# Chapter 7.
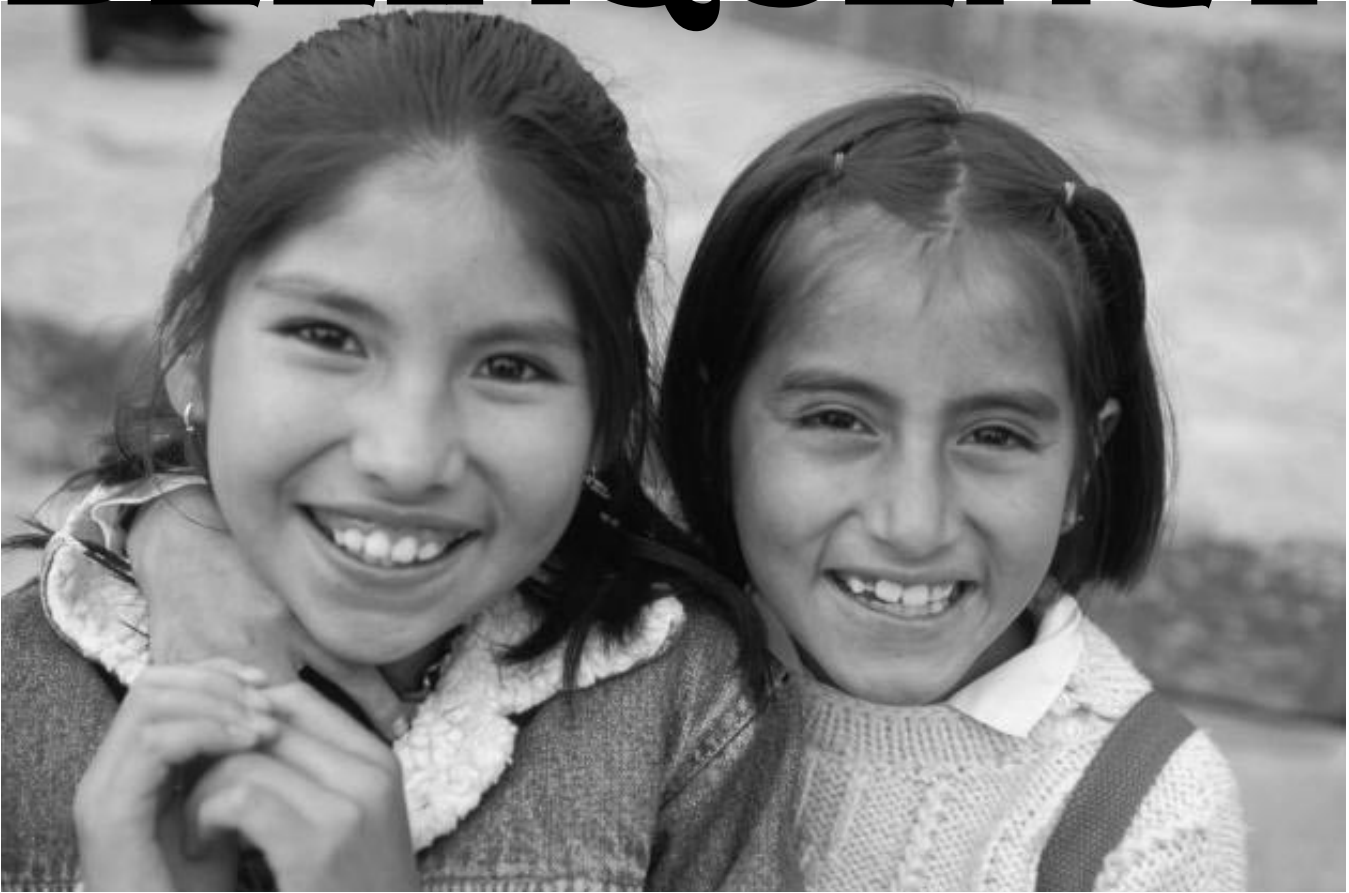# *Juvenile*
# DELINQUENCY

***Delinquent and criminal behaviour*** among *young people, as they negotiate the transition from childhood to adulthood in an increasingly complex and confusing world, is the issue that this chapter first examines. Some basic assumptions relating to delinquent behaviour are presented, followed by a description of the various factors underlying or contributing to this phenomenon. Some regional variations are highlighted. Effective approaches and measures for preventing juvenile delinquency are detailed, with particular attention given to the development of educational, professional development and community programmes, improvements in family relations and parenting skills, and the value of restorative justice for both perpetrators and victims. The chapter concludes with a summary and recommendations for future action.*

## INTRODUCTION

For many young people today, traditional patterns guiding the relationships and transitions between family, school and work are being challenged. Social relations that ensure a smooth process of socialization are collapsing; lifestyle trajectories are becoming more varied and less predictable. The restructuring of the labour market, the extension of the maturity gap (the period of dependence of young adults on the family) and, arguably, the more limited opportunities to become an independent adult are all changes influencing relationships with family and friends, educational opportunities and choices, labour market participation, leisure activities and lifestyles. It is not only developed countries that are facing this situation; in developing countries as well there are new pressures on young people undergoing the transition from childhood to independence. Rapid population growth, the unavailability of housing and support services, poverty, unemployment and underemployment among youth, the decline in the authority of local communities, overcrowding in poor urban areas, the disintegration of the family, and ineffective educational systems are some of the pressures young people must deal with.

Youth nowadays, regardless of gender, social origin or country of residence, are subject to individual risks but are also being presented with new individual opportunities—some beneficial and some potentially harmful. Quite often, advantage is being taken of illegal opportunities as young people commit various offences, become addicted to drugs, and use violence against their peers.

Statistical data indicate that in virtually all parts of the world, with the exception of the United States, rates of youth crime rose in the 1990s. In Western Europe, one of the few regions for which data are available, arrests of juvenile delinquents and under-age offenders increased by an average of around 50 per cent between the mid-1980s and the late 1990s. The countries in transition have also witnessed a dramatic rise in delinquency rates; since 1995, juvenile crime levels in many countries in Eastern Europe and the Commonwealth of Independent States have increased by more than 30 per cent. Many of the criminal offences are related to drug abuse and excessive alcohol use.

