Ocáriz & Bermejo

Unaccompanied foreign minors and delinquency: A retrospective study of influence of psychosocial variables¹

Estefanía Ocáriz & Fernando Bermejo

University of the Basque Country

ABSTRACT

The aim of the study is, first, to describe the phenomenon of unaccompanied foreign minors in Spain, Italy, France and Germany. Some important elements –such as incidence, origin and relation to criminality – are thoroughly described. As a result, it is possible to begin to understand the psychosocial, legal and penal problems related to the phenomenon in the European context.

A second aim is to show the results of a retrospective study. The source of data is a sample of the proceedings registered in the Juvenile Courts of the Basque Country (Spain). The psychosocial profiles of three groups of minors are compared: a) accompanied immigrant minors, b) unaccompanied immigrant minors, and c) non immigrant minors. Our hypothesis is that more significant differences will be found between accompanied and unaccompanied minors, and not between immigrant and non immigrant ones; suggesting that the criminogenic factor is not the migrant experience but the lack of familiar and social references. Some strategic lines for social intervention are suggested, which could have a significant impact on social exclusion reduction and, as a consequence, on crime prevention.

Keywords: juvenile delinquency – immigration – social conflict

¹ La correspondencia al autor sobre este artículo puede dirigirse a: Instituto Vasco de Criminología. UNIVERSIDAD DEL PAÍS VASCO. <u>estefania.ocariz@ehu.es</u>

This research has been supported by European Commission grant (AGIS program)



1. Introduction

The European Union is gradually becoming a multicultural society. It already is. Within its borders there have been some major advancements in favour of this supranational reality, such as the free movement of EU citizens or the European monetary unit. Other factors of change originate from outside Europe, one of the most notable being the influx of immigrants from other cultures.

In the middle of the 20th Century, immigrants were seen as temporary residents whose aim in life was to return to their country of origin once their financial situation had improved. In more recent times, immigrants have preferred to settle in the host society together with their families. Generations of immigrant descendants are therefore establishing themselves in multicultural societies where, sadly, exclusion and discrimination seem to predominate over intermixing and integration (San Juan, Bermejo & Ocáriz, 2007).

Immigrants, and their descendants too, live worryingly often in a situation of social disadvantage with respect to their hosts, and this is reflected, among other aspects of life, in crime. In the case we are concerned with, the media distribute news and "official figures" which instil within public opinion the idea that minors of foreign origin are dangerous. From the Criminological perspective, it is necessary to undertake studies to establish offender profiles and to objectively reflect the nature of criminality among foreign minors in relation to juvenile delinquency as a whole.



2. An emerging problem: unaccompanied foreign minors

Over recent years there has been an increasing number of minors immigrating to the EU alone, unaccompanied by their parents or by another adult acting as their guardian. Between 1999 and 2000 over 33,000 of these minors were detected in Western Europe, whilst today the figure is estimated at around 100,000, statistics which we must treat with great caution, as it is difficult to know for certain how many Unaccompanied Foreign Minors are currently living in the European Union due to their illegal status and their high mobility.

One aspect to be taken into account is their ever-increasing diversity in terms of the countries of origin (Tapia 2003, p.27-28), although in the countries dealt with in our study there is a significant presence of Albanians and Romanians in Italy, Germany and France, and of Maghrebis in Spain and Italy. Although the vast majority is male, we must highlight the clear presence in Italy of Romanian and Moldavian girls, who to a large extent have become victims of sexual exploitation.

These minors lack means of subsistence and many must therefore resort to prostitution or crime in order to survive. So, in major cities it is normal to see them committing street crime which due to its high visibility causes the public to feel increasingly unsafe, distorting the image of immigrants, as public opinion tends to generalise these cases and place the blame on immigrants as a whole.

2.1. Quantitative Development

Unaccompanied Foreign Minors were already being talked about in Germany in the 80s and from the 90s onwards, an increasing presence and influx was evident in the four countries in the study, especially in the major cities where they can benefit from



greater anonymity. Whilst in Spain and France the number of Unaccompanied Foreign Minors increases year by year, in Italy, on the other hand, a slight decrease was noted between 2001 and 2003.

