

Street Children Problems in Istanbul, Rehabilitation Activities and Proposals*

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I. Preliminary Information

I wish to underline two matters as preliminary information:

Firstly: The street children problem that has intensified in some cities of Turkey in the last 5 years. Istanbul is taken as basis where the problem is at the highest level. Taking into consideration both the Police and Gendarmarie activities, the former functions in the rural areas the other at the City Center.

Secondly: The statistical works available are far from being sufficient. Furthermore, some events are not reported to the authorities for various reasons and also rehabilitation works do not have the necessary volume to comprise the city of Istanbul as a whole. The problem, the awareness of its importance and the beginning of the rehabilitation activities is rather new. Therefore, by taking a small part of the city as a model and to find out the dimension of the problem, related rehabilitation works and finally, presents proposals for solutions. Information on all children, on whom the legal authorities filed legal procedures, will make a comparison possible between the street children other children.

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II. State of the Street Children in Istanbul According to the Police Data

As a result of the difference of the classification and evaluation criteria of the incidents where the police has intervened and the aspects of the same that are reflected in the media it is possible to take advantage of more than one source and indicate the following matters that attract attention:

5569 children were apprehended by the police in Istanbul between January and May 2004. 4740 of them were released after their interrogation by the court and they were handed over to their families. 289 of these children, however, were put in the childcare dormitories. It was alleged that these children were involved in 4285 different offenses. The rate of the offenses, committed by these children is as follows: 192 for theft and purse snatching; 310 for usurpation and robbery; and 546 for injury to the person; 394 for fighting; 131 unlicensed motor vehicle driving. It was determined that the children between the age group 0-11 have especially committed the theft. 191 of these children were female and 41 of the same were males¹.

The number of purse snatching offences that the police have determined in Istanbul between the years 2000 and 2004 is 30.617, and 28 % of the persons, who have committed this offense is at the age of 18 and below².

The data on the children, against whom legal procedures were conducted at the police only in January and February of 2005 is as follows³: Those who had a former conviction some even had more than 250 convictions, were 2290, and they have committed 1845 offenses within the first two months of 2005. The offenses are as follows: 132 usurpations and robberies; 193 swindlings and pick-pocketings; 134 auto-thefts and robberies from autos; 102 robberies from houses; 198 thefts from workplaces; 69 snatchings and 1017 other criminal offenses. 1180 of these children were handed over to their families, 210 were arrested and other 200 were taken into the social care institutions. 40 of these children were alcoholics and drug-addicts. 25 % of the offences, committed by these children, have been theft, 11 % swindling, 8 % usurpation, 3 % snatching

¹ See National Daily, Sabah-Aktüel Pazar of July 11, 2004, p.13).

² See National Daily, Akşam of February 26, 2005, p.12).

³ See National Daily, Hürriyet of March 13, 2005, p: 8-9.

and 53 %, however, other offenses. 25 % of these children are illiterate, 61 % primary school graduates and 14 %, however, high school graduates.

III. General Data on Two Small Settlement Areas within the boundaries of the city of Istanbul (between October 23, 2001 - May 31, 2005) where the Gendarmerie is in charge

The Data presented are only the data related to two small rural areas of Istanbul. It should be taken into consideration that Istanbul has an official population of 14 millions, however, its unofficial population is estimated to be between 16-18 millions and that the total populations of the said two rural areas, of which we are presenting are less than 250.000.

There are about 100 remote areas like the aforementioned two small areas in Istanbul and the data that we have presented with relation to the said rural sections are the data on the children, against whom legal procedures were conducted by the authorities. However, it is a known reality that at least half of these events have not been reported into the official authorities for various reasons.

Both the police statistics and Judicial statistics are far from being sound, and figures that are determined reflects only half of the problem. The data, given below, are the data that have been reflected in the official records in the remote area.

1) The number of children, against whom legal procedures were conducted, at the two remote areas during this period, is 1941. 609 of these children between the ages of 0-11, 1037 between 12-15 and 295 between 16-18. 1352 of these children are male and 589, female. Their educational status is as follows: 138 of them at an age of pre-primary school; 90 has never attended any school; 305 have deserted their primary school education; primary school graduate: 650; secondary school graduate: 665, and finally, high school graduate: 93. During the legal procedure against these children, 1868 of them were living at their own houses, 36 in the street and 37, however, at a social care institutions. 207 of these children were drug-addicts. The places where these children were handed over to, after relevant legal procedures are as follows: 1582 of them to their families; 148 to the social institutions and 211 to other security departments.