The majority of studies and programmes dealing with juvenile delinquency focus on youth as offenders. However, adolescents are also victims of criminal or delinquent acts. The continuous threat of victimization is having a serious impact on the socialization of young men and on their internalization of the norms and values of the larger society. According to data on crimes registered by the police, more than 80 per cent of all violent incidents are not reported by the victims. Information about the victims allows conclusions to be drawn about the offenders as well. Results of self-report studies indicate that an overwhelming majority of those who participate in violence against young people are about the same age and gender as their victims; in most cases the offenders are males acting in groups.[1] Those most likely to be on the receiving end of violence are between the ages of 16 and 19, with 91 in every 1,000 in this group becoming victims of some form of crime. Surveys have shown that men are more likely than women to become victims. In the United States, 105 in every 1,000 men become crime victims, compared with 80 per 1,000 women. Men are 2.5 times more likely to be victims of aggravated assault. Older people are less often affected; as mentioned, crimes are usually committed by representatives of the same age groups to which the victims belong.

Young people who are at risk of becoming delinquent often live in difficult circumstances.[2] Children who for various reasons—including parental alcoholism, poverty, breakdown of the family, overcrowding, abusive conditions in the home, the growing HIV/AIDS scourge, or the death of parents during armed conflicts—are orphans or unaccompanied and are without the means of subsistence, housing and other basic necessities are at greatest risk of falling into juvenile delinquency. The number of children in especially difficult circumstances is estimated to have increased from 80 million to 150 million between 1992 and 2000.[3]

The problem of juvenile delinquency is becoming more complicated and universal, and crime prevention programmes are either unequipped to deal with the present realities or do not exist. Many developing countries have done little or nothing to deal with these problems, and international programmes are obviously insufficient. Developed countries are engaged in activities aimed at juvenile crime prevention, but the overall effect of these programmes is rather weak because the mechanisms in place are often inadequate to address the existing situation.

On the whole, current efforts to fight juvenile delinquency are characterized by the lack of systematic action and the absence of task-oriented and effective social work with both offenders and victims, whether real or potential. Analysis is further complicated by a lack of international comparative data.

# BASIC ASSUMPTIONS OF DELINQUENT BEHAVIOUR

It is impossible to develop effective prevention programmes without understanding the reasons behind juvenile involvement in criminal activity. Different approaches are used in scientific and practical literature on juvenile crime and violence to define and explain delinquent behaviour by young people. To criminologists, juvenile delinquency encompasses all public wrongs committed by young people between the ages of 12

and 20. Sociologists view the concept more broadly, believing that it covers a multitude of different violations of legal and social norms, from minor offences to serious crimes, committed by juveniles. Included under the umbrella of juvenile delinquency are status offences, so called because they are closely connected with the age status of an offender; a particular action or behaviour is considered a violation of the law only if it is committed by a juvenile (examples include truancy and running away). In an attempt to explain the theoretical underpinnings of delinquency, sociologists associate the specifics of youth behaviour with the home, family, neighbourhood, peers and many other variables that together or separately influence the formation of young people's social environment.

Antisocial behaviour may be a normal part of growing up or the beginning of a long-term pattern of criminal activity. The United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) assert that "youthful behaviour or conduct that does not conform to overall social norms and values is often part of the maturation and growth process and tends to disappear spontaneously in most individuals with the transition to adulthood"; a great majority of young people commit some kind of petty offence at some point during their adolescence without this turning into a criminal career in the long term.[4] While delinquency is a common characteristic of the period and process of becoming an adult, it is very important to note that juveniles often create stable criminal groups with a corresponding subculture and start to engage in the activities of adult criminal groups, in effect choosing delinquent careers.

Statistical data in many countries show that delinquency is largely a group phenomenon; between two-thirds and three-quarters of all juvenile offences are committed by members of various groups. Even those juveniles who commit offences alone are likely to be associated with groups. According to data from the Russian Federation, the rate of criminal activity among juveniles in groups is about three to four times higher than that of adult offenders. Juvenile group crime is most prevalent among 14-year-olds and least prevalent among 17-year-olds. The rates are higher for theft, robbery and rape, and lower for premeditated murder and grievous bodily harm.

Similarities in the basic characteristics of juvenile group behaviour are found in almost every class and cultural context. Juvenile peer groups are noted for their high levels of social cohesiveness, hierarchical organization, and a certain code of behaviour based on the rejection of adult values and experience. The subcultural aspect of juvenile group activities is rarely given the attention it deserves. Different juvenile groups adopt what amounts to a heterogeneous mix, or synthesis, of predominant (class-based) values, which are spread by the entertainment industry, and intergenerational (group-based) values, which are native to the family or neighbourhood. Subcultures can be defined as particular lifestyle systems that are developed in groups and are in structurally subordinate positions as a result of pressure exerted by the predominant systems.

Subcultures reflect individual and group attempts to solve structural contradictions. One of the most important aspects of subcultures is that they form patterns of behaviour that have substantial symbolic value for the individuals involved. At present there are various subcultures in which deviant behaviour and violence play an

important role. Some groups and subcultures tend to use violence as a means of solving interpersonal conflicts, and the atmosphere thus created is an important mediating factor contributing to delinquent or criminal behaviour. This might even be referred to as a subculture of violence, in which aggression is considered an acceptable and even preferable and courageous approach to problem-solving.

Those most likely to participate in delinquent activities are members of territorial gangs. According to statistical evidence, they commit three times as many crimes as juveniles and youths who are not gang members. Studies reveal that the most frequent offences committed by gang members are fighting, street extortion and school violence.

The fact that juvenile groups always exist in local communities must be taken into consideration. A community is defined by the similar social characteristics of its residents, such as membership in a social class or ethnic group. Urban neighbourhood communities provide their members with a certain everyday social comfort at the local level. Under conditions of social diversity and urban growth these neighbourhood units, like rural communities, are able to balance the social interests of the groups they contain.