Due to their illegal status and their high mobility, the true UFM figure is unknown, with only approximate estimates available. French statistics concerning these minors are fragmented and overlapping, corresponding to those provided by the various social agents responsible for their protection and control: the border police, the French Office for the Protection of Refugees and Stateless Persons (OFPRA) or the judicial institutions.

It was estimated that in December 2000 in Spain there were between 1,500 and 2,000 Unaccompanied Foreign Minors and around 2,500 in 2002. Other authors consider that in 2002 the Moroccans alone already amounted to 3,500.

In France, in 1999 the PAF (the French border police) recorded 847 Unaccompanied Foreign Minors held in the waiting area of Roissy airport, whilst by 2001 there were 1,400. The Secretary of State for the struggle against social insecurity and exclusion estimated that in 2002 there were between 1,000 and 5,000 Unaccompanied Foreign Minors on French territory. Although this is a recent phenomenon, a development can be seen: whilst the first Unaccompanied Foreign Minors were concentrated around the outskirts of Paris, they have subsequently spread throughout the whole of France.

Italian institutions recorded the presence of 7,823 of these minors in November 2001. In July 2003 their number had fallen to 7,040 (Save the Children 2003).

Finally, several organisations estimate that the approximate figure for Unaccompanied Foreign Minors residing in Germany ranges between 5,000 and 10,000 (Stefansson 2004).



2.2. Socio-demographic profile

As a general rule these minors emigrate to EU countries mainly for economic reasons, in the case of Spain (Giménez and Pérez 2002), and for political reasons. These minors flee from countries where their safety is compromised due to war, famine, poverty, etc.

Most Unaccompanied Foreign Minors living in Spain are male (96-97% of cases), Moroccan (86-92%), aged between 15 and 17 (79%), with a basic level of education (50%) or none (30% illiterate). Many had been working from an early age in various activities, normally as apprentices or as street vendors.

In their own country, they did not live in the streets, but with their parents (80%), in the bosom of a poor family with scarce financial resources. The majority of them came to Spain with a migration plan: to look for work in order to help support the family.

In France the Unaccompanied Foreign Minors come from numerous countries. According to Children's Social Services, in 2001 these minors came from 76 countries, Romanians (16.76%), Chinese (12.83%), Moroccans (11.05%), Albanians (7.19%) and Congolese (6.52%) made up 54.32% of the total. French judicial statistics relating to Unaccompanied Foreign Minors indicate that 80% of these are male and 95% are aged between 13 and 18 (60% of these are over 16 years of age).

Of the Unaccompanied Foreign Minors who have committed crimes in France, the case of Romanian minors in particular has caught the attention of the authorities due to the extent of their activity and its characteristics, as they operate deep within structured networks, organised by adults, which initially operated in Paris but have

subsequently spread to other large cities such as Lyons or Marseilles. These minors do not wish to integrate into society and when they are taken to a reception centre they escape to rejoin their group. The magnitude of the problem of these Unaccompanied Foreign Minors has become so great that it has needed to be dealt with at the highest level of Government, by way of the development of cooperation programmes between the French and Romanian governments, to encourage their return to and social integration in Romania.

In Italy, 84% of these minors are aged between 14 and 17 (51% are 16-17 years old). Given its geographical location, most of them pour through its southern or eastern borders. According to 2003 data, 75% of these minors originated from Albania (28%), Morocco (26%) or Romania (21%).

In Germany there is a wide national diversity of these minors who are concentrated in large cities such as Munich, Berlin, Hamburg and Frankfurt. Over two-thirds are male.

On analysing the data relating to Unaccompanied Foreign Minors in the four countries studied, we can establish some common characteristics: the vast majority are male, they originate mainly from Morocco or Romania, are 16 or 17 years old and live in large cities, as these favour their illegal status. We have also found a great similarity between Italy and Spain in terms of the presence of Unaccompanied Foreign Minors from neighbouring countries, although in the case of France we would like to underline the role of international airports as an access route and the worrying presence of Romanian Unaccompanied Foreign Minors involved in adult organised crime, which has required diplomacy in order for the problem to be solved.