2) Characteristics of these children according to the accusations,

made against them: accusations have been made against 264 children. 64 of them were between 0-11, 95 between 12-15 and remaining 105, between 16-18. 90 of these children were female and other 174, were male. As to their educational status: 30 of them at pre-primary school age; 38 has never attended any schools; 52 have deserted their primary school education; primary school graduate: 57; secondary school graduate: 62; high school graduate: 25. 259 of them were living in their homes, 2 in the street and 3, however, at social care institutions. 83 of these children were drug-addict. The places where these children were handed over to, after relevant legal procedures are as follows: 87 of them to their families; 18 to social institutions and 159 to other security departments.

3) Rates children as victims of crime: 72 children have been the victims of crime. 16 of them were between 0-11; 23 between 12-15; and remaining 33 between 15-18. 43 of these children were female and other 29 were male. As to their educational status: 8 of them at pre-primary school age; 2 has never attended any school; 11 have deserted their primary school education; primary school graduate: 18; secondary school graduate: 11 and finally, high school graduate: 25. During the conduct of the relevant legal procedure against these children, 68 of them were living at their homes, 2 in the street and 2 at social care institutions. 24 of these children were drug-addict. The places where these children were handed over to, after relevant legal procedures are as follows: 26 of them to their families; 9 to the social institutions and 37 to other security departments.

4) The children who deserted their families: 61 children have deserted their families. 15 of them were between 0-11; 23 at 12-15; and remaining 33 between 15-18. 27 of these children were female and other 34, however, were male. As to their educational status: 7 of them had never attended in a school; 23 have deserted their primary school education; primary school graduate: 11; secondary school graduate: 17 and finally, high school graduate: 3. During the conduct of relevant legal procedure against these children, 47 of them were living at their homes, 1 in the street and 13 at social care institutions. 26 of these children were drug-addict. The places where these children were handed over to, after relevant legal procedures, are as follows: 40 of them to their families; 20 to the social institutions and 1 to the other security departments.

5) Rate and characteristics of the lost and found children: 177 children have disappeared, but found later. 96 of them were between 0-11; 51 between 12-15; and remaining 29 between 15-18. 55 of these children

were female and other 121, however, were male. As to their educational status: 64 of them at an age of pre-primary school; 17 has never attended in a school; 13 have deserted their primary school education; primary school graduate: 39; secondary school graduate: 38 and finally, high school graduate: 6. During the conduct of the relevant legal procedure against these children, 155 of them were living in their homes, 14 at the street and 8, at social care institutions. 16 of these children were drug-addict. The places where these children were handed over to, after relevant legal procedures, are as follows: 148 of them to their families; 27 to social institutions and 2 to the other security departments.

6) Rate and characteristics of the children, who have been witnessed an offence: 4 children have witnessed a crime. 2 of them between 0-11 and 2 between 12-15. Additionally, 3 of these children were female and other one, however, was male. As to their educational status: 1 has deserted his/her primary school education; primary school graduate: 1 secondary school graduate: 1 and finally, high school graduate: 1. During the conduct of the relevant legal procedure against these children, all of them were living at their houses. No drug-addict was determined among these children. The places where these children were handed over to, after relevant legal procedures, are as follows: 2 of them to their families; and 2 to the other security departments.

7) Rate and characteristics of the children, who are in need of help and protection: It has been determined that 393 children were in need of help and protection. 117 of them were between 0-11; 209 between 12-15; and remaining 67 between 15-18. Furthermore, 204 of these children were female and other 189, however, were male. As to their educational status: 26 of them at an age of pre-primary school; 19 have never attended any school; 52 have deserted their primary school education; primary school graduate: 131; secondary school graduate: 132 and finally, high school graduate: 33. During the conduct of the relevant legal procedure against these children, 365 of them were living at their homes, 52 in the street and 10, at social care institutions. 51 of these children were drug-addict. The places where these children were handed over to, after relevant legal procedures, are as follows: 331 of them to their families; 52 to the social institutions and 10 to the other security departments.

8) Rate and characteristics of the children, who have not attended any school: It has been determined that 207 children have not attended any school. 64 of them were between 0-11; 142 between 12-15; and remaining 2 between 15-18. Furthermore, 135 of these children were

female and other 72, however, were male. As to their educational status: 2 of them have never attended in a school; 131 have deserted their primary school education; primary school graduate: 44; and secondary school graduate: 30. During the conduct of the relevant legal procedure against these children, all of them were living at their houses. There was no drug-addict among these children. All of these children were handed over to their families after the conduct of relevant legal procedures.