Membership in juvenile groups is sometimes an essential element of socialization. Several studies have shown the possibility of establishing connections between delinquent groups and other social institutions—a "symbiosis" in which gangs can, for instance, work to satisfy any of a community's needs.[5] As mentioned earlier, in many cases juvenile delinquent groups are also the entry point to adult organized crime.

Available data show that delinquency and crime have strong gender associations. Police records indicate that the crime rates of male juvenile and male young adult offenders are more than double those of young females, and conviction rates are six or seven times higher. The number of male juvenile suspects for every 100,000 members of the designated age group is more than six times the corresponding figure for females; for those in the youth category the male-female suspect ratio is even higher, at 12.5 to 1.[6] There are a number of reasons why more young men than young women are involved in violent or criminal behaviour. Various restrictive and stimulative factors encourage women to conform to social norms that do not apply to men, one example being the fear of sexual assault. Girls are subject to stronger family control than are boys. Cultural concepts are such that society at large is less tolerant of deviant behaviour among young women than among young men. In addition, aggression and violence play an important role in the construction of masculinity and sexuality in patriarchal societies, the primary objective being to reinforce and maintain the status and authoritative position of men. The male perception of violence can be minimized, forgiven, denied or justified. Men often do not consider such acts as verbal or sexual insults[7] to constitute violent behaviour.

There are cultures in which the dominant type of masculinity is more or less openly directed towards violent confrontation, domination and control.[8] In other cultures the socialization of young males towards hegemonic masculinity is not attached

to norms of physical prowess, hard work and a readiness to fight. For both boys and girls, the street gang is an ideal context for "doing gender" (establishing gender differences). Consequently, girls who are gang members are not simply passive recipients of "patriarchy" but active participants in the construction of gender relations.

The peer group plays an important part in the construction of gender roles and relations, including delinquent behaviour. Youth gangs reflect the gender-based power relations in society and the related discourse and practices by which they are reproduced. Consequently, differences in male and female behaviour in this context are partly a product of the social construction of gendered dominance and subordination in gang arrangements.

# CAUSES OF AND CONDITIONS FOR THE FORMATION OF DELINQUENT TRAJECTORIES

The intensity and severity of juvenile offences are generally determined by the social, economic and cultural conditions prevailing in a country. There is evidence of a universal increase in juvenile crime taking place concurrently with economic decline, especially in the poor districts of large cities. In many cases street children later become young offenders, having already encountered violence in their immediate social environment as either witnesses or victims of violent acts. The educational attainments of this group are rather low as a rule, basic social experience acquired in the family is too often insufficient, and the socio-economic environment is determined by poverty and under- or unemployment.[9]

The causes of and conditions for juvenile crime are usually found at each level of the social structure, including society as a whole, social institutions, social groups and organizations, and interpersonal relations. Juveniles' choice of delinquent careers and the consequent perpetuation of delinquency are fostered by a wide range of factors, the most important of which are described below.

## Economic and social factors

Juvenile delinquency is driven by the negative consequences of social and economic development, in particular economic crises, political instability, and the weakening of major institutions (including the State, systems of public education and public assistance, and the family). Socio-economic instability is often linked to persistent unemployment and low incomes among the young, which can increase the likelihood of their involvement in criminal activity.

## Cultural factors

Delinquent behaviour often occurs in social settings in which the norms for acceptable behaviour have broken down. Under such circumstances many of the common rules that deter people from committing socially unacceptable acts may lose their relevance for some members of society. They respond to the traumatizing and destructive changes in the social reality by engaging in rebellious, deviant or even criminal activities. An example of such a setting would be the modernization of traditional societies and the accompanying changes wrought by the application of

new technologies; shifts of this magnitude affect the types and organization of labour activity, social characteristics, lifestyles and living arrangements, and these changes, in turn, affect authority structures, forms of obedience, and modes of political participation—even going so far as to influence perceptions of reality.

In both developed and developing countries, consumer standards created by the media are considerably beyond the capacity of most families to achieve. Nevertheless, these ideals become a virtual reality for many young people, some of whom will go to great lengths to maintain a lifestyle they cannot afford. Because not all population groups have access to the necessary resources, including education, professional training, satisfactory employment and income, health services, and adequate housing, there are those who are unable to achieve their goals by legal means. The contradiction between idealized and socially approved goals and the sometimes limited real-life opportunities to achieve them legally creates a sense of frustration in many young people. A criminal career becomes one form of addressing this contradiction. One of the reasons for delinquent behaviour is therefore an excessive focus on proposed goals (achieving success) coupled with insufficient means to achieve them.

The likelihood of deviant acts occurring in this context depends in many respects not only on the unavailability of legal opportunities but also on the level of access to illegal opportunities. Some juveniles, cognizant of the limitations imposed by legal behaviour, come under the influence of adult criminals. Many young people retreat into the confines of their own groups and resort to drug use for psychological or emotional escape. The use of alcohol and illegal drugs by juveniles is one cause of delinquency, as they are often compelled to commit crimes (usually theft) to obtain the cash needed to support their substance use.

## Urbanization

Geographical analysis suggests that countries with more urbanized populations have higher registered crime rates than do those with strong rural lifestyles and communities. This may be attributable to the differences in social control and social cohesion. Rural groupings rely mainly on family and community control as a means of dealing with antisocial behaviour and exhibit markedly lower crime rates. Urban industrialized societies tend to resort to formal legal and judicial measures, an impersonal approach that appears to be linked to higher crime rates. Cultural and institutional differences are such that responses to the same offence may vary widely from one country to another.

The ongoing process of urbanization in developing countries is contributing to juvenile involvement in criminal behaviour. The basic features of the urban environment foster the development of new forms of social behaviour deriving mainly from the weakening of primary social relations and control, increasing reliance on the media at the expense of informal communication, and the tendency towards anonymity. These patterns are generated by the higher population density, degree of heterogeneity, and numbers of people found in urban contexts.