The French case is similar to the situation in Great Britain: *Paladin Child* operation shows Heathrow's airport is a main way of entry (Akullo 2004, p.5). Other information obtained of this relevant study about the profile of the Unaccompanied



Foreign Minors in Great Britain indicates that the majority are between 12 and 17 years. In spite of the similar rate of boys and girls, regional differences were appreciated, emphasizing the important presence of Russian boys and Nigerian girls. Really, after analyzing the origin regions we can see the prevalence of Africa (38%), - especially Niger, South Africa and Ghana, - and Latin America (21%) (Akullo 2004, p. 7-14).

2.3. Typologies

The anthropologist Jiménez Álvarez (2003, p.48-50) distinguishes between four different types:

- a. Minors whose migration plan is linked to relatives in the country of arrival
- b. Minors whose migration plan is in response to an economically unstable family situation.
- c. Minors whose migration plan consists of escaping from a broken home and a financially insecure situation.
- d. Minors who were originally living on the street in their country of origin.

Capdevila i Capdevila (2000, p.6-13), on the other hand, distinguishes between five groups:

- a. Minors aged from 15 to 18 with a defined emigration plan.
- ь. Street children.
- c. Minors suffering from a serious mental illness or health problem.
- d. Minors with very aggressive behaviour and/or frequent criminal activity.

Supported by DMS International Research Centre Socific International Exceminology Understable Label Value Understable

e. 2nd generation minors.

In France, Etiemble (2002, p.6-8), establishes five categories:

- a. The "exiles", who come from countries where wars or ethnic conflicts are taking place.
- b. Those who are "sent" to France by their families to work and send them money.

 Many try to study and improve socially.
- c. Those who are "exploited" by adults and forced to dedicate themselves to crime, begging or prostitution.
- d. Those who have "escaped", fleeing from their families, mainly because they have been abused.
- e. The "wanderers" are minors who live off crime or prostitution in their country of origin and intend to continue their activities in a more prosperous country.

Based on these typologies and other studies, we can categorise the Unaccompanied Foreign Minors into two large groups:

1. Minors aged from 15 to 18 with a defined emigration plan.

These have left their own countries with the aim of searching for work in order to improve their quality of life and that of their families, but due to their unofficial status they are unable to work legally and many of them can therefore be exploited in the workplace. If they do not find work quickly, they usually move to large cities to settle there, attracted by a wider range of opportunities and protected by the anonymity offered by these cities. One notable fact is that this type of minor possesses a certain set of social skills, which will make their subsequent social integration easier if this

International e-Journal of Criminal Sciences
Artículo 1, Número 2 (2008) http://www



opportunity arises.

2. Street children

Their ages vary more widely compared with the previous group, with some very young cases. They do not have a clear migration plan or any expectations with regard to their future. Prompted by adverse circumstances, or encouraged by a sense of adventure, they embark on the journey attracted by the image of wealth projected by the European Union. Brought up on the street, they are marginalised and are particularly vulnerable (Akullo 2004, p.7-8; Save the Children 2004; Tapia 2003, p. 20-25), leading them to form themselves into small groups which are hierarchically structured and governed by the law of the strongest (Capdevila, 2000, p.9).

This group displays a series of traits which coincide with the bio-psycho-social profile of minors most prone to crime, as, in general:

- ✓ They come from very poor, broken homes.
- ✓ They are seriously lacking in education, both from family and schooling.
- ✓ They have a history of living on the street.
- ✓ They are habitual consumers of toxic substances.
- ✓ They lack social skills.
- ✓ They have behavioural problems, a low tolerance of frustration and are impulsive. They can occasionally behave violently.



3. Procedure field work

The analysis developed below is the result of a study of the files of sentencing recorded in the Juvenile Courts of the Autonomous Community of the Basque Country (San Sebastián, Vitoria and Bilbao) from January 2003 to December 2006, specifically of the psychological reports produced by psychosocial teams and the actual content of the judgment.

We were able to access all files of convicted immigrant minors (N =168), of which we have been able to analyse 122 psychological reports. Consequently, going beyond a representative sample, practically the whole world of immigrant juvenile offenders corresponding to the period indicated is described. In parallel to this, a comparison group was formed consisting of *non-immigrant juvenile offenders*, with an equal number of files and for the same period of time, selected using a systematic random procedure.

Once the files had been selected, the information contained within them was then extracted, identifying a series of key variables associated with the criminal and psychosocial profile of the minors, the analysis of which is shown below.

