



Juveniles Between Crime and Justice

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Abstract

In this study, is discussed the relationship between young people and their possibility to commit crimes. It is also studied what are the determining factors that show that a special category of young people is more predisposed to commit crimes. It has been seen that the role of the parent is more important and that together with social policies, criminal offenses by young people can be prevented. Criminal acts must be suppressed, condemned, and punished. Nevertheless, children and adolescents who commit criminal acts must be educated and supported in a growth process that should be the objective of government policy for all young people, including young offenders. The study seeks to prove that vices such as drugs, alcohol and illegal gambling are among the main factors that lead a young person to commit a crime. The study was carried out using the quantitative and qualitative method of scientific research.

Keywords: juvenile, crimes, parent, prevention

1. Introduction

Developing educational programs within criminal juvenile justice systems requires the involvement of the disciplines of both education and law. The promotion of educational tools in juvenile justice systems is as much a matter of justice as of welfare. As I will explain below, penal sanctions and educational assistance given to these youth are two sides of the same coin, aimed at the re - integration of the juvenile. Therefore, the choice for any educational tool will strongly depend on the juvenile (criminal) justice and penitentiary systems and practices that are present in each country.¹

" Juvenile justice" is rarely used with only one standard meaning. The term could, for example, exclude minors under the age of criminal responsibility; it could be restricted to the legal status of juvenile offenders; or it could be used in a broad sense: all situations in which protection of juveniles by the authorities would, in some way or the other, be an issue, including non-criminal situations. Criminal juvenile justice, as understood by the Committee on the Rights of the Child, refers to a separate justice system for juveniles, in which the juvenile suspect enjoys all due process and human

¹ Henkes, Barbara, *The role of education in juvenile justice in eastern europe and the former soviet union, Hungary, 2000, pg. 5.*

rights, while also receiving special protection because he/she is under-aged. The Committee on the Rights of the Child interprets juvenile justice in the broad meaning: it also requires special protection for vulnerable groups (refugees, minorities, exploited children, etc.), especially when deprivation of liberty or separation from the parents is at stake.²

INSTAT data show that the 21-29 age group has the highest rate of incarceration in relation to the population, while people over 60 and under 20 have the lowest rate of incarceration. This small number of imprisoned minors is also related to the legislation in force. Juveniles have been convicted of various criminal offences, including criminal offenses against the person (murder and injury, sexual crimes), against property (theft), against the security order (arms without a permit, violation of traffic rules), production and trade narcotics etc. Studies show that mostly minors accused or convicted of committing criminal offenses are less educated, and most of them have been accused or convicted of committing the criminal offense of theft in various forms, which is the most common criminal offense. often consumed by them.

According to Albanian law, in case of a crime committed by a minor, he is accompanied only in the presence of a psychologist, guardian and a legal defender in an environment suitable for his age, and he cannot stay in the police station after 8:00 p.m.: 00. Also, the law stipulates that minors with a security measure of arrest and imprisonment and those who receive a final decision from the courts are accommodated in institutions for minors or in institutions with special sections for minors, which are separated, as they have also other educational goals and other additional principles aimed at educating and removing them from criminality, in relation to the institutions serving the sentence for adults.

But these facilities seem to have been exploited by minors who become repeat offenders and are used by adults to commit theft or other crimes. When they are on the verge of reaching the age of taking responsibility or in cases of serious criminal offences, they are processed and sent to the institute of Kavaja, where they are offered the opportunity to attend education and to be corrected under the supervision of psychologists.

Model programs have assisted families and children by providing them with information. Some programs inform parents on how to raise healthy children; some teach children about the effects of drugs, gangs, sex, and weapons; and others aim to express to youth the innate worth they and all others have. All of these programs provide youths with the awareness that their actions have consequences. This is particularly important in an era where youth are barraged with sexual and violent images. Educational programs have the underlying intent of encouraging hope and opening up opportunities for young people.³

Government policy on juvenile delinquency must often struggle with the appropriate balance of concern over the healthy development of children and adolescents who violate the law and a public desire to punish criminals. This tension between rehabilitation and punishment when dealing with children and adolescents who commit crimes results in an ambivalent orientation toward young offenders. Criminal acts must be suppressed, condemned, and punished. Nevertheless, children and adolescents who commit criminal acts must be educated and supported in a growth process that should be the objective of government policy for all young people, including young offenders.⁴

To best answer the questions of how to deal with young offenders requires knowledge of factors in the individual, family, social settings, and community that influence the development of delinquent behavior; of the types of offenses committed by young people; and of the types of interventions that can most efficiently and effectively prevent offending in the first place or prevent its recurrence.

