

# Trends & Policies in Criminology and Justice

## The Operating Status and Future Improvements of Social Settlement Support Projects for Protected Juveniles

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\*See also: Lee, Seunghyun et al. 2022. "A Study of the Operating Status and Future Improvements of Social Settlement Support Projects for Protected Juveniles - Based on the Korean Juvenile Protection Association -" Seoul: Korean Institute of Criminology and Justice.

### Summary

Due to a lack of attention and support, protected juveniles do not receive stable social settlement support after their release from juvenile detention centers. This has led to an increase in their exposure to recidivism. Since the Ministry of Justice lacks human and material resources to manage released juvenile offenders, it is urgent that private resources be utilized.

Currently, the legal basis for the social settlement of protected juveniles is weak, relying heavily on the support projects of the Juvenile Protection Association, a private organization. However, after COVID-19, it is no longer feasible to rely on the Association's human and material resources. Hence, it is necessary to establish consistent measures to support social settlement.

Applicable provisions for social settlement support in the Act on the Treatment of Protected Juveniles and the Juvenile Act should be prepared. Standards for human and material resources should also be reinforced in the Enforcement Decree.

In order for the Juvenile Protection Association to play a leading role in social settlement as a private organization, its independence in the project, networking with private institutions of the local community, and support from the Ministry of Justice must be ensured.

To actively promote the program, it should be regularly implemented for juveniles in detention facilities before their release, and individualized treatment plans for each juvenile should be prepared.

## 01. Need for Research and Objectives

### Need for Research

Article 1 of the Juvenile Act aims to “ensure sound fostering of juveniles by carrying out necessary measures for the environmental adjustment and character correction of juveniles demonstrating anti-social behavior.” Since juvenile crime is affected not only by individual characteristics but also by various social factors, it is also an important obligation for the state to establish an infrastructure system for the safe reintegration of protected juveniles into society.

Despite the need for systematic support and protection for juveniles who have been released from juvenile protection institutions such as juvenile detention centers, due to a lack of interest and budget, released juveniles do not have the opportunity to settle down properly after receiving correctional education, making them vulnerable to recidivism.

The Ministry of Justice has been providing follow-up guidance to released juveniles from detention facilities, but it faces limitations in personnel and budget. The Juvenile Protection Association is a private organization that offers post-settlement support, but it is unable to provide continuous and professional social settlement support due to a lack of legal basis for operation as well as insufficient workforce and budget. Therefore, it is crucial that we establish a system to ensure that protected juveniles can reintegrate stably into society through systematic management and support after their release.

### Objectives

This study examines the necessary legal basis and operational improvements for support projects to assist released juveniles from juvenile protection institutions in settling securely and reintegrating into society. By facilitating faster and well-coordinated social settlement support, we aim to identify alternative methods for released juveniles to achieve stable reintegration into society and control recidivism.

## 02. Main Findings

### Overview of Current Social Settlement Support Projects for Protected Juveniles

The Ministry of Justice implemented a social settlement support project for individuals released from juvenile reformatories in accordance with the Act on the Treatment of Protected Juveniles. However, since 2018, due to an increase in the workload of employees supervising released juveniles, the policy has been revised so that the provision of social settlement support is left to the discretion of teachers, with the exception of medical detention facilities.

Social settlement support facilities operated by the Juvenile Protection Association, a private organization, include a start-up support center and youth independence shelter. Nevertheless, the number of residents is declining annually, and budget programs have been suspended due to COVID-19, undermining the consistency of management.

Despite the Korea Juvenile Protection Association's recognition as a private organization with over 20 years of experience, it lacks a legal foundation for its operations including organization and budgeting. Also it faces a shortage of human and financial resources to sustain its rehabilitation and reintegration programs.

### User Experience Analysis of Social Settlement Support Projects for Protected Juveniles

By conducting in-depth interviews with 14 juveniles residing in youth independence shelters, the study revealed that a significant percentage of these juveniles entered the facility without sufficient prior knowledge. Whilst they entered the shelters seeking residential stability, they did not feel secure due to psychological discomfort. They also encountered difficulties stemming from various factors, including strict regulations, bullying from roommates, and violence. The juveniles in the facility expressed a desire for an independent life with privacy protection and hoped for support programs tailored to their individual characteristics and circumstances.