4. Criminal profile and record

The majority of files analysed (N=168) of immigrant juvenile offenders corresponded to males (92.3%). The average age at which the first crime was committed was 16. 66% of the minors did not reoffend, 15% went on to commit a second crime, whilst the remaining 20% of minors reoffended between 3 and 10 times.



In terms of the nature of the crimes, it is worth mentioning that in 47.6% of the cases, the minor confronted their victim in some way when they committed their first crime (by threatening, insulting or assaulting the victim).

With regard to the measures adopted, in 53.6% of the cases these were implemented in a semi-open prison, 23.8% in a closed prison, whilst in 21.4% of cases the mediation process involved no penal measures at all.

5. Delay in response and situation of the minor

One of the guiding principles of the models for delivering measures in Juvenile Justice is the immediacy and reciprocity of the response. As established in the Justice Plan for the Basque Country, the time period between the acts and their consequences must be very narrow so that the greater part of the educational element of the response is not lost.

For this reason, we have created a *delay in response* indicator, calculating the time elapsed between when the crime was committed and the judgment reached, obtaining an average delay of 328 days, although with a high typical deviation (226.95). Furthermore, a quartile analysis showed that 25% suffered a delay equal to or less than 175 days, 50% equal to or less than 255 days and finally, 75% equal to or less than 423 days. But these clarifications do not soften the fact that there is an excessive delay in response.

Of the population of foreign minors analysed, practically half (49.2%) live with family members. Whilst of the *unaccompanied minors*, practically all of them are Moroccan (83.9%) and Algerian (11.3%), among the *accompanied* minors there is a great diversity of origin (Colombia, Ecuador, Cape Verde, Romania, USA, France, etc.),



with a notable presence of Portuguese, representing almost 32% of the *accompanied* minors.

With regard to the *place of residence*, almost half live in a juvenile centre in accordance with judicial measures, specifically 49.2%, and 44.3% live in private homes. Just 8 minors have no fixed address.

In terms of *adapting to the place of residence*, over half of the minors, almost 60%, have adapted. To make this variable operational, indicators such as good behaviour, adhering to rules, showing respect for others you live with, treating property with care, etc., have been taken into consideration.

6. Family relationships

In almost all cases, both parents of the minors are alive, 12% have at least one of them and only 3 minors are orphans. Over two-thirds of this population maintains a relationship with their parents, 41.5% with both, compared to 30.3% who have no kind of relationship with their parents. Of the minors who have a relationship with their parents, for the majority (64.2%) this is habitual and not sporadic.

With regard to the residence of the parents of immigrant juvenile offenders, we can see that almost half of the minors' parents reside in their country of origin (49.2%), a figure which corresponds to the one we have obtained for *unaccompanied minors*. Of the remainder, 42.4% of the parents reside at the same address as the minor and only in 10 cases do the parents reside at a different address.

In terms of parental control, the data shows that in the majority of cases, in practically 78%, the parents exercise no form of control over the minors. The remainder either exercise inadequate control (17.2%) or only in 4.9% of cases exercise good control.

International e-Journal of Criminal Sciences



Another aspect to consider is the relationship with their siblings. Over half of those who answered this question, specifically 56.4%, have a relationship with all their siblings, whilst in 36.4% of cases, they have no relationship with any of them. In terms of the frequency of the relationship the minors have with their siblings, we can see that of those who do have a relationship, it is habitual in 70% of cases.

The siblings of almost half of the immigrant minors studied (48.6%) reside in the country of origin and 42.2 % of the immigrant juvenile offenders live with their siblings.

7. Vulnerability factors

With regard to the *economic situation*, a large majority (77.4% of the families of the minors) experience a high level of economic vulnerability. In order to assess the economic situation of the families of the minors, we have taken into account whether the parents work, receive social benefits, have their own home, etc.

With regard to the regularisation of their residence, over half do not have the relevant permits, compared with 47.5% who are in the fortunate position of being regularised.

In terms of groups of friends, two-thirds of the population analysed keep the company of risk groups, i.e. they receive no schooling, consume some kind of toxic substance, display antisocial behaviour (robbery, theft, fighting), live in an unstable environment, etc.

