



**SECOND UNITED NATIONS CONGRESS
ON THE PREVENTION OF CRIME
AND THE TREATMENT OF OFFENDERS**

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**NEW FORMS
OF JUVENILE DELINQUENCY:
THEIR ORIGIN, PREVENTION
AND TREATMENT**

REPORT PREPARED BY THE SECRETARIAT

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**Crime Prevention
and
Criminal Justice Branch-Reference Unit**

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**Crime Prevention
and
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CHAPTER I

INTRODUCTION

1. From the beginning of the United Nations work in social defence, the problem of juvenile delinquency has received priority in the programme of work established by the Social Commission in this field. Thus, starting in 1949, the Secretariat undertook a series of studies entitled Comparative Survey of Juvenile Delinquency covering North America, Europe, Latin America, Asia and the Far East and the Middle East.^{1/} A similar study on Australia and New Zealand was published in the International Review of Criminal Policy,^{2/} and the Department of Trusteeship and Non-Self-Governing Territories prepared a comparable survey for the Non-Self-Governing Territories.^{3/}
2. The discussion of juvenile delinquency was included as a special item at regional conferences and seminars organized by the United Nations in Europe (European Consultative Group, 1952), Latin America (Latin American Seminar, Rio de Janeiro, 1953), the Middle East (Cairo, 1953), and in Asia and the Far East (Rangoon, 1954); a European Exchange Seminar dealt with the institutional treatment of juvenile offenders (Vienna, 1954); these discussions were intended as a preliminary step to the consideration of this problem at the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, which was held in Geneva in 1955.^{4/}
3. A general report entitled "The prevention of juvenile delinquency" was prepared by the Secretariat for the 1955 Congress.^{5/} In addition, a special

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- 1/ Comparative Survey on Juvenile Delinquency. Part I, North America (Sales No.: 1958.IV.12); Part II, Europe (Sales No.: 1952.IV.14); Part III, Latin America (Sales No.: 1958.IV.5); Part IV, Asia and the Far East (Sales No.: 1953.IV.27); Part V, Middle East, (Sales No.: 1953.IV.17).
 - 2/ "The Treatment of Juvenile Delinquents in Australia and New Zealand", International Review of Criminal Policy (United Nations publication, Sales No.: 1956.IV.1) pp. 1-21.
 - 3/ Non-Self-Governing Territories, Summaries and Analyses of Information Transmitted to the Secretary-General during 1951 (United Nations publication, Sales No.: 1952.VI.B1. Vol.1), pp. 108-140.
 - 4/ Latin American Seminar, Rio de Janeiro, 6-19 April 1953 (Sales No.: 1954.IV.3); Middle East Seminar, Cairo, 5-17 December 1953 (Sales No.: 1954.IV.17); European Exchange Plan Seminar on the Institutional Treatment of Juvenile Offenders, Vienna, 27 September-9 October 1954 (Sales No.: 1955.IV.13).
 - 5/ "The Prevention of Juvenile Delinquency", International Review of Criminal Policy. United Nations publication, Sales No.: 1955.IV.10.

report entitled "The prevention of juvenile delinquency in selected European countries" was also prepared for the Congress by the London Institute for the Study and Treatment of Delinquency.^{6/}

4. The Congress adopted a report^{7/} on the prevention of juvenile delinquency containing conclusions and recommendations on the community, the family, the school, social services (including health services), work, other agencies such as juvenile courts, child welfare boards, religious bodies, leisure time organizations; and on future research. The Congress requested the Secretary-General to transmit this report to the Economic and Social Council "calling its attention to the necessity of maintaining the priority already given to the question of juvenile delinquency in the programme of work of the Social Commission" and recommending certain studies.

5. Since then, the Second Asia and the Far East Seminar, which was held in Tokyo in 1957 and the Second United Nations Seminar for the Arab States, which met in Copenhagen in 1959, discussed the need for further attention to the adoption of specific measures for the prevention of juvenile delinquency and the importance of developing the probation system in the treatment of juvenile offenders.^{8/}

6. The topic "New forms of juvenile delinquency: their origin, prevention and treatment", was recommended as an agenda item for the Second United Nations Congress by the Ad Hoc Advisory Committee of Experts on the Prevention of Crime and the Treatment of Offenders, which met in New York in 1958 to consider, inter alia, the organization of the Congress.

7. The term "new forms" of juvenile delinquency, as used in this report, does not refer to new types of crime committed by juveniles nor to acts which have not been known previously as legal types of crimes, but to new manifestations of juvenile delinquency. In some countries, for example, delinquencies are appearing which are new to those countries, but which are not "new" in the sense that they have never occurred in any other country. Other countries report delinquencies

6/ The Prevention of Juvenile Delinquency in Selected European Countries.
United Nations publication, Sales No.: 1955.IV.12.

7/ First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, 22 August-3 September 1955; Report prepared by the Secretariat. United Nations publication, Sales No.: 1956.IV.4.

8/ Second Asia and the Far East Seminar, Tokyo, 25 November-7 December 1957.
United Nations, ST/TAA/SER.C/34; Second United Nations Seminar for the Arab States, Copenhagen, 23 September-16 October 1959.
Not yet published.

which can be called "new" in that there is an increase in their gravity, extent, violence, and apparent lack of motive and/or that groups in society are involved which hitherto have not been particularly implicated, e.g. juveniles from middle and upper socio-economic groups.

8. The statistical data presented in this report are, in many instances, incomplete and at times fragmentary. They are included in order to give some indication of the types of offences committed and the trends in juvenile delinquency in selected countries. They should be treated with caution and should not be used for purposes of comparison since they are subject to many varying factors. Even within a country, changing conditions over a period of time affect the statistics and make comparisons precarious. The data submitted have been prepared by different methods and come from different agencies. Some emanate from judicial and others from police sources. In different countries, the meaning of the term "juvenile delinquency" varies, the relevant age levels are not uniform, and legislation is dissimilar. The passage of new legislation or modifications of existing legislation may also greatly affect the data. The emphasis on prevention and treatment likewise varies from country to country and even within a particular country. Moreover, many offences are not discovered or reported and a complete picture of the problem is, therefore, extremely difficult to obtain. At different periods of time various factors, such as economic and social changes, and population growth, influence the extent and type of offences committed by juveniles.

9. Unless otherwise indicated the sources of the material used in the preparation of this paper, and of the statistical data, are those listed in the Annex.

CHAPTER II

SELECTED INFORMATION ON NEW FORMS OF JUVENILE DELINQUENCY

10. The information presented in this chapter has been drawn from selected countries in various regions of the world. As there is a much greater scarcity of data on this subject in some parts of the world than in others, no attempt has been made here to present the available information by regions and continents, but rather to give first a description of developments in countries where much material is at hand, and to follow this with the necessarily more fragmentary information received from countries where data on juvenile delinquency are more difficult to obtain.

11. In the United Kingdom, it would seem that taking 1938 as a reference year, indictable as well as non-indictable juvenile delinquency offences have been increasing with some fluctuations. The number of indictable offences, was 28,116 in 1938 and 51,775 in 1958, and increase of 84.2 per cent. The breakdown of these offences is as follows: larceny, 31,497 or 61 per cent; breaking and entering, 14,284 or 27.6 per cent; receiving, 1,977 or 4 per cent; sexual offences, 1,118 or 2 per cent; frauds, 203 or 0.5 per cent; violence against the person, 1,039 or 2 per cent, and other offences, 1,657 or 3 per cent. With respect to larceny, out of the total number of persons found guilty of this offence 51 per cent were in the age group 8-21 years. The breakdown is as follows: 20 per cent between 8-14; 16 per cent between 14-17 and 15 per cent between 17-21. The increase of cases of larceny from 1938 to 1958 for all these groups (8-21) is 56.8 per cent. With respect to breaking and entering, the percentage of increase for the age group 8-21 between the figure of 8,189 in 1938 and 19,797 in 1958 is 141.8 per cent. Breaking and entering committed by the age-group 8-21 constitutes 68 per cent of the total breaking and entering offences. Juvenile offenders in the 8-21 age group committing sex offences constituted 35 per cent of the total number of offences in both 1938 and 1958. However, the number of all offenders including juveniles, in this category has increased from 2,321 in 1938 to 5,423 in 1958; i.e., an increase of 133.6 per cent. With respect to violence against the person, the total number of juveniles found guilty in 1938 in the 8-21 age group was 17 per cent of the general total; in 1958 it was 39 per cent.

