say "Mommy, I love you" - which I had not heard before. On the contrary, if I commented on his behaviour before, he took it roughly. Now this is not happening, he will listen. And that is what I like. A lot of things changed."*

The juveniles were happy to have had the opportunity and even though they said it was sometimes hard to be more open to their parents or others involved, it benefitted them all and they would recommend it to others. All the interviewed staff mentioned positive changes in attitudes of participants through the Family Conference at the personal level, but also a more open and positive atmosphere within the institution. Items that need further attention are follow up and aftercare that is now sometimes scarce. Attention for a smooth reintegration is crucial in order to really contribute to the rehabilitation of the juvenile into society without a high risk of recidivism and to be able to monitor and guide safety-issues if they occur. Solid training and continuity of the programme were also mentioned in this regard. Other recommendations are focused on a more structural embedding in the juvenile

justice system and strengthening cooperation with probation and other organisations in the criminal justice chain. Meetings with the Ministry of Justice and probation personnel have been part of the project and the methodology has been welcomed there very much too. Details of concrete policy to implement the method in all prisons are still to be worked out.

As shown during the presentation of the Family Conference model at conferences in Moldova and Albania, it can inspire other countries or management of other institutions to work with a similar method, which can easily be adapted to the local context. Participants are satisfied about the method, would want to take part in a Family Conference again and would recommend it to others. A Family Conference provides the young detainees and their network with useful tools on how to connect again.

The psychologist of Melitopol said: *“The usefulness of this technique is that it addresses family problems, and the teenager, naturally, has such problems, since they are in our institution, and their problems are often related to the family. If there is such an opportunity, if a teenager has a desire to change something, this is already a plus. And if there are parents who also want to change something in their lives, this is also a plus.”*

\* The full report: Wolthuis, A. & Yachnik, Y. (2018), *Family Conferencing in Ukrainian juvenile correctional institutions, Research and evaluation of a systemic and restorative approach for detained juveniles and their families*, Strasbourg: Pompidou Group of the Council of Europe, will be available later this year. Please consult the website of the Pompidou Group of the Council of Europe: <https://www.coe.int/en/web/pompidou>