Shelter employees evaluated that whilst the primary focus was on released juveniles, the project should be expanded

to protect juveniles who are at high risk of delinquency due to issues such as parental abuse. Regarding regulations, juveniles were to be discharged after three violations. Follow-up was conducted through in-person meetings or phone calls. Employees agreed that long-term support was necessary and hoped for the Association to play a more substantial role as a control tower for social reintegration. They also wanted to stabilize finances and establish an integrated management system.

### **Overview of Social Settlement Support Projects for Protected Juveniles in Other Countries**

In other countries, efforts are being made to ensure a safe and secure reintegration of protected juveniles into society. The central and local governments have a well-established social settlement support system with continuous mutual cooperation and support.

To facilitate reintegration, the United States enacted the Second Chance Act in 2008 to fund the development and operation of social rehabilitation programs that improve the employment, education, health, and housing of juvenile offenders. This coordinated effort is carried out at the federal, state, and local community levels.

In Germany, educational treatment rather than punishment is prioritized for juvenile offenders in accordance with the Jugendgerichtsgesetz (Juvenile Court Act). Preparations for social settlement begin six months before release, with the cooperation of probation officers.

Japan provides housing, employment, and academic support through the Juvenile Act, the Act on the Promotion of Support for the Development of Children and Adolescents, and the Act on the Promotion of Recidivism Prevention. In addition to the central government, local public organizations are assigned responsibilities and roles in supporting social reintegration.

## **03. Policy Proposals**

### **Improving Statutes for Social Settlement Support**

The focus of the current Act on the Treatment of Protected Juveniles is limited to 'protected juveniles.' Therefore, a separate law for social settlement support needs to be enacted for juveniles vulnerable to or at risk of delinquency. Alternatively, we could consider establishing a separate chapter on social settlement support in the Juvenile Act.

In order to ensure proper organizations and workforce, the Enforcement Decree of the Act on the Treatment of Protected Juveniles must specify the types of occupations, placement standards, and qualification criteria for employees of the Association.

The articles of the Juvenile Protection Association currently limit social settlement support methods to housing, employment, scholarship, business start-ups, and emergency funding for protected juveniles. Additionally, we should also include 'support for family members,' 'psychological counseling and psychotherapy support,' and 'follow-up guidance.'

### **Establishing the Roles of the Juvenile Protection Association**

The Korea Juvenile Protection Association conducts social settlement support projects based on the relevant laws of the Ministry of Justice. However, it needs to operate independently when carrying out such projects and play an important role as a bridge to utilize community resources in various ways through organic solidarity with private institutions.

The Association should play a distinct role as an institution that provides opportunities for social settlement, distinguishing itself from juvenile detention centers and other correctional facilities.

### **Securing a Stable Organization and Budget for Social Settlement Support**

The low wage system and poor working conditions of Juvenile Protection Association employees should be

improved. Professional training is necessary to enhance employee capabilities.

Continuing social settlement support requires government cooperation and support, with labor costs financed by the government. Evaluations for government subsidies should differ from those of general juvenile protection institutions and include practical performance indicators.

### **Promoting the Social Settlement Program**

The scope of social settlement support should be expanded beyond juvenile offenders to include at-risk juveniles who may be exposed to delinquency. Support programs should be institutionalized to ensure execution at least three months before release. Additionally, customized treatment plans for individual juveniles should also be created and implemented.

In order to improve the image of youth independence shelters, it is necessary to design individualized rules that relieve the rigidity of living regulations and reduce the size of the facility to foster a familial atmosphere. Psychological support should be provided to ensure a stable rehabilitation environment. Moreover, a local council should be established to support youth independence shelters in the community.

The Start-up Vision Center should adopt a pedagogy that envisions future goals, rather than merely acting as an

extension of juvenile reformatories. The Center must offer long-term and step-by-step vocational training and seek to diversify resources by connecting with the private sector, employment agencies, and other external resources.

### **Regularizing Cooperation Channels Between the Ministry of Justice and Private Organizations**

The Ministry of Justice should make efforts to provide government subsidies for personnel expenses of the Juvenile Protection Association, ensuring it can provide continuous and stable support. Furthermore, it should establish a permanent social settlement team in juvenile reformatories and build a framework for monitoring protected juveniles before release, sharing release plans with the Association.

It is also crucial to explore ways in which the Juvenile Protection Association can network with private, local organizations to ensure continuous support within the community after the Association's support ends.

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