12. The details are as follows:

Violence against the person

Age	<u>1938</u>		<u>1958</u>	
	Juveniles found guilty	Percentage of total	Juveniles found guilty	Percentage of total
8-14	36	2	252	3
14-17	80	5	787	10
17-21	163	10	2,084	26
	<u>279</u>		<u>3,123</u>	

13. The total increase in 1958 as compared with 1938 is 1,020 per cent. That of the age group 17-21 is 1,179 per cent.

14. With respect to robbery the figures are as follows:

Age	<u>1938</u>		<u>1958</u>	
	Juveniles found guilty	Percentage of total	Juveniles found guilty	Percentage of total
8-14	15	12	101	12
14-17	10	8	92	10
17-21	36	28	303	34
	<u>61</u>		<u>496</u>	

15. For the age group 8-21 the increase in the number of offenders would be a little over 700 per cent. The percentages of persons over 21 years among those found guilty in 1938 and 1958 respectively of crimes against the person and of robbery are as follows:

Violence against the person

<u>1938</u>		<u>1958</u>	
Age		Age	
21-30) 83 per cent of all cases	21-30) 61 per cent of all cases
30 and over		30 and over	

Robbery

<u>1938</u>		<u>1958</u>	
Age		Age	
21-30) 52 per cent of all cases	21-30) 44 per cent of all cases
30 and over		30 and over	

16. In the granting of probation, the trend has been as follows:

High Courts

	<u>Percentage under 17 years</u>	<u>Percentage age 17-21</u>	<u>Percentage age 21 and over</u>
1938	48	36	13
1958	45	37	16.4

Magistrate Courts

	<u>Percentage under age 14</u>	<u>Percentage age 14-17</u>	<u>Percentage age 17-21</u>	<u>Percentage age 21 and over</u>
1938	50	51	45	16
1958	35	34	22	11

17. In the metropolitan area of London, police information for the year 1958 shows that the total number of indictable offences for all age groups recorded in 1958 was 151,796 compared with 125,754 in 1957, an increase of 20.7 per cent. Taking into account the population of London in 1958, the number of indictable offences per thousand was 18.5 compared with 15.2 in 1957 and a pre-war average of about 10.5. The number of arrests of persons under 21 years of age increased by 2,793; i.e., by 21.1 per cent compared with 1957 and by 75.6 per cent compared with 1938. Although the number of arrests of persons in a given age group is not necessarily a reliable measure of the amount of criminal activity in that group as a whole, the fact that there have been substantial increases in each of the last four years in the number of arrests of persons under 21 has been considered by the police to be most disturbing.

18. With respect to crimes of violence (murder, attempt to and threat of murder, rape, manslaughter, wounding, robbery and indecent assault on females), in the metropolitan area the age group 8-20 committed in 1958, 32.1 per cent of the total number of offences. With respect to shop and warehouse breaking, the same group, in the same year committed 65.2 per cent of the total number of offences. Within this group the highest proportion of offences, 22.6 per cent, was committed by the age group 8-13 only inferior to the 24.8 per cent committed by the age group 21-30, which had the highest percentage of all the age groups.

19. Larceny of motor vehicles has been increasing. In 1958, 6,624 motor vehicles were stolen in the metropolitan area, an increase of 31.1 per cent over 1957;

85.3 per cent of them were recovered. In addition, 13,933 motor vehicles were taken and driven away without their owners' consent and were found abandoned within 48 hours; of these, 3,288 had their fittings or contents stolen. The total number of motor vehicles either stolen or driven away was therefore 20,557, an increase of 36.4 per cent compared with 1957.

20. The age group most involved in larceny of motor vehicles is the 8-20 age group. The breakdown is as follows:

<u>Age groups</u>	<u>Percentages of total number of offences</u>
8-13	1.0
14-16	20.7
17-20	40.9
	<hr style="width: 50%; margin: auto;"/> 62.6

The second greatest single percentage was that of the age group 21-30, with 31.0 per cent.

21. Of the persons under 21 years of age arrested in the metropolitan area in 1958 for indictable offences, 65.9 per cent were operating in company with other persons; 11.2 per cent were associated with adults. Of those operating in groups, 43.4 per cent were in groups all of whose members were under 15 years old; 60.6 per cent were in groups all of whose members were under 17 years old and 88.8 per cent in groups all of whose members were under 21 years old.

Arrests of groups whose members were all under 21 years of age

<u>Number of persons in groups</u>	<u>Number of groups</u>
2	2,416
3	856
4	306
5	82
6	33
7	8
8	2
9	7
10	1
11	1
	<hr style="width: 50%; margin: auto;"/>
Total	3,712

22. Between 1956 and 1958 the percentage of recidivists among offenders under 21 years of age in the metropolitan area fluctuated between 21 and 23 per cent.

23. In Sweden the trends in types of juvenile delinquency have been described as follows:

Offence	Year		Percentage increase per 100,000 of the mean population
	1950	1957	
All Offences	172,061	272,505	51
Unauthorized borrowing and thefts of motor vehicles <u>1/</u>	7,065	32,902	340
Burglary	20,714	42,822	97
Other thefts	82,881	116,036	33
Fraud and embezzlement	18,820	21,867	11
Wilful damage	7,181	14,800	96
Assault	7,395	8,318	7
Driving motor vehicles while under the influence of alcohol	3,460	11,934	229

1/ Includes thefts and illicit use, including attempts, of all kinds of automobiles, motorcycles and power bicycles.

24. The increase in recent years in crimes of violence, which apparently include murder, manslaughter and different types of assault and robbery, has been more or less steady in the youngest age group (15-17). In this group the rate of assault increased by 35 per cent from 1950 to 1953, while it decreased by 7.1 per cent in the higher age groups during the same period. According to the report, there is reason to assume that since 1953 the rate of assault has risen even more in the youngest age group.

25. Robbery has doubled during the last decade and there is also reason to believe that a large part of this increase can be attributed to juvenile offenders. On the other hand, murder and manslaughter have remained at approximately the same level since the Second World War; and the proportion of juvenile offenders is relatively insignificant.

26. As regards rape, however, the general opinion of the police is that this offence has increased among juveniles under 21 years. A factor of importance in this respect is probably the increase in the number of young car owners: it would seem that the acceptance by girls of an invitation to a drive facilitates the commission of rape.

27. The number of offences against property in its various forms, especially theft, is greatest among juvenile offenders. It would seem that, as in the case of sex offences, the number of thefts committed by juveniles is six times as high as that committed by adults. Between 1950-54, thefts committed by offenders in the 15-17 age group increased by more than 30 per cent and it is known that the rate has been rising markedly since then. As to the 18-20 age group years, there is little doubt that the number of thefts has increased considerably. The most typical cases of theft are the unauthorized borrowing and theft of motor vehicles. In spite of the increasing number of these two forms of theft, they still constitute a relatively small percentage of the total number of thefts. In 1955 they were 15.4 per cent of the total. In 1950 the number of borrowings and thefts of cars per month was 7,065; in 1958, 39,809 - an increase of 463.4 per cent.

28. The increase in wilful damage is also very marked. For the age group 15-17 it had risen almost 200 per cent in 1953 in comparison with 1950. The increase among the other juvenile age groups is also marked.

29. Gang delinquency is a relatively recent phenomenon in Sweden and occurs particularly in Stockholm. Most of these gangs are formed by juveniles between 13 and 18 years old, who terrorize people, are often armed with weapons, including stilettos, air guns and bicycle chains, and are usually identifiable by the way they dress. With respect to the consumption of alcohol, it has been stated that there are good reasons to maintain that this has increased among juveniles during the last two decades.