## Family

Studies show that children who receive adequate parental supervision are less likely to engage in criminal activities. Dysfunctional family settings—characterized by conflict, inadequate parental control, weak internal linkages and integration, and premature autonomy—are closely associated with juvenile delinquency. Children in disadvantaged families that have few opportunities for legitimate employment and face a higher risk of social exclusion are overrepresented among offenders. The plight of ethnic minorities and migrants, including displaced persons and refugees in certain parts of the world, is especially distressing. The countries in transition are facing particular challenges in this respect, with the associated insecurity and turmoil contributing to an increase in the numbers of children and juveniles neglected by their parents and suffering abuse and violence at home.

The family as a social institution is currently undergoing substantial changes; its form is diversifying with, for example, the increase in one-parent families and non-marital unions. The absence of fathers in many low-income families can lead boys to seek patterns of masculinity in delinquent groups of peers. These groups in many respects substitute for the family, define male roles, and contribute to the acquisition of such attributes as cruelty, strength, excitability and anxiety.

The importance of family well-being is becoming increasingly recognized. Success in school depends greatly on whether parents have the capacity to provide their children with "starting" opportunities (including the resources to buy books and manuals and pay for studies). Adolescents from low-income families often feel excluded. To raise their self-esteem and improve their status they may choose to join a juvenile delinquent group. These groups provide equal opportunities to everyone, favourably distinguishing themselves from school and family, where positions of authority are occupied by adults.

When young people are exposed to the influence of adult offenders they have the opportunity to study delinquent behaviour, and the possibility of their engaging in adult crime becomes more real. The "criminalization" of the family also has an impact on the choice of delinquent trajectories. A study carried out in prisons in the United States reveals that families involved in criminal activities tend to push their younger members towards violating the law. More than two-thirds of those interviewed had relatives who were incarcerated; for 25 per cent it was a father and for another 25 per cent a brother or sister.

## Migration

Because immigrants often exist in the margins of society and the economy and have little chance of success in the framework of the existing legal order, they often seek comfort in their own environment and culture. Differences in norms and values and the varying degrees of acceptability of some acts in different ethnic subcultures result in cultural conflicts, which are one of the main sources of criminal behaviour. Native urban populations tend to perceive immigrants as obvious deviants.

## The media

Television and movies have popularized the "cult of heroes", which promotes justice through the physical elimination of enemies. Many researchers have concluded that young people who watch violence tend to behave more aggressively or violently, particularly when provoked. This is mainly characteristic of 8- to 12-year-old boys, who are more vulnerable to such influences. Media bring an individual to violence in three ways. First, movies that demonstrate violent acts excite spectators, and the aggressive energy can then be transferred to everyday life, pushing an individual to engage in physical activity on the streets. This type of influence is temporary, lasting from several hours to several days. Second, television can portray ordinary daily violence committed by parents or peers (the imposition of penalties for failing to study or for violations of certain rules or norms of conduct). It is impossible to find television shows that do not portray such patterns of violence, because viewer approval of this type of programming has ensured its perpetuation. As a result, children are continually exposed to the use of violence in different situations—and the number of violent acts on television appears to be increasing. Third, violence depicted in the media is unreal and has a surrealistic quality; wounds bleed less, and the real pain and agony resulting from violent actions are very rarely shown, so the consequences of violent behaviour often seem negligible. Over time, television causes a shift in the system of human values and indirectly leads children to view violence as a desirable and even courageous way of reestablishing justice. The American Psychological Association has reviewed the evidence and has concluded that television violence accounts for about 10 per cent of aggressive behaviour among children.[10]

## Exclusion

The growing gap between rich and poor has led to the emergence of "unwanted others". The exclusion of some people is gradually increasing with the accumulation of obstacles, ruptured social ties, unemployment and identity crises. Welfare systems that have provided relief but have not eliminated the humble socio-economic position of certain groups, together with the increased dependence of low-income families on social security services, have contributed to the development of a "new poor" class in many places.

The symbolic exclusion from society of juveniles who have committed even minor offences has important implications for the development of delinquent careers. Studies show that the act of labelling may lead to the self-adoption of a delinquent image, which later results in delinquent activity.

## Peer influence

Youth policies seldom reflect an understanding of the role of the peer group as an institution of socialization. Membership in a delinquent gang, like membership in any other natural grouping, can be part of the process of becoming an adult. Through such primary associations, an individual acquires a sense of safety and security, develops a knowledge of social interaction, and can demonstrate such qualities as loyalty or leadership. In "adult" society, factors such as social status, private welfare, race and ethnicity are of great value; however, all members of adolescent groups are essentially in an equal position and have similar opportunities for advance-

ment in the hierarchical structure. In these groups well-being depends wholly on personal qualities such as strength, will and discipline. Quite often delinquent groups can counterbalance or compensate for the imperfections of family and school. A number of studies have shown that juvenile gang members consider their group a family. For adolescents constantly facing violence, belonging to a gang can provide protection within the neighbourhood. In some areas those who are not involved in gangs continually face the threat of assault, oppression, harassment or extortion on the street or at school. As one juvenile from the Russian Federation said, "I became involved in a gang when I was in the eighth form (about 13 years old), but I joined it only when I was in the tenth (at 15 years of age). I had a girlfriend and I feared for her, and the gang was able to provide for her safety."[11]

## Delinquent identities

In identifying the causes of criminal behaviour, it is important to determine which factors contribute to a delinquent identity and why some adolescents who adopt a delinquent image do not discard that image in the process of becoming an adult. Delinquent identity is quite complex and is, in fact, an overlay of several identities linked to delinquency itself and to a person's ethnicity, race, class and gender. Delinquent identity is always constructed as an alternative to the conventional identity of the larger society. Violence and conflict are necessary elements in the construction of group and delinquent identities. The foundations of group identity and activity are established and strengthened through the maintenance of conflict relations with other juvenile groups and society as a whole. Violence serves the function of integrating members into a group, reinforcing their sense of identity, and thereby hastening the process of group adaptation to the local environment.

Other factors that may provide motivation for joining a gang are the possibilities of economic and social advancement. In many sociocultural contexts the delinquent way of life has been romanticized to a certain degree, and joining a gang is one of the few channels of social mobility available for disadvantaged youth. According to one opinion, urban youth gangs have a stabilizing effect on communities characterized by a lack of economic and social opportunities.

