SOCIAL HUMAN SERVICES AND OFFENDERS/JUVENILES
FEM 3108

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ROLES OF SHS WORKER IN CRIMINAL JUSTICE SYSTEM

- Community based rehabilitation services.
- Diversionary programmes.
- Supports for convict: reintegration into their society.
- Counselling for prison inmates.
- SHS for families of criminals.
- Advocacy for victims of crime.

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SPECIALIZED KNOWLEDGE ABOUT:

- SHS worker must be educationally prepared to:
  - Understand crime and delinquency.
  - The nuances of working with involuntary client, judicial processes and court procedures.
  - The rules of various professionals in this interdisciplinary field.

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CRIMES

Crimes comprises acts or behaviour that are contrary to the laws.

Criminal activity that violates public laws and moral codes.

In general, arrest of juvenile have decreased and the number of female youth arrested for crimes increased substantially over the last 20 years.

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Juvenile criminal offenders are classified as delinquent or as minors in need of assistance. Delinquent behaviour ranges from status offences or misconduct particular to juveniles such as runaway to criminal violation of law. Uniquely, juvenile justice system encompasses activities in BOTH criminal justice system and the child welfare system. SHS very influential in the development of juvenile justice.
SHS role: more likely to involve in juvenile than in adult correction.

Punishment or rehabilitation?
- No consensus on how to deal with crime.
- Our position influence how we regards criminal behaviour and how we treat offences and their victims.
AIMS OF PUNISHMENT

- Retribution
- Deterrence
- Reintegration
- Control

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The oldest form of punishment (Macionis, 1992).

Based on the assumption: the wrongdoer should suffer harm in the same degree as is caused by his act - “an eye for an eye, a tooth for a tooth.”

Sometimes called a legal revenge – based on ethical grounds.

It is a moral duty of a society to punish the wrongdoer.
Weaknesses:

Fails to recognise that in certain situations it may be desirable to use correctional methods to reform the offender rather than punish him proportionately.

Young and first offenders may need lenient punishment than those who are hardened criminals or recidivists.

The consequences of crime may not be the same for a victim.
DETERRENCE

- Discourage criminality through deterrent.
- The end of criminal law is should be to make the wrongdoer an example and a warning to all that are like minded with him.
- Creating fear by letting potential offender know that law-breakers will not escape punishment.
- Based on the notion that humans are calculating and rational creatures and they break law for personal gain.

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When the punishment outweighs the benefits of crime, the motive for crime is likely to disappear.

To deter crime the punishment should be severe, swift, uniform, effective and impartial.

**Criticism:**

Punishment cannot have its deterrence effect in all cases.

Criminals who has once under
Criminals who has once undergone the punishment is no longer afraid of it to the same degree as he was before the punishment - the punishment loses its rigour for him.

The effect vary from one person to another.
The object of punishment is to reform the criminal and make him a good citizen.

Based on the assumption that crime and deviance in society spring from unfavourable environment governed by such factors as poverty, lack of parental supervision. Lack of adequate socialisation or mental illness.

Crime is a social problem and the offender is the product of those problems.
Criminals can be reformed by appropriate help and their attitude to crime can be modified to conform the society’s value.

Punishment should create a conviction and fear in the offender that crime is bad and does not pay.

This approach is largely based on psychology which claim that an offender is a patient and with proper treatment can be reformed.

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Criticism:
There are persons who are incurably bad.
Rehabilitation may become dwelling houses.
Difficulty to distinguish between abnormal offenders and habitual or casual offenders.
No convincing evidence to suggest that criminals can be reformed.
Rehabilitation emphasizes vocational education and skills.

Programmes designed to achieve the reintegration objective of correction assist offenders upon their release from prison, to adapt and then reestablish themselves into the community.

Halfway houses and other service centres.
Community based programmes that provide intensive supervision and monitoring of offender’s whereabouts and behaviour control for offender who remain in their communities.
SHS ROLE IN CRIMINAL JUSTICE

Legislation enunciates three distinctive features of the juvenile court:

- The creation of a separate court of justice for children because children are different.
- The recognition that juvenile court is not a criminal court but a civil court emphasizing the rehabilitation and treatment of children.
- The creation of a system of probation.

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Often works with law enforcement officers in situation involving domestic violence, child abuse and other types of victimization.

A member of law enforcement team – receive referral for family related problems especially involving juvenile.

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Co-operation between practitioner and police department enables police to:

- Provide crisis-oriented early intervention.
- Receive immediate SHS service consultation and assessment.
- Establish effective relationship between law enforcement and SHS system.
FORENSIC SHS WORKER

- Expert who works in the legal system – need to have knowledge on court procedures, role of various court personnel, rules for admissibility of evidence and legal requirement for practitioner-client relationship.

**Job scope:**
- Provides expert testimony in court.
- Investigate cases of possible criminal conduct.

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Assists legal system in issues such as child custody, family disputes, divorce, non-support, delinquency, spouse/child abuse, mental hospital commitment.
Supervise delinquents.

Arrange for placements and work in diversion programmes.

- Monitoring cases – Link the juvenile and families to community based programmes.

- Follow the case plan, monitor and report outcome to court officials.

Play crucial role as member of the interdisciplinary juvenile justice team.

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Sentencing option that deters imprisonment - specific period of time during which individuals under supervision demonstrate appropriate behaviour.

Parole programme grants early release from prison before offenders complete their full term sentences.

Court officials who supervise probation and parolees are often SHS worker.
Probation and parole officers have dual functions of enforcing laws and providing casework services:

As agents of social control, re-socialise offenders through their provision of services, facilitate solutions, link clients with appropriate community resources and teach them acceptable behaviours for law-abiding.

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Requires working within strict court detrimental time frames. Preparing legal documents, refining teamwork skills and often coordinating various components in the court services system.