30. The percentage of persons 17 years of age who have consumed alcoholic beverages is as follows:

	Percentage of males	Percentage of females
1937 - 1939	14	6
1944 - 1946	18	11
1952 - 1954	43	30

31. While the percentage for males is a little over three times as much in 1952-1954 as it was in 1937-1939, it is five times as much for girls.

32. Drunkenness has been increasing among people under 21 years of age since the mid-nineteen-twenties. In spite of some fluctuations, it would seem that drunkenness has been increasing particularly in the cities with the exception of Stockholm and Gothenburg.

33. With respect to the use of drugs, the general opinion of social welfare workers is that its use "has increased at an alarming pace among young people in Stockholm". Connected with this problem is the use of preparations similar to benzedrine, as well as the use of tranquilizers.

34. According to some authorities drugs were seldom used by young people ten years ago, while at present "the situation has changed radically and drug habituation is now probably more common than we realize, particularly among the lower age groups". As far as prostitution is concerned, the report states that, although there are no statistics available, "the consensus in welfare and police circles is that prostitution, particularly among girls, has increased greatly and has come to include younger age groups". Apparently the term is used to refer to more or less sporadic sexual relations for financial compensation rather than to prostitution as the only source of income. This kind of prostitution seems to be wide-spread and is current in the cities, especially Stockholm. With respect to male prostitution, it has been claimed that more and more boys are involved in homosexual prostitution with less and less regard to public opinion. Welfare authorities are cautious in their evaluation of the problem. The police is inclined to the belief that there has been an increase. In view of the lack of reliable information, it may be concluded that at present the situation is not worse than it was ten or fifteen years ago. It should be added that, since 1944, voluntary sexual relations between adults of the same sex is not a criminal offence.

35. In Sweden "gangs" are apparently becoming a serious problem. Recently they have received considerable attention and publicity as a result of wild driving and cases of aggressive behaviour. Serious riots or near-riots have taken place in which some juveniles are usually intoxicated. For the recent serious disturbances in the Summer of 1959 in Kristianstad and Karolkoga, the "gangs" ("raggare") seem to have been responsible. After some negotiations the authorities are trying to direct the activities of the raggare towards more useful purposes than wild driving, boisterous behaviour, drinking and damaging property.

36. With respect to the United States of America the following statistical data of the Federal Bureau of Investigation show arrests by age groups for 1958 in 1,586 cities with populations of over 2,500 and the number and percentage of arrests in the same year, of persons under 18, under 21 and under 25 years of age.

ARRESTS BY AGE GROUPS 1958; 1,586 CITIES OVER 2,500, TOTAL POPULATION 52,329,497

Offense charged	TOTAL	Age																	Not known	
		Under 15	15	16	17	18	19	20	21	22	23	24	25-29	30-34	35-39	40-44	45-49	50 and over		
TOTAL	2,340,004	106,892	52,776	62,240	62,307	63,109	58,424	54,267	58,762	56,691	54,576	55,610	260,117	279,461	275,803	239,538	211,998	387,049	384	
Criminal homicide:																				
(a) Murder and non-negligent manslaughter	2,303	17	19	44	50	57	59	71	70	74	68	64	369	363	291	231	158	297	1	
(b) Manslaughter by negligence	1,166	12	7	29	30	45	46	33	34	49	42	31	189	165	145	95	62	152	..	
Robbery	14,968	980	637	836	962	1,080	1,060	941	864	744	696	629	2,403	1,537	796	389	197	215	2	
Aggravated assault	25,824	670	393	599	678	767	732	760	819	847	867	884	4,259	3,878	3,390	2,283	1,676	2,322	..	
Other assaults	82,454	2,050	1,153	1,556	1,762	2,299	2,358	2,400	2,810	2,989	2,966	3,200	14,616	13,423	10,782	7,236	4,792	6,054	8	
Burglary - breaking or entering	61,045	13,768	5,765	6,023	4,904	3,923	2,985	2,341	2,135	1,807	1,680	1,435	5,452	3,710	2,203	1,307	787	814	6	
Larceny - theft	118,325	28,584	9,988	10,576	8,241	6,468	4,467	3,547	3,008	2,784	2,350	2,225	9,003	7,500	5,735	4,233	3,312	6,094	30	
Auto theft	30,240	5,018	5,666	5,368	3,334	2,053	1,491	1,052	795	665	495	432	1,485	1,018	638	341	184	193	12	
Embezzlement and fraud	19,489	186	75	76	140	274	352	426	495	601	643	656	3,545	3,884	3,085	2,051	1,380	1,620	..	
Stolen property; buying, receiving, etc.	5,504	685	287	370	358	303	286	221	202	193	149	141	609	518	411	289	219	263	..	
Forgery and counterfeiting	11,317	121	128	235	283	375	396	412	467	506	483	434	2,068	1,988	1,442	843	506	630	..	
Forcible rape	3,680	108	123	214	237	297	289	241	213	204	180	143	536	351	239	124	85	96	..	
Prostitution and commercialized vice	17,482	27	25	46	97	261	483	492	790	946	940	997	3,892	2,939	2,142	1,342	933	1,128	2	
Other sex offenses (includes statutory rape)	24,517	1,618	867	923	859	861	852	846	901	966	855	816	3,696	3,001	2,484	1,729	1,161	2,078	4	
Narcotic drug laws	9,863	43	44	106	183	290	347	434	446	480	525	561	2,595	1,776	892	445	312	384	..	
Weapons; carrying, possessing, etc.	18,611	726	640	849	857	886	838	726	812	790	712	658	2,784	2,217	1,832	1,155	896	1,233	..	
Offenses against family and children	23,701	101	36	59	95	422	513	780	877	963	926	926	4,953	4,599	3,556	2,361	1,384	1,501	2	
Liquor laws	52,707	711	1,337	2,955	4,491	4,544	4,174	3,353	1,099	964	928	981	4,180	4,502	4,591	4,059	3,620	6,216	2	
Driving while intoxicated	102,219	11	18	186	403	857	1,274	1,685	2,446	2,648	2,651	2,865	13,795	15,490	15,613	13,900	11,298	17,077	2	
Disorderly conduct	281,997	9,158	4,923	6,368	7,316	10,614	10,019	9,455	10,572	9,803	8,924	8,884	40,295	38,443	33,103	25,111	19,331	29,649	29	
Drunkennes	908,957	655	998	2,240	3,855	6,652	7,812	8,855	12,855	13,174	13,616	14,693	80,088	110,696	131,874	129,001	125,630	246,014	249	
Vagrancy	88,351	765	675	1,409	1,739	2,762	2,382	1,979	2,219	1,942	1,909	1,890	8,250	9,550	10,295	9,912	9,484	21,182	7	
Gambling	61,546	94	107	129	245	481	611	779	1,115	1,202	1,349	1,419	8,018	9,686	9,204	7,849	6,767	12,485	6	
Suspicion	96,740	3,669	2,770	4,131	7,019	7,099	5,720	4,798	4,735	4,119	3,574	3,538	13,450	10,298	7,297	5,068	3,847	5,597	11	
All other offenses	276,998	37,115	16,095	16,913	14,169	9,439	8,698	7,847	8,080	7,317	7,011	7,108	29,587	27,929	23,763	18,184	13,977	23,755	11	

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37. The Bureau's statistics for 1956 show that slightly over 12 per cent of total criminal homicides were committed by minors under 18 years of age; the same group committed 24.7 per cent of all robberies; over 15 per cent of all assaults; 53 per cent of all burglaries; 50.4 per cent of all larcenies; 66.4 per cent of all auto thefts; 18.3 per cent of all rapes; 15.5 per cent of other sex offences and 27.4 per cent of "all other offences".^{9/}

38. According to the findings of the United States Senate Sub-Committee on Juvenile Delinquency the drinking of alcoholic beverages accounts for much of the juvenile delinquency in the nation. With respect to gangs, the report, after emphasizing the importance of the gang in connexion with juvenile delinquency, stated that "in the general hysteria that surrounds violent gang activity, the public loses sight of the fact that it is not the mere existence of a gang that causes delinquent activity". It also affirmed that "the child's desires for recognition and for adventure may be channelized through group associations into delinquency because of the pleasurable excitement of defiance to authority and because of the prestige value or bravado". More significantly, the report indicated that one of the most decisive influences preventing a boy from associating with gangs is "his early training in relation to authority that may impel or restrain him from asocial association or influence".^{10/} In conclusion the report mentions the occasional existence of gangs constituted by girls.