## Offenders and victims

Criminal activity is strongly associated with a victim's behaviour. A victim's reaction can sometimes provoke an offender; however, "appropriate" behaviour may prevent a criminal act or at least minimize its impact. According to scientific literature, the likelihood of becoming a victim is related to the characteristics or qualities of a person, a social role or a social situation that provoke or facilitate criminal behaviour; personal characteristics such as individual or family status, financial prosperity, and safety, as well as logistical characteristics such as the time and place in which a confrontation occurs, can also determine the extent of victimization.

People may become accidental victims, as assault is often preceded by heated discussion. According to the classification of psychological types there are three typical adolescent victims of violence: accidental victims; people disposed to become victims; and "inborn" victims.[12] Studies have shown that in the majority of cases that

result in bodily harm, the offender and his victim are acquainted with one another and may be spouses, relatives or friends; this is true for 80 per cent of murders and 70 per cent of sexual crimes.[13]

# SOME REGIONAL ASPECTS OF DELINQUENCY

While certain aspects of juvenile delinquency are universal, others vary from one region to another. As a rule, cultural contexts are important in understanding the causes of juvenile delinquency and developing culturally appropriate measures to deal with it.

In Africa, delinquency tends to be attributed primarily to hunger, poverty, malnutrition and unemployment, which are linked to the marginalization of juveniles in the already severely disadvantaged segments of society. As a result of rapid population growth, young people in Africa will soon constitute two-thirds of the region's population. Every year about 790,000 people enter the labour market, while the economy generates fewer than 60,000 jobs. One half of all households in Africa are living in poverty. Many of the urban poor live in slum and squatter settlements with overcrowded, unhealthy housing and a lack of basic services. It is here that the majority of urban youth and children live.[14] One of the most serious problems is the great number of street and orphaned children, whose numbers have been growing as a result of continuous and multiple armed conflicts, the advent of HIV/AIDS, and the breakdown of a centuries-old way of living and social structure. Juvenile crime and delinquency are on the rise, a trend also linked to the rapid and dramatic social, political and economic changes that have taken place in Africa in recent decades. The principal offences committed by young people are theft, robbery, smuggling, prostitution, the abuse of narcotic substances, and drug trafficking.[15]

In Asian countries, juvenile crime and delinquency are largely urban phenomena. Statistically, as is true elsewhere, young people constitute the most criminally active segment of the population. The most noticeable trends in the region are the rise in the number of violent acts committed by young people, the increase in drug-related offences, and the marked growth in female juvenile delinquency.[16] The financial crisis that hit some countries in East and South-East Asia in the late 1990s created economic stagnation and contraction, leading to large-scale youth unemployment. For millions of young people, this meant a loss of identity and the opportunity for self-actualization.[17]

Some countries are facing great difficulty because they are located near or within the "Golden Crescent" or the "Golden Triangle", two major narcotics-producing areas of Asia. Traffickers actively involve adolescents and youth in serving this industry, and many of them become addicted to drugs because of their low prices and easy availability.[18] Another major problem is human trafficking.

In Latin America, the young have been the hardest hit by the economic problems linked to the debt crisis in the region, evidenced by the extremely high unemployment rates prevailing within this group. Juvenile delinquency is particularly acute and is often associated with the problem of homelessness among children and adolescents.

In the Arab world, the problems associated with juvenile delinquency vary from one country to another. Some countries have experienced socio-economic difficulties, while others have become prosperous. In the latter group, delinquency may occur in connection with migrants seeking employment, or may be linked to factors such as continued urbanization, sudden affluence, rapidly changes in the economy, and the increasing heterogeneity of the population. The conflict between tradi-tional Arab-Islamic values and newer, often imported values appears to be a common problem throughout the region.

In the industrialized countries, increased prosperity and the availability of a growing range of consumer goods have led to increased opportunities for juvenile crime, including theft, vandalism and the destruction of property. With the social changes that have occurred over the past few decades, the extended family has been replaced by the nuclear family as the primary kinship group. The informal traditional control exercised by adults (including parents, relatives and teachers) over young people has gradually declined, and adequate substitutes have not been provided. Lack or insufficiency of parental supervision is one of the strongest predictors of delinquency. The contemporary Western family structure constitutes one of the most important factors associated with the increase in juvenile delinquency in the past 50 years.[19]

The sharpest increase in the rate of juvenile violence in most Western European countries occurred in the mid-1980s or early 1990s. In some countries, the official figures rose between 50 and 100 per cent. In England and Wales, for example, approximately 360 of every 100,000 youths aged 14-16 years were "convicted or cautioned by the police" for violent crimes in 1986; by 1994, that figure had increased to approximately 580 per 100,000. In Western Germany in 1984, the number of 14- to 18-year-olds suspected of violent crimes was approximately 300 per 100,000; by 1995, that figure had more than doubled to approximately 760 per 100,000. Rates in the former East Germany were 60 to 80 per cent higher. The results of a number of studies indicated that the victims of violent crimes committed by juveniles were mostly other juveniles. For example, in the Netherlands in 1995, young people 15-17 years of age were four times more likely than adults (25 years or older) to be the victims of assault. It must be noted that in most countries the crime rate among adults has either remained stable over the years or increased moderately. In no country has the increase in the adult crime rate paralleled that of juveniles. Thus, the rise in violent crime among juveniles derives only partially from overall crime trends.[20]

Within developed countries there are groups of impoverished and needy people suffering from relative deprivation. In recent years some countries have reduced their social services, placing the weakest strata of the population in an even more vulnerable position. Poverty has increased, and the problems of homelessness and unemployment have reached alarming dimensions.[21] In most EU countries the rise in juvenile crime has corresponded to observed increases in poverty and unemployment rates among vulnerable groups.