9) Rate and characteristics of the children, who are employed illegally at a young age: It was determined that 763 children were employed illegally at early ages. 235 of them were between 0-11; 486 between 12-15; and remaining 42 between 15-18. Furthermore, 32 of these children were female and other 732, however, were male. As to their educational status: 10 of them at an age of pre-primary school; 5 have never attended a school; 22 have deserted their primary school education; primary school graduate: 349; secondary school graduate: 363 and finally, high school graduate: 14. During the conduct of the relevant legal procedure against these children, all of them were living at their houses. 7 of these children were drug-addicts. The places where these children were handed over to, after relevant legal procedures, are as follows: 741 of them to their families; and remaining, 22 to the relevant social care institutions.

IV. Some Special Data of an approximate period of 4 years Related to Only one of the Two Small Rural Settlement Areas within the boundaries of the city of Istanbul where the Gendarmerie is in charge (October 23, 2001 - May 31, 2005)

If we indicate the data with regard to the children, against whom official legal procedures were filed, in a period less than 4 years only at one of these two rural settlement areas of Istanbul: The Number of the children which disappeared: 11. Harmful substance –addict children: Number of drug-addict children: 18, smoking children: 136, alcoholic children: 3. The number of accused children: 182 for theft; 13 for injury to the person by knife; and 3 for injury to the person by firearm; 12 for willful beating of the person; 1 for manslaughter; 7 for the trade of illegal substances; 6 for unlicensed driving; 1 for acting contrary to the law on firearms; 3 for acting contrary to the passport law; 2 for demonstration and displaying an unauthorized poster for a criminal organization; 9 for plundering; 2 for girl abduction; 1 for selling smuggled cigarettes; 4 for willful injury to the of the other; 1 for selling CD without legal banderole; 1 for growing hashish; 1 for anal rape by force; Children that are

victims of an offense: 21 of sexual abuse, 6 of physical abuse, 7 of abduction by force.

V. Socio-Demographic and Other Significant Characteristics of the Data of 4 Years of the Official Records in Both Rural Areas⁴

If we focus our attention on an important detail here, a great majority of the children are the perpetrators of the crime and most of the, victims, are adults.

The educational levels of the children are fairly low.

The state of the girls from the aspect of being the victims of a crime, non-attendance in a school and being in need of help and protection are more negative in comparison with those of boys.

Only just a few of the children of rich families prefer the street especially as a result of using narcotic substances or committing crimes, the great proportion of the street children mostly come from the families, who have bad financial standing.

The rate of the harmful substance addiction and crimes against the property and persons, remains high. Apart from a low proportion who have either just witnessed or did not go to school at all, it is seen that the harmful substance addiction is present almost among the children of any status.

Among the children that were brought to the Gendarmerie Child Center at both rural areas: 62 % of them were male and remaining, 38 %, however, female.

A great proportion of these children were between ages of 12-15. The figure that shows a sharp decline at the age of 16 and also decreases at the ages of 17 and 18. Since there are no sound data, it has not been possible to determine the fate of the children at this group. It is estimated that a considerable proportion moved into the city center and lived there, either on their own or with a group of friends or within a group of criminals.

⁴ The data that are related to the incidences, determined by the police, have been assessed by taken advantage of various media organizations. In return to this, the data, related to the activities of the Gendarmerie, are only related to two small rural areas and they have been the data, taken directly.

The regions from which the families of these children have migrated to Istanbul: 28 % of the families come were migrated to Istanbul from the Black Sea Region, 24 % from the Eastern Anatolian Region and 12 % from the Marmara Region.

Another point that attracts attention is that among the children who committed no migration from the Aegean Region to the rural areas of Istanbul is seen.

Another interesting point in this respect is that although there is more excessive migration from the South-Eastern Region of Anatolia to Istanbul, these families settle at the city center and their children prefer the streets at the city center.

The proportions of the crimes, alleged to have been committed by these children, are as follows: 65 % theft, 12 % injury to the person and remaining percent other crimes.

A great proportion of the children i.e. 44 % are the primary education students and 14 % have never attended any school. These proportions are very serious and provoking.

56 % of these children live at the street or covered locations. These children whose employment or work is legally prohibited. They are made to work by their families or by the criminal organizations. The average daily working time is intensified between 9-12 hours and shows a serious misuses of child labor. The working conditions are very inconvenient and cannot be compared with the conditions in the Western countries.