39. According to data from the Children's Bureau, urban courts handle 65 per cent of cases, corresponding to about 48 per cent of the population. Rural courts handle 11 per cent, corresponding to 28 per cent. Although the data of the Children's Bureau are incomplete, they indicate a great disproportion of urban court cases. For instance, the case rate for 1,000 children population of 10-17 years of age is given as follows:

Urban case rate.	43.8 per cent
Semi-urban case rate	25.7 " "
Rural case rate.	12.5 " "

40. Statistical data released by the police for the City of New York show that in 1959, as compared with 1958, in the age group 16 to 20 arrests for murder and

^{9/} According to the Federal Bureau of Investigation' definition, automobile theft includes all cases where a motor vehicle is stolen or driven away and abandoned, including the so-called "jay-riding" thefts. It does not include the taking of automobiles for temporary use when these are actually returned.

^{10/} See pp. 151-152 and 154 of report No. 130 listed in the Annex.

non-negligent manslaughter increased by 36.7 per cent; felonious assault by 3 per cent; robbery by 1.7 per cent; grand larceny by 7.5 per cent; car theft by 15.4 per cent; and dangerous weapons by 8.8 per cent. Taking into account the decline in other felonies (such as manslaughter by vehicle: 37.5 per cent; rape: 3.2 per cent; burglary: 10.4 per cent, and other felonies: 3.9 per cent), there is an over-all increase in arrests of 3.1 per cent. Higher insurance rates for youthful drivers seem to have been responsible for the decline of manslaughter by vehicle. The number of misdemeanours in 1959 was 8.7 per cent higher than in 1958. As far as arrests for persons under 16 years of age were concerned, the number for felonies in 1959 increased by 2.9 per cent as compared with 1958. Arrests for misdemeanours decreased by 18 per cent.

41. The published statistics infer that, while the number of arrests for felonies increased in both age groups, the number of arrests for misdemeanours declined only in the under 16 age group. If the total number of arrests is computed, including a percentage of 22.8 for traffic offences, the number of arrests of juvenile offenders under 20 years shows a numerical decline. To what extent this actually reflects a decrease in the incidence, if not in the gravity, of juvenile delinquency in the City of New York is an open question.

42. In the State of California, figures for juvenile delinquency show an upward trend. In 1957, for instance, the number of commitments made by juvenile and criminal courts to the California Youth Authority increased by 17.8 per cent. Moreover, the total number of first commitments has steadily increased. If the figures for 1958 are compared with those for 1950, the increase is over 100 per cent. The most frequent offences are, in decreasing order of occurrence: burglary, auto theft, "other offences", robbery, sex offences including rape, theft, violation of narcotic and drug laws and assault. The medium age for boys brought into the juvenile court was 16.2 and into the criminal court 19.5. For girls it was 15.9 for juvenile court.^{11/}

43. In the Federal Republic of Germany, according to available statistical information for the period 1954-1958, the number of persons under 21 who committed murder or manslaughter in 1958 constituted 13.05 per cent of the general total of these criminal offenders; the corresponding figure for bodily injury was 22.35 per cent; for sex offences 25.42 per cent; for robbery and extortion 39.38 per cent; for simple and aggravated theft, including car theft, 47.15 per cent.

^{11/} See Annual Statistical Report, 1958, Department of the Youth Authority, State of California, 1959.

44. There was an upward trend between 1954 and 1958 in all of these categories. The only exceptions were murder and manslaughter, where the percentage for 1955 was below that for 1954 (8.4 per cent and 12.2 per cent respectively); and robbery and extortion, where the percentage for 1958 was lower than that for 1957 (39.38 per cent and 41.03 per cent respectively). If car theft is studied separately, the percentage of offenders under 21, as compared with the total number of these offenders, increased from 1954 as follows: 1954, 46.2 per cent; 1955, 48.5 per cent; 1956, 54.5 per cent; 1957, 59.94 per cent and 1958, 61.82 per cent.

45. Within the various age groups under 21 years of age, the highest percentages for murder manslaughter and bodily injury were found in the 18-20 age group; for sex offences the highest percentage was in the 14-17 age group; in robbery and extortion the highest percentages were in the 18-20 age group; in simple and aggravated theft, in the 14-17 age group. With respect to car theft, the largest percentage is found in the 18-20 age group. Only in 1957 was the percentage for the 14-17 age group higher than that of the 18-20 age group.

46. In France the majority of offences committed by juveniles are against property. Statistical data on juveniles tried by the courts are as follows:

<u>Offences</u>	<u>Percentage of</u>						
	<u>1951</u>	<u>1952</u>	<u>1953</u>	<u>1954</u>	<u>1955</u>	<u>1956</u>	<u>1957</u>
Against the person	10.8	12.1	13.3	15.6	15.6	16.5	17.7
Against property	67.7	67.4	67.0	66.0	66.6	67.2	66.8
Against morality	8.7	7.7	7.5	7.8	7.6	6.6	6.1
Others	12.8	12.8	13.2	10.6	10.2	9.7	9.4

47. During the last seven years, offences against the person have increased by nearly 80 per cent, while those against morality (moeurs) and "others" have declined by about a third.

48. Gangs are only of relative importance in France. Among the crimes committed by them, car thefts and vandalism seem to predominate. Murder and manslaughter are extremely rare. More frequent victims are chosen among persons belonging to particular groups in the neighbourhood. It has been stated that the formation of gangs is facilitated by the excess of free time at their disposal of juveniles who

do not have to account for the use of their time to anyone, not even parents. It has also been pointed out that not all members of gangs come from problem or broken families.^{12/}

49. In Italy, according to the rather limited existing data available to the Secretariat, offences against the person may be as high as 23 per cent, the figure which was given for the year 1954; only a very small percentage of these offences, however, are murder or manslaughter. On the whole, the number of these offences against the person seems to be increasing steadily. The percentage of offences against property seems to be more or less stable - around 35 per cent of all offences. The most important of the offences against property is theft. If account is taken of all offences, both crime and misdemeanours, for the period 1952-1954, 69.9 per cent were crimes and 30.1 per cent misdemeanours. Generally the proportion of boy to girl delinquency is 4 to 1.^{13/}

50. More recently it has been reported that in spite of the relatively low juvenile delinquency rate, cases of hooliganism have become more frequent in certain cities, especially in Milan. Apparently these acts of hooliganism are mostly committed by groups of juveniles who usually have motor vehicles and more particularly motor scooters at their disposal. The term "hooliganism" is understood to include molesting, harassing and beating people, picking fights and damaging property.

51. The scarce data available to the Secretariat concerning Spain limit comment to general remarks, mostly based on information concerning juvenile court activities in the years 1955 and 1956. Offences by juveniles against the person do not seem to exceed 6 per cent of the total of juvenile offences. The percentage of offences committed against property is far higher, being approximately 53 per cent. Offences against morality (buenas costumbres) are between 7 and 8 per cent. Boys commit about two-thirds of the offences against property which are dealt with by juvenile courts. Forty per cent of offences against morality which are related to prostitution seem to have been committed by girls. The majority of offenders are boys between 11 and 14 years of age, and girls between 14 and 16. The number of cases before the juvenile courts was 14,554 in 1955 and 14,736 in 1956.

^{12/} Ph. Parrot and M. Gueneau, Les gangs d'adolescents, Paris, Presses Universitaires, 1959.

^{13/} G. Luther, "Das italienische Jugendstrafrecht und Jugendfürsorgerecht" in Rechtsvergleichende Untersuchungen zur gesamten Strafrechtswissenschaft. Bonn, 1958.