The overall crisis in Eastern Europe and the Commonwealth of Independent States deriving from the transition to market-based economies has contributed to an increased tendency towards criminal behaviour, owing mainly to the weakening of the primary institutions of socialization (the family, the public education system,

recreation services, work collectives and the informal peer environment) and to personal alienation. Juvenile delinquency in the region is most often related to the unemployment of both young people and parents, poverty in the family, or pressures on overworked parents to successfully maintain the traditional guardianship of children. These challenges and other socio-economic pressures have intensified in the past decade, affecting the behaviour of children and youth. The impact of pathological behaviours in the family, educational negligence, negative patterns of conduct conveyed by parents or guardians, and the lack of leisure alternatives is also considerable. In Slovakia, only about 8 per cent of young people are members of youth associations. There may be a reluctance to join such groups, in which participation was virtually mandatory under past regimes.[22]

In the major countries of Eastern Europe and the former Soviet Union, the number of mothers and fathers deprived of their parental rights is increasing every year. These individuals are predominantly alcoholics, drug addicts and people who have demonstrated antisocial behaviour. Unemployment, low family income and parental irresponsibility are the main factors contributing to juvenile delinquency in many parts of this region. Children experience suffering and humiliation; they may be involved in theft or other offences, and some are forced to earn an income through prostitution. In many countries of the former Soviet Union, the collapse of public educational organizations has undermined efforts to prevent juvenile delinquency. For most adolescents there are no opportunities for involvement in associations or clubs. Many social services in the region have been eliminated during the transition period, and those still operating face chronic financial problems. The low wages paid to social service employees give them little incentive to work with adolescents. Alienated from society, young people often become involved in delinquent groups.

# PREVENTING JUVENILE DELINQUENCY

Violence against children endangers their fundamental human rights. It is therefore imperative to convince individuals and institutions to commit the time, money, expertise and other resources needed to address this global problem.[23] A number of United Nations instruments reflect a preference for social rather than judicial approaches to controlling juvenile delinquency. The Riyadh Guidelines assert that the prevention of juvenile delinquency is an essential part of overall crime prevention in society,[24] and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) recommend instituting positive measures to strengthen a juvenile's overall well-being and reduce the need for State intervention.

It is widely believed that early-phase intervention represents the best approach to preventing juvenile delinquency. Prevention requires individual, group and organizational efforts aimed at keeping adolescents from breaking the law. Various countries use different methods to discourage delinquent and criminal behaviour. Some focus on punitive prevention intended to frighten potential offenders by making sure they understand the possibility of severe punishment, or action may be taken to prevent recurrent crime, which includes explaining the negative aspects of an offence to a delinquent and attempting to reconcile offenders and their victims.

Early preventive work is being carried out in several areas. Some of the most promising approaches, programmes and initiatives are described in some detail below.

Within the economic sector, professional development programmes are being set up to provide legal alternatives for income generation. Supplying adolescents and young people with increased economic opportunities, professional training and education, new workplaces and assistance in organizing businesses can help prevent youth involvement in delinquent activities.

Educational programmes are helping young people learn how to engage in positive self-appraisal, deal with conflict, and control aggression. The programmes debunk the myth of gang glamour and help young people find alternatives to illegal behaviour.[25] Some work with troubled youth to help them develop the social and cognitive skills necessary to avoid conflict and control aggression. Children raised in strong families, quality schools and healthy communities typically develop these skills as a matter of course. In the United States law-enforcement agencies, schools, local communities and parents of adolescents are involved in these programmes.

Recreation and youth development activities are directly encouraged in the Riyadh Guidelines: "A wide range of recreational facilities and services of particular interest to young persons should be established and made easily accessible to them".[26] In a number of towns in the United States the establishment of basketball programmes for adolescents led to a 60 per cent decrease in crime rates. Researchers at Columbia University in New York City found that having a Boys' or Girls' Club in a public housing project reduced the level of crime by an average of 13 per cent. In Stevenage, a town in the United Kingdom where a large youth centre and playground were built and several youth clubs organized, young people have largely avoided delinquent activities.

Often it is possible to reduce the level of juvenile delinquency by changing an urban environment, altering the physical features through architectural and landscape planning and providing opportunities to engage young people's interest. A research study conducted in a town in the United States revealed that most of the activities of juvenile delinquent groups were concentrated around the town's only park. The layout of the park was redesigned to create many more leisure and recreational alternatives for juveniles and their parents. The number of positive afternoon activities held in schools and parks was also increased. All of these measures led to a considerable reduction in juvenile delinquency; in the United States juvenile crime, including violent offences, peaks at around 3 p.m., generally right after school lets out.[27]

Recently, greater attention has been given to the role and responsibility of local communities in dealing with juvenile delinquency. There are programmes designed to train groups and individual representatives of local communities in which juvenile delinquency has increased to informally control youth and include young people in constructive activities.[28] The idea that young people can and should work in partnership with adults to improve conditions in their communities has gained currency in the past decade. Young people are being asked to sit on boards, submit ideas and support community efforts through structured (sometimes required) volunteering.[29] A promising development in efforts to prevent juvenile delinquency and

crime is the involvement of NGOs and volunteers (students and pensioners, along with well-known and authority figures such as sportsmen, politicians and public figures) in social work with adolescents. Generally, programmes for preventing gang delinquency should endeavour to integrate children and youth into organized group activities. This can be achieved through social service agencies or organizations such as the YMCA, YWCA, Girl Guides and Boy Scouts, as well as independent boys' and girls' clubs and community centres; local government recreational activities also serve this purpose.

Cooperation between various agents of prevention work is becoming increasingly important. Multisectoral prevention initiatives designed and implemented by entire communities are the most effective, in particular those that build on the strengths and interests of youth rather than focusing only on their problems or deficits. In one city in the United States law enforcement officers, human service agency representatives and local citizens forged a partnership to combat crime in 10 high-crime neighbourhoods. The initiative—which included the establishment of new athletic leagues for young people, a youth forum for teens to speak out on community problems, and various other prevention measures—led to a 29 per cent drop in crime in the targeted neighbourhoods and a citywide reduction in violent crime.

Institutional programmes aimed at providing social and psychological support for individuals and groups include camps, group homes, alternative schools and shelters. Provided within this context are educational, behavioural and psychological evaluation and diagnostics; health attention and assignment to medical facilities; individual educational planning; individual, group and parent counselling; and the organization of leisure activities.