With regard to their *schooling*, it is worth noting that 58.7% of those interviewed do not go to school. Of the minors who attend school, almost 70% show a good level of



adapting to school or workshops. This level has been based on the evaluation of behaviour in terms of timekeeping, regular attendance, etc. Therefore, although only a few of the minors study, most of these have adapted well to the school environment.

In addition to the level of schooling, the study has also looked at the working activity of these minors. Over 91% are not working, although, as was the case with the students, of the few who do work it can be seen that most of them have adapted positively to the workplace.

Considering the above data as a whole, 50% of them do not study or work, thus creating a special risk situation.

We shall conclude this section by stating that almost two-thirds of these minors, 63%, consume some kind of toxic substance.

8. Profile of the immigrant juvenile offender.

The aim of this descriptive analysis was to outline a profile of the immigrant juvenile offender based on the prevalence of the most significant psychosocial traits. Within a general profile of social exclusion, the most significant risk factors concern the lack of parental control, within a framework of a broken family unit, and alternative socialisation based on the integration of the minor into a peer group prone to transgressing the law:

- \square Male aged 16 at the time of committing his first crime.
- Almost half live in juvenile centres, reception houses, internment centres, etc., and 6% have no fixed address.
- **✓** 41% have not adapted to their place of residence.

Supported by DMS International Research Centre



- 30% of the immigrant juvenile offenders have no relationship with their parents and for those who do maintain a relationship, it is sporadic in 36% of cases.
- 36% have no relationship either with their siblings.
- ☑ The majority have no family control whatsoever (almost 78%).
- ☑ In 77% of cases, situations of serious family insecurity are reported.
- ✓ Over half receive no schooling and, of those who do, 32% have not adapted to this schooling.
- ☑ Only 8% work, but almost all of these (89%) have adapted to the workplace.

Specifically, the group of *unaccompanied foreign minors* has been identified by all Juvenile Justice Administrations as a group which must receive special attention through the implementation of an intensive set of socio-educational resources: a very complex challenge precisely due to their lack of association with a positively influential social network.

In order to analyse, specifically, the differential aspects of the *Unaccompanied Foreign Minors* with respect to the other immigrant minors and to the group of juvenile offenders born in Spain, we have identified, through an ANOVA, three distinct groups:

INTERNATIONAL E-JOURNAL OF GRIMINAL SCIENCES

Supported by DMS International Research Centre







- I. Accompanied immigrant minors.
- II. Unaccompanied immigrant minors and
- III. Non-immigrant minors.

On comparing averages with Scheffe's post-hoc multiple comparison test we have been able to verify that in the variables *relationship with parents* (F = 22.742; p < 0.000), parental control (F = 14.620; p < 0.000), contact with high-risk friends (F = 8.818; p < 0.000), and consumption of toxic substances (F = 9.121; p < 0.000), which can be considered as risk factors especially conducive to crime, there are no differences between accompanied immigrants and non-immigrants, but they do show significantly different averages from the group of unaccompanied immigrants. This group shows a combination of a low level of parental control, more relationships with high-risk friends and a greater consumption of toxic substances. It is surprising that, with this profile, they are not the group of minors who reoffend most (F = 4.856), which are the non-immigrants ($\bar{x} = 2.80$). The problem lies in the fact that the immigrant unaccompanied minors perpetrate a greater number of crimes involving direct confrontation with the victim ($\bar{x} = 1.35$) than the group of immigrant accompanied minors ($\bar{x} = 0.52$; p< .003) and the group of non-immigrant minors ($\bar{x} = 1.19$; p < .005), which can lead to the creation of a greater feeling of insecurity in the community, due to their visibility.



9. Conclusions and some notes for intervention with foreign juvenile offenders

In the middle of the 90s a new protagonist appeared on the scene of migration flows: the minor. This new characteristic of migration is forcing various European countries to devise a new legal, penal and social system to manage, penalise/educate and integrate minors who begin a career of crime on European soil and, moreover, to protect their rights (de la Cuesta & San Juan, 2005).

On a global scale, there seems to be a development of what we could call the *infantilisation* of exclusion (in addition to its *feminisation*) in a context within which there is also a great visibility of the immigrant minor marked by public alarm.