52. In Belgium the number of gangs (bandes) constituting a social danger against public order and security appears to have increased. The formation of gangs does not seem to be restricted to urban areas. Often the members of gangs are more or less identifiable by their behaviour and dress. Some of the members come from small bourgeois families. Since 1955 all the reports of juvenile court judges contain references to gangs or bandes, some of them composed of from twelve to seventeen members.

53. Concerning Canada, the information available to the Secretariat has been very limited. According to more or less general statements delinquency appears to be increasing in certain parts of the country and in some places, as for example Vancouver, drug addiction or the use of certain drugs seems to be connected with juvenile delinquency. According to available data, offences against the person constituted 2.14 per cent of all juvenile offences in 1947; in 1955 the percentage was 2.26, showing a slight increase. For the same years, the percentages for offences against property were 58.85 per cent and 70.32 per cent, respectively, showing a very noticeable increase. As far as offences against morality are concerned the respective percentages were 2.42 and 4.10, showing an increase of almost 200 per cent.

54. For Latin American countries, very little, if any, statistical information is available. Studies submitted to and statements made at the United Nations Seminar on the Prevention of Crime and Treatment of Offenders, held at Rio de Janeiro in 1953, clearly indicate a generally upward trend in juvenile delinquency.

55. From the fragmentary statistical data available this trend appeared more marked in Brazil, Colombia, Mexico, Peru, Uruguay and Venezuela. More recently it has been stated that, according to available statistical data, juvenile delinquency is increasing in all Latin American countries. Apparently the only exception, on the evidence of data for the period 1945-1955 is Argentina. Also, the increase would appear to be greater in urban than in rural areas, while almost 70 per cent of the offences committed by juveniles are against property, and approximately 70 per cent of all offences committed by girls are related to prostitution.^{14/} A recent survey on juvenile delinquency conducted in the Federal District of Mexico (of which Mexico City forms the largest part) showed that of 79,377 cases dealt with from 1927 to 1956 by the Juvenile Court of the Federal District, 51.14 per cent were against property; 19.09 per cent against the seguridad of

^{14/} See Estudio Comparado sobre delincuencia juvenil, Parte III. América Latina, (United Nations publication, Sales No.: 58.IV.5), pp. 1-5).

persons;^{15/} 17.35 per cent were offences against the person (homicide and bodily injury); 4.57 per cent were sexual offences and 7.85 per cent were for all other offences. According to available data juvenile delinquency appears to increase more rapidly than the corresponding juvenile population; the mental age of juvenile offenders is usually below that corresponding to their chronological age; and the religious or non-religious character of marriage and divorce do not seem to have any influence on juvenile delinquency - a more marked influence is ascribed to non-marital status of parents and illegitimacy of children. The survey states that the condition of being an orphan has no influence on juvenile delinquency.^{16/} If account is taken of the probability that the offences against seguridad are to a great extent offences against the person, the percentage of offences against the person committed by juveniles would appear to be greater than in many other countries. According to another survey conducted several years ago on the activities of the same juvenile court, the number of offences against property was 50 per cent and that against the person 11 per cent. In the survey it was stated that a great number of juvenile offenders are never brought before the juvenile court. According to the data of this survey, 32 per cent of the minors had no father; 12 per cent no mother and 20 per cent neither parent.^{17/}

56. In the Arab countries statistical data on juvenile delinquency are fragmentary; therefore no conclusions can be drawn about its modalities or forms. Apparently, the majority of offences are against property. At the Second United Nations Seminar for the Arab States on the Prevention of Crime and Treatment of Offenders, Copenhagen, 1959, references were made to the existence of juvenile "gangs" in some of the most important cities of the region. For obvious reasons car-theft is practically unknown although some rather isolated cases have already been noticed.

57. In a recent comparative study concerning two areas, one in Cairo and the other in Boston, it has been said that the majority of juvenile delinquency cases in the Cairo area were crimes against the person, while the majority of cases in the Boston area were against property. Sex crimes and drunkenness were virtually unknown in the Cairo area. A widespread form of delinquency was the

^{15/} Offences against "seguridad" are understood to be offences mostly consisting of threats to cause bodily injury or damage in property.

^{16/} Leticia Ruiz de Chaves, "La delincuencia juvenil en el Distrito Federal", Criminalia (Mexico D.F.), vol. 25, No. 12, December 1959, pp. 704-742.

^{17/} Roberto Solis Quiroga, "La delincuencia juvenil en Mejico", study submitted to the Rio de Janeiro's Seminar already mentioned.

collection of cigarette butts, a kind of delinquency which was unknown in the American counterpart area.^{18/} According to a report on the work of the Ministry of Social Welfare of Jordan for the years 1956-57, the greatest percentage of juvenile offences dealt with by juvenile courts in Jordan involved assault, with 682 offences and robbery with 608 out of a total 1,887 offences. Homosexuality accounted for 38 cases and rape for 5; homicide for 12 and threats of violence for 9. During the period 1952-1957 the number of cases dealt with by juvenile courts apparently declined. This decrease, however, does not necessarily reflect an actual decrease of juvenile delinquency cases. Indeed, if account is taken of the fact that the number of commitments to institutions increased steadily during the same years and that the number of fines declined in the same way, it might be considered that these trends point, if not to an increase of juvenile delinquency, to a greater gravity of the offences committed and perhaps to an increased number of cases or recidivism.^{19/}

58. In the Gold Coast (now Ghana), it would seem that as a result of present social and economic changes juvenile delinquency showed an upward trend during the period 1937-1945. The offences most frequently committed were those against property. Juvenile delinquency is rather "individual" in character although it is occasionally committed by gangs. While sexual offences are usually forbidden by native custom, and are therefore infrequent, petty theft from persons outside the clan and especially from Europeans is regarded as "fair game" and causes little public resentment. The majority of offences in the large towns are committed by boys from country districts. Apparently there is no significant relationship between the number of offences and the tribe or religion of the offender. Failure to attend school may be a cause rather than an effect of juvenile delinquency. The number of broken homes among offenders was rather striking. The analysis of the delinquency sample showed that boys from better-class homes were more prone to recidivism. No evidence was found that poverty alone was a primary cause of delinquency, although it undoubtedly often played a secondary part. Contrary to expectations, the size of the families of the delinquents was markedly smaller than those of the control group. No

^{18/} S. Ewies, "A Comparative Study of Two Delinquency Areas: Roxbury and Boubac", The National Review of Criminal Science (Cairo), vol. 3, No. II, November, 1959.

^{19/} See Report on the Work of the Ministry of Social Welfare, the Hashemite Kingdom of Jordan, 1958 (Translated from Arabic). In all probability the figures concerning robbery included also larceny cases.

psychological abnormalities were found among delinquents apart from two who were mentally defective and two cases of minor neurotic disorders. The general health of the two groups showed no differences which could not be attributed to age alone.^{20/}

59. The same source stated that juvenile delinquency is partly the result of conflict between traditional loyalties and European ideals. Detribalization, industrialization and urbanization seem to play definite roles in the problem of juvenile delinquency. For every juvenile delinquent brought to the court there are four who are not apprehended. Common offences of juveniles are stealing, gambling and procuring. Offences are usually committed by gangs. These even work together and some divide all the takings among the members.^{21/}

60. In Southern Rhodesia (Federation of Rhodesia and Nyasaland) juvenile delinquency, as distinct from petty crimes committed by first offenders, is increasing. Offences against property with or without violence constitute 5 per cent of all juvenile offences. Poverty, although important, cannot be considered as the only cause.^{22/}

61. More recently, juvenile delinquency has been studied in certain areas of Douala, Abidjan and Tananarive.^{23/} Although the data gathered are somewhat fragmentary and of limited value they allow the following remarks. At Douala (Cameroon) the majority of offences committed by juveniles between 10-12 years of age are thefts. The same applies to the 13-14 and 15-19 age groups. Theft appears to account for 80 or 90 per cent of all offences committed by juveniles. In decreasing order of frequency the following are the objects usually stolen: money, clothing, shoes, sewing machines, jewellery and watches, cigarettes, bicycles, fruits and other food, and domestic animals. Between the ages of 10 and 20 juvenile offences are committed "individually" in 53 per cent of cases and with other persons in 47 per cent of cases. The older the boy the greater the number of "individual" cases. The number of "associates" is usually small. In Abidjan (Ivory Coast) theft predominates among juvenile offences. In about 58 per cent of cases, it is committed individually. Money appears to be stolen most frequently; furniture, clothing and food follow in

^{20/} G. Tooth, "Survey of Juvenile Delinquency in the Gold Coast". In Social Implications of Industrialization and Urbanization in Africa South of the Sahara (Paris, UNESCO, 1956), pp. 86-91.