The family, as the primary institution of socialization, appears to play the most important role in the prevention of child and juvenile delinquency. The most impressive prevention efforts focus on the families of troubled youth, including those young people with serious behaviour problems. In the United States, when parent management training was provided to the parents of problem children aged 3-8 years, the children fared far better than those in a control group assigned to a waiting list for the programme. Overall, between two-thirds and three-fourths of the children in the programme achieved clinically significant change and returned to a normal range of behavioural functioning.

In this connection special attention must be given to street children and to children and adolescents who have lost their families (or their ties to them) during armed conflicts and have thus had no appropriate family surveillance. The majority of programmes serving street children are remedial in nature, as they operate on an ad-hoc basis, providing food, clothing and occasionally shelter and health services. These initiatives, which provide symptomatic treatment, have to be complemented by programmes that also address the causes of "streetism".

Special programmes are needed to tackle the problem of unaccompanied and homeless children, including rehabilitation schemes that take children off the streets. The United Nations Convention on the Rights of the Child provides a framework for improving the living conditions of children, focusing on the following four broad areas:

- *Survival rights.* Articles 6.1, 6.2 and 24.1 deal with the basic needs that must be met for children to enjoy good health for adequate growth, including medical care, nutrition, shelter and clothing. For street children most of these needs are not satisfied.

- *Development rights.* Articles 6, 26 and 28 relate to the opportunities and means for providing children with access to education, skills, training, recreation and rest, information, parental care and social security.

- *Protective rights.* Articles 2, 19.1, 19.2, 32.1, 33, 34, 36 and 37 focus on the legal and social provisions that must be made by each country to protect children from exploitation, drug abuse, sexual abuse, cruelty, separation from family, discrimination, and the effects of all types of man-made or natural disasters.

- *Participation rights.* Articles 12, 13, 14 and 17 focus on the opportunities and means provided to children to enable them to express opinions on matters affecting their lives, including freedom of worship, access to information about oneself, and freedom to give evidence (where applicable). Children are knowledgeable about their situations and can devise innovative solutions to their problems if consulted. Street children, in particular, have already learned to make important decisions regarding their daily lives without the assistance of adults.[30]

Community-based improvements in slum and squatter settlements have the potential to prevent children from living on the streets and to help reintegrate them into their neighbourhoods.[31] Another objective of preventive work is to help street children engage in optimistic self-appraisal and form positive attitudes.

Many countries still have "punitive" prevention programmes that try to suppress juvenile and youth offences, as well as gang recruitment, expansion and criminal behaviour, by means of surveillance (continuous police observation) and prosecution. Suppression is a form of active intervention wholly legitimized by the State. Because this approach is believed to be inherently "right", it requires no special justification or evaluation of results.[32] This type of approach generally precludes efforts to promote proper behaviour, focusing instead on preventing unwanted behaviour. However, aggression on the part of authorities can in many cases contribute to the further integration of youth into delinquent groups.

Purely preventive (or suppressive) efforts are not very effective for youth already in trouble. The majority of crimes are committed by a relative handful of repeat offenders who typically display serious behaviour problems in early childhood. For them, more intensive, individualized treatment is likely required.

Prevention of recurrent crime is best achieved through "restorative justice", which is usually carried out by non-governmental remedial organizations and local communities. Restorative justice is regarded as an alternative mode of criminal justice. It involves a process whereby all the parties with a stake in a specific offence come together and collectively determine how best to deal with the aftermath of the offence and its implications for the future.[33] The offender, through interaction with the

victim, must understand the seriousness of the incident and together with the victim and social workers develop a series of steps towards reconciliation, arranging reparations for damages and providing whatever remedial assistance the victim might require. If successful resolution occurs, the juvenile is not placed in a correctional facility or labelled a delinquent, thereby avoiding the influence of an environment (jail) that can reinforce delinquent behaviour.

The reconciliation process must be carried out very carefully so that the offender does not consider it a "deal" with the victim—a risk emphasized by various researchers. According to different studies up to 95 per cent of juveniles who have participated in such programmes and agreed to provide restitution have fulfilled their obligations, and recurrence levels have been reduced by 50 per cent in general. Moreover, restitution is much more cost-effective than confinement; in the United States the cost of keeping each juvenile in a correctional facility can be as high as $30,000 per year.

One of the key elements of restorative justice is reconciliation between the offender and the victim, a process necessary not only for the correction of the offender, but also for the restoration of justice for the victim. The protection and support of victims and witnesses is recognized as an important basic element of overall crime prevention and crime control strategies. Support measures reduce the impact of crime on those most directly affected and are essential for preserving and protecting the role of victims and witnesses in the criminal justice process. It also aids the investigation and prosecution of crime by facilitating cooperation between victims, witnesses and law enforcement and prosecution agencies.

According to experts, crime victims require restitution to restore their dignity and honour, compensation to acknowledge the trauma inflicted and bring a sense of closure, and rehabilitation to enable them to return to their homes and communities with a measure of self-worth. Usually a victim's initial contact after a crime is with police, immigration authorities, welfare volunteers, representatives of NGOs or laypeople, few of whom have the expertise to deal with traumatized victims. Appropriate training is needed for those who are typically the first to come into contact with victims.[35] Additional victim support services and awareness campaigns focusing on victims' rights are needed, and witness protection policies must be developed and implemented, particularly with respect to organized crime and specific offences such as trafficking in persons, where intimidation or retaliation may be used against those who cooperate with the police in preventing, investigating or prosecuting offences.[36]

Generally, a crime prevention system will be effective only if (a) the contents and framework of prevention efforts are clearly defined and the functional opportunities of all agencies included in that system are appropriately utilized; (b) all of the subjects and targets of prevention work (including adolescents themselves and their relations in different spheres of society) are covered and the specific characteristics of each are taken into consideration; and (c) the mechanisms of administration, control and coordination for this type of prevention work have been developed.

In practice, many prevention approaches have proved ineffective. Studies show that shock incarceration (boot camp) does not reduce criminality. Short-term, "quick fix" job training has not lowered arrest rates. Neither traditional psychotherapy nor behaviour modification has shown great promise as a vehicle for redirecting delinquent and criminal youth. A few methods—especially scare-oriented approaches or programmes that place groups of delinquent youth together for extended treatment—have actually worsened the behaviour of participants.