These considerations aside, the reality is that with an initial review of European documentation, we can identify a growing set of criminological problems associated with the immigrant minor among which we are going to mention, by way of example, the growing seriousness of the cases of crime in Italy, the control of the Ceuta and Melilla borders in Spain, inter-ethnic confrontations in the UK, the decline of peripheral areas with over-representation of immigrant populations and children of immigrants in France, Belgium and Germany, etc. In fact, an element of each of these problems is occurring to a greater or lesser extent in the whole of Europe (San Juan & de la Cuesta, 2006).

Of the problems described, we believe that the case of Unaccompanied Foreign Minors, a group which is becoming increasingly large in Europe, merits particular attention, due to their situation of heightened vulnerability. In Spain, France and Italy a large number of these minors come from the Maghreb and the Balkans, mainly from Morocco, Albania and Romania.



From an operational point of view, we believe it appropriate to distinguish between two large groups of Unaccompanied Foreign Minors: on the one hand those who come in search of work with a plan and show a positive attitude towards integrating into society, and on the other hand those who have grown up on the street or who have no migration plan, a minority group but whose criminological profile corresponds to a large extent to that of habitual juvenile offenders, and who therefore require psychosocial measures in order to integrate.

In the European context there is no overall policy for dealing effectively with receiving and protecting Unaccompanied Foreign Minors in a position of social risk. The social, legal and administrative treatment of these minors is heterogeneous and action initiatives are often limited to various local or international organisations involved in the resocialisation of these minors, and often clash with the action principles of Governments.

These reports all underline the lack of a reception and support system to enable them to integrate into society and to provide them with an adequate education. On the contrary, during their process of adaptation, their situation of insecurity and their link to criminal and marginal environments are reinforced, making it possible for them to turn into habitual offenders or become victims of sexual exploitation. If we are to put the interests of the minors first, in view of the insecure conditions of their society of origin and the absence of any known or structured family guidance, repatriation should be limited to very specific cases. However, the mass influx of these minors, combined with the limited human and material resources available, make it impossible for all Unaccompanied Foreign Minors arriving in the EU to be received adequately. The current situation, therefore, points towards an uncertain future.



One of the first conclusions that we can form from the study data is that the *immigrant juvenile offenders* share a series of risk factors as no significant differences have been found, in terms of the criminal profile, with respect to minors born in Spain.

What does stand out is that it is *unaccompanied minors* who have perpetrated crimes which can cause greater public alarm. However, we have been able to verify that in the indicators which can be the most informative, such as reoffending (understood as the number of offences), there are no differences between *immigrant unaccompanied minors* and *minors born in Spain* who, in fact, commit more crimes than immigrant accompanied minors.

The data gathered in this research suggests to us the importance of paying special attention to the context of departure, to the underlying structural causes for the need to migrate. An analysis of the personal migration plans of minors, their expectations, motivations, etc., must be undertaken. It must be emphasised that the context of arrival is characterised as being a scenario with a culture which is alien to these minors, which can create an identity crisis, which will in turn condition their process of integration and will determine whether their future will focus on the *myth of return* or on settling into the new society. Depending on their life history, it is possible that the idea of the future will have lost all meaning when they find themselves under pressure to address their day-to-day needs. However, that said, this type of analysis is necessary if there is to be an attempt to formulate overall policies of a preventive nature.

It is also worth pointing out, in addition to those mentioned in relation to the unaccompanied foreign minors and the *second generation*, other emerging problems such as those minors, whether immigrants or not, who come of age whilst under judicial measures or those minors, again whether immigrants or not, who from an environment



of *protection* enter the system of *reform*. In all cases, it seems to be a priority for actions to be based around three fundamental aspects:

Schooling, in Europe, from a preventive perspective, must provide an education system that provides descendants of immigrants with the same opportunities for integration as the rest of the school population. The political agenda, in this respect, has certain outstanding issues.

Furthermore, with regard to **employment and vocational training**, in order to prevent situations of economic insecurity, giving rise to crime, we propose measures which would enable immigrant minors of working age to work and train, with the opportunity to undergo work placements, have contracts with reduced hours to allow them to continue their training or so that the companies employing them can benefit from tax allowances...

Finally, **the family**, the framework for the basic socialisation of the minor. The loss of family influences should be avoided as far as possible, and where this is not possible, alternatives should be sought, such as guardians in native families, a system of mentors, etc... In short, to identify stable figures of influence who can provide them with the parental control we talked about earlier as a factor which can protect them from situations of marginalisation and exclusion.