^{21/} K.A. Busia, "Social Survey of Sekondi-Takoradi", ibid., p. 82.

^{22/} P. Ibbotson, "Survey of Juvenile Delinquency in Southern Rhodesia", ibid., pp. 170-172.

^{23/} International Children's Centre, Conditions de Vie de l'Enfant Africain et Délinquance Juvenile. Travaux et Documents - XII. Paris, 1959.

decreasing order. The "association" is not only with other juveniles but also with adults. In Tananarive (Madagascar) it seems that juvenile delinquency is increasing and that theft is also the predominant juvenile offence.

62. In the Union of South Africa, a survey made on the causes of juvenile delinquency in a group of 500 Bantu juveniles, a representative sample of cases admitted to the reformatory of Dieplooof near Johannesburg between 1937-1950, found that juvenile offenders enjoyed comparatively good health as a group, that most of them came from broken homes, and that the degree of urbanization of the Bantu synchronized with his contribution to juvenile delinquency. Apparently 80 per cent of offences committed were against property. The survey also stated that gang activities play a very important role in juvenile delinquency.^{24/}

63. According to information forwarded to the Secretariat by the International Society of Criminology,^{25/} juvenile delinquency has been increasing among white and non-white juveniles for about the last ten years. The gang appears among both groups and apparently originates in environmental problems. The white "Ducktail", the coloured "Skolly" and the African "Tsotsi" are representative types. It would seem that the behaviour of all three types of juveniles started with such problems as the dislocation of patriarchal and rural life and the rapid development of urban communities: deterioration of family life; illegitimacy; working mothers; complete lack of interest of parents in their off-spring; provocative material in the press, films and advertising posters; suggestive records of sex-stimulating music, etc.

64. In Lagos, Nigeria, juvenile delinquency constitutes a serious problem. About 1,500 juveniles appear before the juvenile court each year, of whom about 1,000 are seriously delinquent. Available information shows that a delinquent in Lagos is primarily an offender against the unwritten laws of the home. Apparently, disobedience and disrespect are regarded as serious offences. Truancy is also regarded as delinquency. Gangs are not infrequent, but apparently most of them are of a very loose structure and liable to disintegrate at any time. Occasionally, gangs are formed by both juveniles and adults. Offences against property prevail among juvenile offenders who for a variety of reasons have no family ties or very weak ones.^{26/}

^{24/} See paper submitted by the Government of the Union of South Africa to the CCTA/CIE Symposium on Child Welfare, Lagos, March 1959.

^{25/} Provided by Henri Ph. Junod, Director, Penal Reform League of South Africa.

^{26/} A. Izzett, "Juvenile delinquency in Lagos, Nigeria", paper submitted to the CCTA/CIE Symposium on Child Welfare, Lagos, March 1959.

65. Another aspect of associated juvenile and young adult delinquency is the phenomenon of thieves' markets or bandit markets. On the Ivory Coast, these markets are apparently, to a certain extent, the result of migrating groups of young people from several regions to the coastal regions of the Gulf of Guinea. The survey considered here was conducted in the Treichville district (Abidjan) where the majority of the migrants from the north live. The so-called bandit markets are formed by groups of thieves whose activities range from picking pockets to sealing parts from wrecked cars and pilfering from stalls and who work in association with dealers who sell a variety of stolen articles. The dealers are, for the most part, the thieves themselves. They do not appear to belong to organized groups but work alone. The bandit markets are so well known that very often the victim, before even notifying the police, rushes to these markets in the hope of recovering his belongings, and usually contents himself with buying them back as cheaply as possible. These markets are run by young male thieves for young male customers.^{27/}

66. In Japan about 60 to 70 per cent of the juvenile offenders have committed theft offences. This trend has, however, declined since 1951. On the other hand, with respect to major offences such as rape, bodily injury, homicide, arson and robbery, the index numbers for 1956 have considerably increased in comparison with 1941. The increased delinquency rate among juveniles under 18 is slightly higher than that of juveniles between 18 and 20.^{28/}

67. According to information received by the Secretariat, the problem of juvenile delinquency in the Philippines has become increasingly acute. The extent of the problem cannot, however, be accurately determined owing to the lack of a centralized crime recording agency. Among the new forms of juvenile delinquency the most typical and serious are the formation of teen-age gangs and the increasing number of offences connected with the illicit use of drugs (mostly opium), drinking and the frequenting of brothels. The number of gangs has increased considerably in the large cities since the last war. Roughly speaking there are two different types of gangs, one type deriving membership from more or less under-privileged juveniles and one from juveniles coming from the upper socio-economic level. The motives of the first type of gang are economic; such gangs are fairly well organized, each having a more or less geographical jurisdiction and their activities are mostly delinquent. Their

^{27/} J. Rouch and E. Berms, "Thieves' markets in Treichville", ibid.

^{28/} See National Statement submitted by the delegation of Japan to the Tokyo Seminar 1957.

more frequent activities are theft, robbery, smuggling and gambling. They extort regular protection money from small store owners, usually Chinese, for not wrecking the place or harassing customers. They demand free food and drinks from the restaurants within their jurisdiction. The second type of gangs differs in membership and aims. The members come from well-to-do families and they explain their delinquent or criminal behaviour as being "just for the fun of it". Vandalism, fighting, damaging and similar forms of behaviour are the typical activities. Vandalism and damaging are often committed in the shopping centres or in fashionable residential areas. This kind of behaviour is associated with drinking, in spite of existing ordinances against it, and the frequenting of prostitutes. Less wide-spread is the use of drugs, especially opium smoking.^{29/}

68/ In India, the problem of juvenile delinquency is mainly concentrated in urban areas, especially in some of the large cities such as Calcutta. According to available information, the general consensus is that industrialization has a more pronounced effect on juvenile delinquency than on adult crime. In a rather recent survey conducted in two urban areas, Lucknow and Kanpur, juvenile offences against property were found to be the most prevalent. Far less wide-spread were offences against the person and sex offences. Excluding offences against property, the most frequent offence was vagrancy. In both urban areas, recidivism did not exceed 2 per cent of cases.^{30/}

69. In Burma according to available information concerning the cities of Rangoon and Mandalay, juvenile delinquency, on the whole, seems to be increasing. This was especially marked in the period from 1955 to 1956. The most prevalent offences are against property and the person. Delinquency seems to be greater in the age group 16-21 than in that under 16.^{31/}

^{29/} Information provided by Dr. Alfredo M. Bunye, Director, Bureau of Prisons, and Correspondent with the United Nations Secretariat in social defence.

^{30/} S.C. Varma, "Features of Juvenile and Adolescent Delinquency in Indian Urban Settings". Indian Journal of Social Defence, (Lucknow), July 1959.

^{31/} See National Statement submitted to the 1957 Tokyo Seminar.

CHAPTER III

SOME STATISTICAL DATA ON THE NUMERICAL EXTENT OF JUVENILE DELINQUENCY

70. The purpose of this chapter is to offer some statistical data on the numerical extent of juvenile delinquency. Although incomplete, these data permit certain conclusions to be drawn. It should, however, be stressed that statistical data, even if complete, do not offer an accurate numerical evaluation of crime and delinquency. The so-called "dark figures", i.e. those not appearing in statistics, are known to be at least twice as high as those appearing in them. With these reservations, and the ones already indicated in the introduction, the following statistical data are submitted.