Experience shows that efforts to fight gang membership are the most ineffective. Several techniques for transforming the gang environment have been suggested, but they tend to deal only with the criminal aspect of the problem, while the socio-economic and other conditions and circumstances that compel juveniles to enter a gang remain forgotten; further, traditional social institutions are rarely engaged in the process. Nonetheless, programmes designed to address the problem of gang membership are often implemented, and many of them are reported to be successful by some evaluators and completely inadequate by others. According to some researchers, the implementation and positive appraisal of a number of initiatives can be attractive to politicians who wish to demonstrate that they are taking action against juvenile delinquency. Such political considerations make adequate evaluation of prevention work difficult in many cases, with the result that ineffective programmes may continue to operate while the problems of juvenile delinquency remain unsolved.

Consistency is an essential factor in achieving prevention at all levels. Juvenile delinquency is often wrongly perceived as an individual phenomenon; the communal aspect tends to be downplayed or ignored. In reality, however, delinquent acts are generally committed by juveniles in a group or at least within the framework of a particular group's standards. To be effective, prevention work must take into account not only individual motivation, but also group cultural dynamics. At an even broader level, in some countries (such as the Russian Federation) juvenile delinquent groups may have close ties with adult organized crime and connections with local community members, which must also be considered in the development of prevention programmes.

Prevention initiatives are not always easily transferred from one sociocultural environment to another. Programmes that work effectively in one country may be totally inadequate in others; for example, an approach to restorative justice developed and successfully applied in one country may be implemented in another with poor results. There is a need to factor the subcultural specifics of a particular group of juvenile delinquents into programme development, and to clearly define the target group at which preventive measures will be directed.

Communities must implement a combination of prevention, intervention and suppression strategies to address the gang problem. Policies and programmes must be based on appropriate targeting of both institutions and youth, taking into account

their mutual relationship at a particular time and place (focusing, for example, on the point at which a young person is entering or ready to leave a gang and/or at the stage the gang problem is developing in the particular institution or community).[37]

Gang members are not totally without the desire to live within socially approved boundaries. However, they are often suspicious and afraid of mainstream society and turn to the gang as their only source of security and approval. Efforts to guide juvenile gangs towards socially acceptable avenues of behaviour are needed. At present, most rehabilitation initiatives are not working to redirect the energies or potential of gang members into socially desirable activities.

One promising area of prevention work involves strengthening the position of victims by developing relevant programmes and training for them and supporting victims' associations. The problem of youth victimization is still characterized by a certain theoretical vacuum. Recent studies have shown that differentiation between offenders and victims is based not on sex and age, but on differences within each gender; in other words, offenders and victims of the same gender represent different "types" of masculinity and femininity. These and other gender-related considerations must be borne in mind in the development of prevention programmes. Expanding efforts in this direction would be particularly useful for dealing with street and orphaned children and the victims of armed conflict, sexual abuse and trafficking. Special measures are needed for children and adolescents subjected to the latter three types of challenges: the media, as the main source of public information, should play a key role in informing the public about the destructive results of armed conflicts; and round-table discussions should be organized to develop strategies for counter-trafficking and for integrating the victims of armed conflicts (including adolescent former soldiers) and the victims of harassment and sexual abuse into society.

A proactive but carefully considered approach to the development and implementation of prevention and rehabilitation programmes is needed, with care taken to apply those lessons learned through direct experience. Significant public investment is warranted to both strengthen and expand the youth-oriented prevention agenda and to intensify efforts to refine and improve upon the promise of prevention. However, it must be acknowledged that the thoughtless expenditure of money, time or effort for spontaneous or poorly developed measures will do little to solve the problem; research and evaluation must therefore be integrated into all prevention efforts.

# SUMMARY AND RECOMMENDATIONS

The current situation with regard to juvenile crime and delinquency can be characterized by the following basic facts and trends:

- There has been an observed increase in violent and aggravated crimes among youth.

- The number of drug-related crimes is growing.

- The process of globalization and the greater mobility of large population groups have led to an increase in criminal activity associated with intolerance towards members of other cultures.

- The difficulties encountered by immigrants and their descendents in certain countries are sometimes related to the high levels of group crime deriving from the activities of ethnically based delinquent groups.

- In many cases juvenile crimes are linked to less obvious sources of motivation; various actions may reflect, for example, the standards of particular subcultures, teachings or traditions deriving from religious radicalism, or the compulsion to use of violence as a means of contructing gender identity.ß Quite often, aggressive and criminal behaviour is positively portrayed in the media, creating a confused picture of acceptable societal norms within some youth subcultures.

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- Children and adolescents in difficult circumstances constitute ready reserves for organized crime, participation in armed conflicts, human and drug trafficking, and sexual exploitation.

- The disintegration of families, poverty, and the death of parents in armed conflict or from HIV/AIDS has led to the forced independence of many young people around the world.

As illustrated in this chapter, juvenile delinquency covers a multitude of different violations of legal and social norms, ranging from minor offences to serious crimes committed by young people. Some types of juvenile delinquency constitute part of the process of maturation and growth and disappear spontaneously as young people make the transition to adulthood. Many socially responsible adults committed various types of petty offences during their adolescence.

Quite often, however, the situation is far more serious. Poverty, social exclusion and unemployment often cause marginalization, and young people who are marginalized are more susceptible to developing and maintaining delinquent behaviour. Furthermore, young people are more likely to become victims of crimes committed by juvenile delinquents. Delinquency is largely a group phenomenon; it is frequently engaged in by certain subcultures of young people who have jointly assumed a particular identity. It is also primarily a male phenomenon, with crime rates for male juvenile and young adult offenders more than double those for females. Some criminal activities are associated with intolerance of members of other cultures or religious, racial or ethnic groups.

If delinquency policies are to be truly effective, higher priority must be given to marginalized, vulnerable and disadvantaged young people in society, and issues relating to youth in conflict with the law should be a central focus of national youth policies. The administration of juvenile justice should be decentralized in order to encourage local authorities to become actively involved in preventing youth crime and reintegrating young offenders into society through support projects, with the ultimate aim of fostering responsible citizenship. ■

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