22 % of the children, who were brought into these two centers of the Gendarmerie, revealed that the family violence was present in their families, and 19 % however, confessed that they have been personally subject to physical violence within their own families.

It is determined that 34 % of these children have deserted their houses at least once, and that 55 % of these children, who deserted their houses, tried this again. Economical reasons play an important role in the desertion of their houses, but the primary cause of this desertion is the problems in the family.

Research related to the fact as to where the children, who deserted their houses, live after their desertion, indicates that 52 % of these children live in the street. The remaining 48 %, however, are estimated to

live in the common locations that are provided by the criminal organizations, social care institutions at the end of the interventions of the official authorities, and a small proportion of them, however, live with relatives and friends and some have fallen into the hands of the organ mafia.

When the police and gendarmerie areas are taken into consideration jointly as it is done in the news, it is indicated that there is an approximate number of 35.000 street children in Istanbul. It was estimated that 20.000-25.000 of them are harmful substance or drug addicts, and substantial majority of the same group is used by the terror and economical crime organizations. Although the figures are based on estimation, the deviation shares in the figures and various numbers of bag or purse-snatching events, experienced for the last 3 years and most of the time, ended up with death or injury, show that the problem of the street children at the city of Istanbul have already reached a frightening dimension. The point that we especially wish to indicate herein is that only some of the purse-snatching incidences that are reflected the media are carried out by children; the other part is realized by adults.

Children have generally commit crimes the same as adults, more than once, and pick up the woman as their victims at great proportions for the offenses such as theft and plundering⁵.

A great proportion of the children, dealt by the police, was those, who are employed by force at an early age or dragged into the prostitution⁶. Therefore, they either use forged identities or grow their age by a court decision.

Theft is committed by the children at the city center and intervened by the police is an important proportion, the plundering, snatching, injury to the person and fighting offenses are much higher in comparison with the rural areas. Theft committed at the city center mostly by the less than 12 year-old girls, validates the determinations indicating that the organized criminal organizations use these children because the criminal capacity age is 12.

⁵ See the National Daily, Sabah of February 26, 2005, p.20 for detailed information.

⁶ The number of children, who become subject to sexual abuse and forcefully employed at young age, is at a high rate in Turkey in general. According to a statement, it has been determined that an approximate number of 5000 children have been subject to sexual abuse and 85 % of these children were girls. (See the Daily, Sabah, of July 16, 2004, p.4) See the National Daily, Sabah, of July 28, 2004, p.4 for detailed data of the crimes, committed by the children.

VI. Important Causes of the Street Children Problem

The most influential factor is the economical cause. The level of education also reveals itself as an important problem as well. However, the children with good economic standing, but poor education, desert their family and take refuge in the street much rarely. Thus the education must be given necessary importance. However, the main point that must be paid attention to are the economic problems that show structural differences with the street children in the Western countries.

Likewise, the children are hired from the families and taken to Istanbul. It is determined that an amount of 150-200 dollars are paid to the family per child⁷.

These children are sheltered by the economic crime organization in specific areas of Istanbul and provided training for committing various crimes besides terror according to their abilities⁸. As a matter of fact, the number of children, gathered within these organizations is pretty excessive and they are organized after having gone through a tough training process in the terror organizations. For instance, it was determined that 30 different gangs were born from a criminal organization that collapsed with the intervention of the police in Istanbul⁹. Such that when a child, who is a member of these groups, is caught up, one or more attorneys arrive in the scene of event in a considerably short period.

Migration is effected as a result of economical problems, blood feud, terror and good living opportunity are the most important reasons in this respect.

A large number of the families with poor economic conditions force their children who are below the age of criminal responsibility, to bring them money¹⁰. Researches show that a number of children are pushed into the street by their own families and become a drug addict by the pressure of their friends¹¹.

The problems in the family are a very important factor for pushing the children into the street and making them commit crime.

⁷ See *Hürriyet*, National Daily-Pazar (Sunday) Supplement of March 13, 2005, p.9.

⁸ See *Hürriyet*, National Daily-Pazar (Sunday) Supplement of November 28, 2004, p.17.

⁹ See *Hürriyet*, National Daily-Pazar (Sunday) Supplement of March 13, 2005, p.9.

¹⁰ See *Hürriyet*, National Daily-Pazar (Sunday) Supplement of February 14, 2005, p.18.

¹¹ See *Hürriyet*, National Daily-Human Resources Supplement of March 13, 2005, p.3.

On the other hand, the educational status is an important factor as well in this respect.

Taking shelter, prevention from cold and food problem pushes the child and sometimes his family too to deal with narcotics and prostitution.