Australia (Western Australia)

71. The number of boys who committed criminal offences in 1948 was 753; in 1958 it was 1,737 - an increase of 131 per cent. The percentage of delinquent boys was 15.6 per 1,000 in 1948 and 26.9 per 1,000 in 1958. That of delinquent girls was 1.8 per 1,000 in 1948 and 4.4 in 1958.

Austria

72. The number of convicted juveniles between 14 and 18 years of age was 5,856 in 1951 and 9,836 in 1956 - an increase of almost 68 per cent.

China (Taiwan)

73. The number of convicted juvenile offenders was 1,657 in 1952 and 5,874 in 1956 - an increase of 252.5 per cent.

Belgium

74. According to a recent study on juvenile delinquency the number of juveniles brought to the attention of the public prosecutor fluctuated between 1939 and 1957. During this period, the peak was reached in 1942. The figure for 1957 represents an increase of 29.9 per cent with respect to that for 1952. On the other hand, if the figures of adjudicated minors for 1939 and 1957 are compared there is a slight increase in 1957. But if the figure of 2,119 adjudicated minors in 1957 is compared with that for the years of 1942 to 1948, the decrease of adjudicated minors is considerable.

Eastern Germany^{32/}

75. According to released figures the number of juveniles and young adult offenders was 4,346 in 1951 and 8,532 in 1957 - an increase of 96.3 per cent.

Federal Republic of Germany

76. The number of convicted juvenile offenders between 14-18 years of age was 30,495 in 1951 and 42,434 in 1957 - an increase of 39.2 per cent. Juvenile delinquency seems to have been steadily increasing since 1952.

Finland

77. Juvenile offenders between 15-17 years of age numbered 5,129 in 1946 and 8,295 in 1957 - an increase of 61.7 per cent. Young adult offenders between 18-21 numbered 9,548 in 1951 and 16,114 in 1957 - an increase of 68.8 per cent.

France

78. As compared with the figures for 1949 those for 1957 show a decrease in juvenile delinquency.

	<u>Province</u>	<u>Paris</u>	<u>Total</u>
1949	15,932	5,253	21,185
1957	13,102	3,264	16,366
Decreases	- 17.8 per cent	- 37.9 per cent	- 22.7 per cent

79. The statistics show that the decrease began in 1950 and continued up to 1954. In 1955 a slight increase took place.

1955	11,356	2,619	13,975
1956	11,795	2,983	14,778
Percentage Increases	+ 3.9	+ 13.9	+ 5.7

Greece

80. In 1951, 3,001 juvenile offenders were adjudicated; in 1956, 4,203, making an increase of 40.1 per cent.

^{32/} The designation of countries and territories in this report should not be considered as implying any endorsement or other judgement by the Secretariat of the United Nations regarding the legal status of any country or territory, of its authorities, or in respect of the delimitation of its boundaries.

Italy

81. In 1951, the number of juvenile delinquents convicted was 26,025 and in 1958, 24,079 - a decrease of 7.5 per cent. The decrease was most marked in serious offences.

Japan

82. The number of juvenile offenders under 20 years of age known to the police was 46,550 in 1936 and 100,758 in 1956 - an increase of 116.5 per cent, most of which has occurred since 1949. In that year the number of juvenile offenders known to the police was 59,779; in 1957 it was 123,948 - an increase for that period of 107.3 per cent, and an increase of slightly over 166 per cent if the figures for 1936 and 1957 are compared.

Philippines

83. In 1956 the total number of offences committed by juveniles and handled by the Police Department of Manila was 5,629; in 1957, 4,645, in 1958, 7,488. These figures show a decrease in 1957 with respect to 1956 and an increase of approximately 61.2 per cent in 1958 with respect to 1957.

Sweden

84. A statistical evaluation of juvenile delinquency in Sweden raises some difficulties, because the welfare board system does not make it easy to estimate an important category of juvenile delinquents whose prosecution has been suspended. It has been stated that approximately 75 per cent of serious offenders in the age group 15-17 are granted suspension of prosecution. Apparently the number of suspensions in 1945 was 1,206, while in 1956 it was 3,524 - an increase of 192 per cent. To what extent this increase reflects a similar increase in juvenile delinquency is not easy to say. In any case, according to existing reports, the volume of juvenile delinquency in Sweden may be said on the whole to have increased markedly since the end of the Second World War, particularly as regards both sexes of the 15-17 age group. The number of juvenile offenders under 15 years of age suspected of criminal behaviour rose from approximately 4,000 in 1950 to 12,400 in 1956 - an increase of 210 per cent.

Switzerland

85. In the Canton of Geneva, the increase in juvenile delinquency in 1957 by comparison with 1956 has been given as 18.75 per cent. Compared with the average figure of juvenile delinquency for the previous five years, that for 1957 represents an increase of 58 per cent. According to more recent information it would seem that the number of adjudicated cases has slightly decreased in the Canton of Geneva in 1959, in spite of the fact that the juvenile population between 14 and 18 years of age has been increasing, and that juvenile delinquency is increasing in other cantons such as the Canton of Vaud.

Union of South Africa

86. In 1949 the number of white minors (all persons under 20 years of age) convicted was 4,988; in 1953 it was 9,679 - an increase of 94.0 per cent. Of the total 9,679, 200 were convicted of serious crimes. In 1954, 586 convictions of serious crimes were obtained for 586 white children and juveniles (7-14 and 14-17 years of age respectively), as against 648 in 1956 - an increase of 10.6 per cent. With respect to adolescents (17-20 years of age) the convictions were 1,550 in 1954 and 1,662 in 1956 - an increase of 7.2 per cent.

87. For Bantu, according to information received by the Secretariat the numbers rose during the same period from 3,741 to 4,463 for children and juveniles and from 8,366 to 9,341 for adolescents.

88. It may be noted that in 1956 convictions for serious traffic offences were 1,240 for white minors and 478 for non-white minors; serious theft offences numbered 773 for whites and 9,073 for non-whites; and serious assaults numbered 71 for whites and 6,847 for non-whites. The distribution of estimated population in 1957 was as follows:

	<u>Urban</u>	<u>Rural</u>
Whites	2,400,000	557,000
Bantu	2,800,000	6,600,000
Coloured	900,000	419,000
Asians	350,000	81,000
	<hr/>	<hr/>
	6,450,000	7,657,000

United Kingdom

89. In 1958 the total number of persons found guilty of indictable offences was 146,714 of whom 19 per cent were persons under 14 years of age, 16 per cent in the 14-17 age group and 16 per cent in the 17-21 age-group. In other words 51 per cent of persons found guilty were under 21.

90. The following table offers more specific information on male juvenile offenders:

<u>Age</u>	<u>1938</u>	<u>1956</u>	<u>1957</u>	<u>1958</u>	<u>Per cent variation 58/57</u>
8-14	14,724	20,813	23,697	26,050	+ 10
14-17	11,645	15,029	18,149	21,628	+ 19
17-21	10,131	13,425	16,962	21,322	+ 26

91. If the 1958 figures for the three groups are compared with the corresponding 1938 figures, the respective percentage increases are approximately 77, 86 and 110.

92. For females, the figures are as follows:

	<u>1938</u>	<u>1958</u>
8-14	835	2,033
14-17	912	2,064
17-21	1,320	2,461

93. If the figures of the age groups are compared, the number of delinquents in the first age group is seen to have increased by 143.5 per cent; in the second by 126.3 per cent and in the third by 86 per cent.

94. The criminal statistics for Scotland, with respect to juvenile delinquency in 1956, show that the number of charges proved with or without a finding of guilt in all courts against persons under the age of 17 years was 15,329, a decrease of 1.3 per cent from the previous year; in 1957 the number was 16,127, an increase of 5.2 per cent over 1956. In both years the highest incidence of crimes was among boys aged 14; for offences the worst age was 16 years for both boys and girls.