2. Factors that Determine why Minors Commit Crimes

It is widely acknowledged today, that juveniles should be subject to a system of criminal justice that is separate from the adult system and that recognizes their inexperience and immaturity. According to the United Nations' Standard Minimum Rules for the Administration of Juvenile Justice ▶ Until a set of laws, rules and provisions specifically applicable to juvenile offenders and institutions and bodies entrusted with the functions of the administration of juvenile justice and designed to meet the varying needs of juvenile offenders, while protecting their basic rights.

Certain types of offences (such as graffiti, vandalism, shoplifting and pickpocketing) are typical for young people. Very serious offences (such as murder and sexual offences) are rarely perpetrated by juveniles.

² See also: E. M. Mijare n d s, "Richtlijnen voor een ve rd ragsconforme jeugdstra frechtpleging, 'Gelijkwa a rdig maar minderjarig", p. 24-26, 1999.

³ <https://www.impactlaw.com/criminal-law/juvenile/prevention>

⁴ National Academies of Sciences, Engineering, and Medicine. 2001. *Juvenile Crime, Juvenile Justice*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/9747>.

In addition, offences such as white-collar crimes (fraud, VAT refund fraud, money laundering, bankruptcy of the company) are also committed rarely by juveniles, as they are incompatible with juveniles' developmental characteristics and life circumstances.⁵

No one is a born criminal. Circumstances make him so. Socio-cultural environment, both inside and outside of home, plays significant role in shaping one's life and overall personality. Problems related to juveniles' such as substance abuse, mental health problems, educational/ or employment or family problems. Prevention is related to education, recreation, community involvement, creation of special programs Youth policing programs, for example, often focus on increasing juvenile offenders' engagement with education, family or therapy.

Some youth lack healthy parental guidance and monitoring. Some youth have cognitive and psychological deficits that make social and academic success difficult. Some attend disorganized and disruptive schools and fail to engage in academic pursuits. Some live in chaotic neighborhoods with few resources or outlets for positive social activities. Some are excluded from prosocial peer groups and have few, if any, wholesome friends.

These risk factors, particularly when several are present, increase the likelihood of delinquency and violence. Conditions such as maltreatment or neglect by family members and others, a community with a large population of delinquent juveniles and gangs, ready access to drugs and guns, and an unsafe school increase the chance that a youth will make unhealthy or unlawful choices.

Causes of juvenile crimes are: poverty, a broken home (family), drug abuse, racial discrimination, role of -Family factors include parental criminality and a variety of psychological problems in the family of origin: Low levels of affection, caring and cohesiveness, poor parental practices, recognition of antisocial behaviors, parental supervision, discipline, neglect and abuse.⁶

3. Juvenile Access to Crime and the Importance of Prevention

Young people are liable to overestimate their own understanding of a situation, underestimate the probability of negative outcomes, and make judgments based on incorrect or incomplete information. Although adults are also prone to the same misperceptions, children's and adolescents' lack of experience increases their vulnerability. It was found that high-risk adolescents (with legal and substance abuse problems, recruited from group homes) were more likely than middle-class youngsters to have incorrect information about risks, while being extremely confident in their information.⁷

The goal of substance education is to decrease the use of tobacco, alcohol, and drugs. In order to effectively do so, the immediate effects and consequences of gateway drugs should be taught, rather than the long-term effects. Education of both parents and adolescents is a very important component of intervention. Education has also been suggested as a powerful prevention strategy in suicide.⁸ It was found that few adolescents have accurate information about suicide. In fact, most have misinformation about warning signs. Junior high students relate depression, but not mental illness to suicide. They understand that suicide can be viewed as an attention-getting attempt or cry for help, and seemed to be aware of the difficulties in identifying suicide risks.⁹

Early intervention plays an important role in keeping minors from embarking on a life of crime. Swift and consistent punishment for offences can help reduce the incidence of crime. After serving their sentence, young offenders receive support aimed at preventing re-offending. When a young person is released from young offenders' institution, he or she needs to reintegrate into society by attending school or university, or finding a job. The training and education programs provided at the end of the custodial period are intended to help them prepare for this.¹⁰

