

The main causes of juvenile delinquency



Juvenile justice - is a system of state bodies that execute justice in cases of crimes and offenses committed by juveniles, as well as state and private structures conducting monitoring of correction and rehabilitation of juvenile offenders and the prevention of juvenile delinquency, family welfare and child rights.

In 1824 in New York the first reformatory for children was created to protect them from sharing in prison with adult criminals. In 1831 the Illinois Law foresaw that the punishment of juveniles for certain types of crimes should be distinguished from punishment for adults. In 1869 in Boston (Massachusetts) the court hearing to deal specifically with cases of inconsistencies juveniles was first organized and it was implemented the first experience of the Terms of Probation (educational supervision), becoming later one of the most common and, according to Americans the most effective methods of treatment of juvenile offenders. U. S. Federal Law already contained a requirement of consideration of cases involving minors under the age of 16 years, apart from cases of adult offenders.

Later, in July 1899, in Chicago under Illinois Law " About abandoned children, street and crime children and about how they are treated" the first Children's Court was established. Adoption of the Law and the creation of juvenile court was initiated by Lucy Flower, the member of the Chicago Women's Club, Julia Latrop, the member of public organization " Hull House", the society of patronage « Visitation and Aid Society». To deal with cases of juveniles new issues were introduced: a new concept of law offender as " delinquent", which differs from the concept of " criminal". This concept has found the consolidation of the status of a juvenile offender, who became the

subject of juvenile justice. The first juvenile court was established in Australia (1890), then these courts were established in Canada (1894) and in 1899 in the United States.

In connection with the acute need of the society the League of Nations established in 1919 Child welfare Committee, which considered the rights of children mainly in the context of the measures that need to be taken against street children, slavery, child labor, child trafficking and prostitution of minors. Important role in the development of social standards for the protection of children in this period played a non-governmental organizations, in particular the International Save the Children Alliance, founded by an Englishwoman Eglantayn Jebb in 1923 by the Council that was set up shortly before the non-governmental organization the International Save the Children Alliance, Children Rights Declaration. This Declaration, that was named Geneva Declaration, was approved the next year the fifth Assembly of the League of Nations. In 1924 League of Nations in Geneva, at its 5-th session adopted as proposed by the International Children Care Union the Declaration of the Rights of the Child. This was the first document in international law for the protection of the rights and interests of children.

In the framework of international protection of human rights of United Nation Organization's General Assembly on 10 December 1948 adopted the Universal Declaration of Human Rights, and in 1966 the International Covenants on Human Rights. The Declaration and the covenants made a number of provisions specifically relating to the rights and interests of children: the principle of equality of children, the norms of protection of

motherhood and childhood, to protect children from exploitation, the right of children to get education.

Analyses of the causal factors of criminal behavior of juveniles are complex forms of social behavior, deterministic system of interrelated issues. These issues can be divided into biological and social.

Ancestor of biological trends in criminology was the Italian doctor - a psychiatrist and criminologist Cesare Lombroso (1836 - 1909), who linked the criminal conduct of a man with his anatomy. The hypothesis of the existence of such a relationship had an impact on scientists to find the second half of the 20 century. They are, in particular, " the theory of Y-chromosome. In accordance with the norm for women is characterized by a set of chromosome-type XX, for men - XY. But sometimes there is a pathology associated with the appearance of an extra X or Y-chromosome. Some researchers (Price, Witkin) suggest that the presence of " extra» Y-chromosome in males causes a tendency to wrongful conduct.

The phenomenon of crime can be more fully explained in addressing the social issues influencing its formation. Social factors can be divided into two groups: macro-and micro social.

Macro-factors: 1. Low living standards of the most of population, a strong contrast to the distribution of income in society. 2. Deficiencies in the development of leisure-time system: poor organization of a network of clubs, clubs, sports clubs, the lack of concern for the integration and consolidation in the minors in difficult living conditions and upbringing. 3. Disadvantages of the educational activities of schools and vocational-technical schools. 4.

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Weaknesses in the employment of minors, as well as training them in the labor collectives. 5. Penetration in youth behavior inconsistent with societal values. An important role is played by the media: movies, series, television, newspaper and magazine articles, as well as the Internet.

Micro social issues: 1. Negative influence of the family. Family is the most important social institutions. It is in the family where the formation of the individual adolescent starts. But not all families can be considered to be the favorable background for the development of the child. Contribution of adverse families in juvenile crime by some estimates is 30-35%. 2. Hypo Custody - is the lack of proper control over the child, often turning into neglect. 3. Negative influence of informal peer groups. 4. Instigation caused² by adult offenders, which, according to the randomized studies, are not less than 30% of cases.

As one can easily see from the above mentioned the formation of criminal motivation is affected by a complex of factors. Without knowledge of these factors it is inappropriate to talk about crime prevention, which will be discussed further.

United Nations Guidelines for the Prevention of Juvenile Delinquency - The Riyadh Guidelines proclaims the prevention of juvenile delinquency as the permissibility of the prevention of crime in society. The Riyadh Guidelines provides several levels of implementation of measures to prevent juvenile delinquency:

- The first level of prevention, as general measures, is to promote social justice and equality of opportunity, which, in turn, contributes to eliminate the root causes of crime such as poverty and other forms of marginalization;
- The second level of prevention, admeasures to help children belonging to high-risk groups, such as those whose parents are experiencing particular difficulties or neglect their parental responsibilities;
- The third level of prevention, including measures to avoid unnecessary contact with the formal justice system, as well as measures to prevent repeat offenses.