Nevertheless, it is essential to explore somewhat bolder strategies and to propose original approaches which can be flexible according to the resources and, of course, can



adapt to the circumstances of the minor, which must guide penal measures, almost always before defining the punishment for the offence.

So, it is clear that this is a complex problem which requires comprehensive, cross-border strategies and policies, as compartmentalised solutions are, with the utmost certainty, doomed to failure. We believe it is essential to adopt a systematic approach to analysis and intervention where we must identify a series of levels from the individual to the macrosystemic, spanning interpersonal, group, school, family, work and leisure relationships, also addressing religious aspects, as well as everything relating to the parameters of the current structural conditions from a *political/economic* point of view on the one hand, and from the *legal/social* point of view on the other.

Clearly, this working hypothesis will depend on the will of both governments and citizens, as otherwise it would become evident that having no plan for the future is not just a shortcoming of the young offender.

INTERNATIONAL E-JOURNAL OF GRIMINAL SCIENCES

Supported by DMS International Research Centre





References

- Akullo, Margaret (2004): *Paladin Child. A partnership study of child migration to the UK via London Heathrow*. London: Metropolitan Police Authority, in www.mpa.gov.uk/downloads/committees/ppr/ppr-040712-14-appendix01.pdf
- Capdevila i Capdevila, M. (2000), Los menores extranjeros indocumentados no acompañados (M.E.I.N.A.) exigencia de nuevas repuestas. Madrid: Universidad Pontificia de Comillas, in http://www3.upco.es/pagnew/iem/newweb/publicaciones/cd/congreso/datos/CD Rom/GRUPOS/Comunicaciones/ManelCapdevila.PDF.
- Cuesta, J.L de la & San Juan, C. (2005). Juvenile delinquency and immigration in Western Europe: criminal responsibility versus social responsibility. *International Annals of Criminology*. 43, 35-50
- Etiemble, A. (2002), 'Synthèse du rapport sur les mineurs isolés étrangers en France, Direction de la population et des migrations'. *Revue Migrations études*, 109, sept-oct, in www.adri.fr/me/pdf/me109.pdf.
- Giménez Romero, C., y Pérez Crespo, C. (2002), La integración de los menores de origen extranjero de la Comunidad de Madrid: necesidades y derechos, in Defensor del Menor en la Comunidad de Madrid, Informe Anual. Madrid: Universidad Autónoma, in http://www.dmenormad.es/PDF%20Estudios%20y%20Publicaciones%202002/MENOR-MEMORIA-2002.pdf.
- Jiménez Álvarez, Mercedes (2003): Buscarse la vida. Análisis transnacional de los procesos migratorios de los menores no acompañados en Andalucía, in http://estrecho.indymedia.org/usermedia/application/11/Buscarse_la_vida.pdf
- San Juan, C. & de la Cuesta, J.L. (2006), *Menores extranjeros infractores en la Unión Europea*. Bilbao: Basque Country University Press.
- San Juan, C., Bermejo, F. & Ocáriz, E. (2007): Foreign juvenile offenders in Germany, Italy, France and Spain: Theories, profiles and notes for a social policy. *International Annals of Criminology.* 45, 77-97.
- Save the children (2003), *Menores extranjeros no acompañados. Informe sobre la situación de los menores no acompañados en España*, in http://www.savethechildren.es/interior.asp?IdItem=1166.
- Save the Children (2004): Returns and Separated Children. Position Paper of Save the Children and the Separated Children in Europe Programme. September, in http://www.savethechildren.net/separated_children/publications/reports/return_p aper_final.pdf

International e-Journal of Criminal Sciences

Artículo 1, Número 2 (2008) http://www.sc.ehu.es/scrwwwiv/DMS/home_rev.htm
ISSN: 1988-7949



Stefansson, G. A. (2004), 'The fight against Children Trafficking in Europe', *OTAN Committee Report*, 157 CCDG 04, in http://natopa.ibicenter.net/default.asp?SHORTCUT=50.

Tapia, Stéphane de (2003): New patterns of irregular migration in Europe. Responses to violence in everiday life in a democratic society. Seminar report 12-13 November 2002. Strasbourg Cedex: Council of Europe.