The only demographic variable that reached statistical significance in their models was education, with higher levels of education being associated with greater support for blaming and punishing parents. Similarly, a study conducted in the UK found limited evidence that education, ethnicity, and age affected beliefs in parental deficiency as a causal factor of juvenile crime.¹¹

⁵ Aleksandra Polak-Kruszyk, *Juveniles, minors, young offenders in prison Juvenile Crime, Juvenile Justice, academic year 2022-2023.*

⁶ Aleksandra Polak-Kruszyk, *Juveniles, minors, young offenders in prison Juvenile Crime, Juvenile Justice, academic year 2022-2023.*

⁷ Quadrel, M. J. Fischhoff, B., & Davis. W. (1993). Adolescent (in)vulnerability. *American Psychologist*, 48(2), 102-116.

⁸ Kuther, Tara L. *TITLE Adolescents At-Risk: A Literature Review of Problems, Attitudes, and Interventions*, 1995, pg 22-23,.

⁹ Domino, G., Domino, V., and Berry, T. (1986-87). *Children's attitudes toward suicide. Omega Journal of Death and Dying*, 17(4), 279-287.

¹⁰ <https://www.government.nl/topics/youth-crime/reducing-youth-crime>

¹¹ Aizpurua et al. *The sins of the child: Public opinion about parental responsibility for juvenile crime, Children and Youth Services Review Volume 114, July 2020, 105023, https://doi.org/10.1016/j.childyouth.2020.105023.*

The Center for the Prevention of Juvenile and Youth Crimes, this institution conceived as a mechanism under the Ministry of Justice, which will design preventive programs and supervise the juvenile for a 6-month period after the end of the sentence. CPJYC has organized meetings in several municipalities of the country, meetings with minors released by IM Kavajë and the Child Protection Unit. The purpose of the meetings is focused on facilitating the process of reintegration and return to society of minors. During the meetings, the needs that the minors themselves have as well as the opportunities that the CPJYC together with partner organizations and institutions can offer were discussed. Throughout the year, numerous meetings were held with Child Protection Workers, in several Municipalities of the country, such as:

- Municipality of Tirana
- Kukes municipality
- Kuçovo municipality
- Berat Municipality
- Durrës Municipality
- Gjirokastra Municipality
- Elbasan Municipality
- Kruje Municipality
- Librazhd municipality
- Thumane municipality

With reference to the cases handled by the CPJYC, below we provide you with an overview of the progress of the minors after their release from IM Kavaja:

- 3 minors are attending professional courses
- 3 minors under "house arrest" security measure
- 2 juvenile recidivists
- 1 minor is employed
- 1 minor has migrated

Currently, there are 14 minors in the Kavaja Juvenile Institute, of which:

- 3 cases that are serving the sentence
- 11 cases of arrest and detention.¹²

To prevent the juvenile crimes, these are the addressing Family Factors (focusing on) such as family counseling to repair relationships, teach to recognize antisocial behavior, enhance supervision practices, enhance disciplinary practices.

4. Conclusions and Recommendations

- It is important to read and understand correctly the statistical data of the last three years, which show an increase in the number of young people who commit criminal offenses.
- It has been seen that causes of juvenile crimes are: poverty, a broken home (family), drug abuse, racial discrimination, role of -Family factors include parental criminality and a variety of psychological problems in the family of origin: Low levels of affection, caring and cohesiveness, poor parental practices, recognition of antisocial behaviors, parental supervision, discipline, neglect and abuse.
- There should be cooperation between specialized centers for the rehabilitation of minors who commit crimes with parents and educational institutions.
- Government policy on juvenile delinquency must often struggle with the appropriate balance of concern over the healthy development of children and adolescents who violate the law and a public desire to punish criminals. This tension between rehabilitation and punishment when dealing with children and adolescents who commit crimes results in an ambivalent orientation toward young offenders.
- Early intervention plays an important role in keeping minors from embarking on a life of crime. Swift and consistent punishment for offences can help reduce the incidence of crime. After serving their sentence, young offenders receive support aimed at preventing re-offending. When a young person is released from young offenders' institution, he or she needs to reintegrate into society by attending school or university, or finding a

¹² The Center for the Prevention of Juvenile and Youth Crimes, Performance Report 2022, <https://qpkmr.gov.al/programi-transparences/>

- job. The training and education programs provided at the end of the custodial period are intended to help them prepare for this.
- Prevention is the best answer to the juvenile's crimes.

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