In fact, in Riyadh “ Guiding Principles” as an essential component of the first and second levels of prevention, as well as, perhaps, to a lesser extent, prevention, third level, reflected many of the rights set forth in the Convention on the Rights of the Child. For example, the normal standard of living and access to the educational system, the positive values instilled in children, are both the rights of the child (in the “ Convention”), and elements of the first level of prevention (in the “ Guidelines”). As to the second level of prevention, in this regard, both documents are based on the concept of the primary responsibilities of the family to ensure the welfare, protection and upbringing of the child, that reinforced the obligations of signatories to “ Convention” countries to assist families in fulfilling this role and at the same time to intervene in cases when parents clearly are not willing or able to assume these responsibilities. And by encouraging the adoption of retaliatory measures against the offender, to avoid recourse to legal proceedings, and setting as the primary purpose of any such measures the

social reintegration of a child, “ the Convention” thus reflects a problem in the third level of prevention, as outlined in the “ Guidelines”.

The consequence of such a uniform approach, of course, should be the maximum development of initiatives supported by the community and to the family. This is not a task only for specialists in the field of juvenile justice, and for a wide range of state and public organizations with competence in this area. There is no doubt partly because of the extent of the tasks, responsibilities of the organizations have not yet been identified, and actions - unsystematic. So prevention and reintegration in the full sense of the word still remain the weakest links in the chain of activities to improve the system of juvenile justice.

In practice, efforts to prevent juvenile delinquency are in matter-of-fact identical to the observance and protection of child rights, that are proclaimed by “ The Convention”. This is not surprising, but it is rarely mentioned. Besides, there are still many specialist debating - often in spite of the documentary evidences - on terms that although are not in every sense of the cause of crime, but at least increase their likelihood. For example, the poverty - the absolute and relative - in some circles is still considered to be motivation for crime, despite the fact that the Riyadh Guidelines has officially recognized as a factor at the international level.

In accordance with one of the classifications, two types of prevention are distinguished: primary prevention and rehabilitation (secondary) prevention. The main prevention is the object of its impact on young people who have not committed any illegal acts, and has a preventive nature. Rehabilitation

prevention applies to adolescents who have been in contact with the formal system of public justice and is designed to prevent future, perhaps more serious wrongful acts. However, not always possible to track the effectiveness of preventive measures as the percentage of imperfect crime is nowhere recorded.

Another classification reflects the prevention of “ various types of social action and reaction” to the growing crime rate. According to this classification, prevention is divided into a punitive, remedial and mechanical. Punitive prevention lies in the threat of punishment, which is intended to intimidate and prevent the commission of criminal acts. Remedial prevention lies in the influence of the causes and factors, which could be a potential trigger for the wrongful conduct. Mechanical prevention is most often used in so-called crime areas, to prevent crime and is enhanced security measures and increased police control.

Program of punitive prevention, is widely spread in many countries around the world are trying to curb juvenile delinquency, the emergence of gangs and their involvement in criminal behavior through oversight, including ongoing monitoring by the police, and targeted prosecution. Suppression means active intervention, fully legitimized by the State, it was originally declared as a “ correct” and therefore does not require special justification and absolutely no evaluation of results. The approach from the standpoint of suppression is characterized by the fact that all completely ignores the propaganda of the desired behavior, only suppressing undesirable. External aggression can in many cases only strengthen the cohesion of delinquent

adolescent groups, so this kind of prevention makes sense to use when all other measures.

In recent years a growing number of opportunities and the relevance of the participation were caused by local communities in the fight against teenagers and young delinquency. There are programs aimed at education and training groups and representatives of local communities that are experiencing growth in a juvenile delinquency to implement informal control over young people and involving young people in the positive activities.

Program of individual and group social and psychological assistance include camps, group homes, alternative schools, shelters.

Particular attention should be given to homeless teenagers, and teenagers who have lost family or relation to it, left without family education, as they are by virtue of adverse events most at risk of involvement in delinquent activity.

Implementing preventive programs they should take into account the linkages teenage delinquent groups with adult organized crime. In addition, delinquent groups may exist with members of local communities.

Recent studies have shown that the differentiation of offenders and victims are usually not by sex and age, but by differences within each gender. That is, the perpetrators and victims of the same sex present different types of masculinity or femininity. Thus, when developing prevention programs should be gender noted.

At the same time, many preventive measures have not given to the effect that they were expected to give. Especially ineffective is the struggle with membership in teenagers and youth groups (gang). Juvenile delinquency often mistakenly is considered to be an individual phenomenon, and the group aspect is almost ignored. However, delinquent acts are committed mostly by teens in the group, so the preventive work must not take into account the psychology of the individual, and group dynamics.

It is also important to pay attention to the specifics of subcultural groups, which will be directed by preventive measures. Recent studies have shown that the differentiation of offenders and victims are usually not by sex and age, and gender differences. At the same time, whilst development of the programs to combat juvenile delinquency, gender police in practice is not considered. Also noteworthy development of the displacement problem of prevention programs from one socio-cultural environment to another.

Thus, together with mentioned traditional methods of preventive work, now there are new promising strategies for prevention. Until they become part of a general practice, careful theoretical and practical testing of their capabilities and limitations.

Ideas of social reform and work with the person as a priority has the impact on crime prevention and criminal behavior, including recidivism should not move to the background. Historical lessons have clearly demonstrated the lack of direct correlation between lower crime rates and the rate of punishment, as a fundamental means of coercion.

In this context, the most acute issues differ from reorientation of criminal policy on the prevention of juvenile delinquency. A special place in this system will hold individual level to prevent delinquency behavior of juveniles. The society now is the witness of the policy of valueless policy. During the next twenty years the program of State Fund should be implemented to promote general social and common specially-criminological prevention ultimately realized by working with each individual juvenile.