Breaking up of large family structure because of the technological developments and intense population at the city diminish the social control mechanisms¹².

Since the majority of the children are released without doing anything to them after the first intervention of the police and gendarmerie, they become more professional from day to day and commit crimes and making their living out of crime in the street.

On the other hand, the low number of police serving in Istanbul is another reason for this problem¹³.

The loop holes in the law on children and other legal insufficiencies of the measures applicable to children, encourage those, who want to use these children.

VII. Activities, Carried Out by the Police and the Gendarmerie

A "Children Branch" is established in the Police Directorate of Istanbul and the policemen working at this section especially work for the rehabilitation of the street children and try to bring them back into the society as law-abiding citizens. Those children, who are drug- or other harmful substance-addicts are treated in health units and the others, who have no place to shelter, are provided necessary shelters by the help of the Social Services Department as well as by the Child Protection Institution¹⁴. The number of children, who are provided help with remains low in comparison with the number of the current street children, however, the works done seem to be important.

Currently, important points of the city of Istanbul is monitored and checked from a single center by a new system, which was set up by the Police and is called MOBESE¹⁵. A great part of the city is monitored by

¹² See *Hürriyet*, National Daily-Pazar (Sunday) Supplement of February 13, 2005; p.10.

¹³ See *Hürriyet*, National Daily-Pazar (Sunday) Supplement of March 13, 2005, p.8.

¹⁴ See *Sabah*, National Daily-Aktüel Pazar (Sunday) Supplement of July 11, 2004, p.13.

¹⁵ See *Hürriyet*, National Daily-Human Resources Supplement of March 13, 2005, p.3.

cameras for 24 hours of the day for purse snatching. This provides opportunity to intervene to such events immediately and then, make it easy to catch the perpetrators and help the victims accordingly.

The police, social service authorities and gendarmerie try to solve the problem by providing shelter to the offenders. It is observed that both organizations are successful to some extent.

Private security units control specific shopping centers and collaborate with the police to this end.

VIII. Conclusion

Both the child and family members must be provided with maximum education opportunities.

Necessary works have to be done to solve the economical problems and alternative must be developed to prevent migration.

Serious intervention has to be made against any sexual and physical abuse against children. All official institutions in this connection have to be inspected seriously by taking the increase in sexual and physical abuse against the children into consideration especially at the official dormitories or social care institutions, and in case of the persistence of violations in this directions, necessary measures have to be put into force.

Necessary struggle has to be made against the use of the child labor and deterrent measures in the law must put into practice. In this context, the insufficiencies related to the protection of the children in the penal law norms have to be completed and more importantly, they have to be put in force fully and completely.

Necessary serious struggle must be made with the organized criminal organizations. In addition to the terror and narcotics fields, the use of children in prostitutions, economic crimes and other fields that are in violation with the law has to be prevented.

Besides the social care units the foster family system must be used effectively by thoroughly inspecting them.

It is not realistic to expect only the police and gendarmerie to solve the problem. In addition to the other official institutions of the govern-

ment, non-governmental organizations should also provide help to solve the problem.

Family advice centers, organizations and systems of the support of the family and sound planning of the population increase will contribute to the solution of the problem.

It will not be realistic to expect the solution only from the provisions of the penal law or other legal norms. The law and especially criminal law may function here only to a limited extent. However, this function should be taken into consideration as a final remedy as well as a complementary-supporting function.

An educational program that will help the children to keep away from the street has to be provided to the children especially by taking advantage of the educational institutions, media, child centers and other means in this context without making any discrimination among the children, who have committed a crime and who are victims of a crime or who have not committed a crime and this has to be supported by other alternatives.

After the providing of services for the street children, a street child is not followed up in his/her daily life and paid no attention unless he/she is involved in a new crime. Whereas it is necessary to follow up the situations of these children at specific intervals.

Special importance has to be given for the rehabilitation of the children at prisons, and the "*diversion*" system, currently available at the Western countries, should be put into practice in the near future.

Whether blood feud or other modes of crimes necessary efforts are not made for the determination of the organizers behind the scene that use the children in criminal offences. This erroneous practice must be changed and the individuals or groups using the children must be prosecuted.

Whether the modes of the street children acts are individual, or as an accomplice or within an organized crime group, it should be paid attention to the fact that the problem is not only legal. Therefore, all other social and technical opportunities should be taken advantage of besides the instrument of law. Undoubtedly, first of all a serious child policy must be formed up and in my opinion, it is inevitable for all countries to carry out a joint effort at this point.