95. According to more recent information, provisional figures for England and Wales for the first half of 1959 show that the number of children under 14 found guilty of indictable offences decreased by 1 per cent compared with the same period of 1958, and the number of young persons in the 14-17 age group found guilty increased by 11 per cent. The report sent to the Secretariat

by its social defence correspondents in the United Kingdom considers these figures encouraging, since the number of children under 14 would have risen about 4 per cent if the 1958 rate had been maintained. The increase in the 14-17 age group is largely due to a sharp rise among young persons aged 14 who were found guilty of indictable offences; at ages 15 and 16 the increase was no more than could be expected from changes in the population. The report concludes that, at the time of writing (October 1959), the figures did not indicate that juvenile delinquency was continuing to increase as it has in the past few years. With respect to Scotland, the same report states:

The upward trend in the volume of juvenile delinquency in Scotland, as measured by the number of charges proved, noted in 1958, continued in the first six months of 1959 in respect of children under 14 years of age, but a decrease in the number of charges proved against young persons aged 14 and under 17 years is noted. The total number of crimes and offences proved against children and young persons shows an increase of 6.3% over the number proved in the corresponding period of 1958. The number of charges proved in respect of crimes shows an increase of 8.3%, and in respect of offences an increase of 4.4%. The number of crimes proved against children showed an increase of 48.8%, and the number of crimes proved against young persons a decrease of 32.8%. 33/

United States

96. According to the Children's Bureau, not until 1956 was it possible to say with any degree of confidence that the number of juvenile delinquents reported were representative of the country as a whole. In 1956 an estimated 450,000 children were involved in juvenile cases in the courts throughout the country. This seems to amount to about 2.2 per cent of all children of juvenile court age (generally 10 through 17). Since some children are referred more than once, about one-half million (520,000) delinquent cases were handled in the United States in 1956. Moreover, cases of boy delinquents outnumber those of girl delinquents by about 5 to 1. This ratio has prevailed for at least five years. In the semi-urban and predominantly rural courts the ratio was higher: 6 to 1. In 1957, 520,000 children or 23 per cent of all children aged 10 through 17 were referred to juvenile courts. The number of cases handled by the court was 603,000.

97. Also, according to the Children's bureau, the general trend in delinquency cases after 1940 was upward during the Second World War, reaching a peak in 1945 then downward for three years after the war. From 1949, however, the trend

33/ The United Kingdom correspondents are Sir Lionel Fox, Chairman of the Prison Commission for England and Wales and Mr. G.H. McConnell, Assistant Under-Secretary of State, Children's Department, Home Office.

has been reversed and has continued upward each year through 1957. For nine consecutive years delinquency has increased: in 1953 the figures exceeded the peak reached during the Second World War, and by 1957 they attained the highest level ever recorded. The Children's Bureau states that the rise in delinquent cases has far outstripped the growth in the child population. While delinquent cases more than doubled between 1948 and 1957, the child population of 10 through 17 years of age has increased during the same period by only 27 per cent.

98. The figures mentioned do not include (a) delinquent boys and girls dealt with by a variety of agencies; (b) those dealt with by the police without being brought to court and (c) those not included in the incomplete court statistics.

99. In another publication, the Children's Bureau has estimated that 175,000 children were brought before the courts in 1918.

100. According to figures published by the United States Senate, in 1948 there were less than 300,000 juveniles appearing before the courts; in 1952 there were 385,000; in 1953, 435,000; in 1954, 475,000 and in 1955, 500,000. From 1948-1955 juvenile court cases increased by 70 per cent, whereas the increase in the juvenile court age population was only 16 per cent. In non-urban areas the increase was even more marked - up to 78 per cent on the average. The Bureau of Census has predicted that by 1965 the U.S.A. will have 50 per cent more boys and girls in the 10-17 age group than in 1955. According to the Senate report, if the delinquency rate continues its upward trend in the same way it did during the years 1948-1955, over a million children will appear before the courts in 1965.

101. The year 1955 also saw more than 1,450,000 boys and girls brought to the attention of the police for misbehaviour. About 3 out of 4 were dealt with directly by the police and were not taken to the Juvenile Court. Court records show that approximately 35 per cent of juveniles brought before the courts have been there before on one or more occasions. In 1955, approximately 50 per cent of cases appearing before courts were dismissed, adjusted or held open without further action; 125,000 cases were placed on probation and more than 40,000 committed to some type of training school. The rest were either referred to some other agency or handed summarily. The nation's probation officers have a constant caseload of over 100,000 boys and girls.

102. If the estimated figures for 1918 are compared with the estimated figures for 1960, the latter show a 328.6 per cent increase over the former. It would also seem that between 1918 and 1948 juvenile delinquency rose by 71.4 per cent and between 1948 and the estimated figures for 1960 the apparent increase will be 150 per cent.

103. The Federal Bureau of Investigation estimates that from 1957 to 1958 the population in the United States increased 1.7 per cent; the per cent increase in the Crime Index was five times as great. Arrests of persons aged 18 and over have increased by about 1 per cent each year for the past five years (1953-1958), while arrests of persons under 18 have increased by about 10 per cent each year. The increase in arrests of young persons was proportionately greater than the increase in the youth population. It would seem, therefore, that neither the increase in the youth population nor isolated changes in the reporting procedures of the police account for the increase in arrests of young persons.

104. Statistical data compiled by the New York State Department of Corrections reveal that in 1958 the largest increase in delinquency was found in the category of youths aged 19-20, where it rose 17.2 per cent above the figure for 1956. In 1958, 12,433 arrests of youths aged 16-20 were made for major crimes; this represented 26.3 per cent of the total number of arrests for these crimes. "The maximum age of juvenile delinquency in New York State is 16 years of age while in other states it varies between 16 and 21 years of age. This affects the validity of comparing state and national delinquency statistics. However, the fact that the number of juvenile delinquency cases in New York State increased 88% from 1948 to 1957 as compared with over 100 per cent nationwide increase during the same period would at least suggest that the increase in juvenile delinquency is not a problem solely in New York State. The nationwide increase in 1957 was the ninth consecutive year in which juvenile delinquency cases increased over the previous year. This increase was 16% in 1957 over 1956 while the child population increased an estimated 7 per cent."^{34/}

105. In Viet-Nam available data on juvenile delinquency show rapid increase. It has been indicated that between 1955 and 1957 it increased 59 per cent. During the first quarter of 1958 the number of juvenile offenders had already

^{34/} New York State Youth Commission, Youth Service News, No. 11, 4 November 1959.

exceeded the total number of them for the whole year 1957. It has been stated that if the pace is maintained the increase in 1958 would be 123 per cent with respect to 1957. The most frequent types of offence are those against property and gambling and bodily injury. The offences against property constitute 53 per cent of all juvenile offences, and those against persons almost 15 per cent. Sexual offences amount to 8.4 per cent. The report consulted states that 90.7 per cent of juvenile offenders come from low income groups.

Yugoslavia

106. In 1950, the number of convicted juvenile offenders was 1,819; in 1956, 4,414 - an increase of 142.7 per cent.

107. Fragmentary statistical data or information seem to indicate that in Argentina and Spain juvenile delinquency either is occasionally decreasing or remains more or less stationary without constituting, according to the sources consulted, a serious national problem. Apparently, the situation is usually more serious in certain large cities. A report issued in 1956 suggested that juvenile delinquency was increasing in most of the regions of Africa South of the Sahara, especially in Kenya, the French Overseas Territories, Angola, Mozambique, the Federation of Rhodesia and Nyasaland, and Sierra Leone. The increase was not uniform in all the territories concerned. In the Belgian Congo the increase was noticeable in urban areas but some diminution in the total number of young offenders was observed^{35/} - a decrease also indicated in a more recent study.^{36/}

108. According to the available information it would also seem that numerically, juvenile delinquency is following an upward trend, occasionally a rather sharp one, in large urban areas in Nigeria, Ethiopia, Pakistan, Brazil, Venezuela, Mexico and some other parts of the world. The incidence of juvenile delinquency in Non-Self-Governing Territories cannot be assessed. Statistical information and other data are too fragmentary to justify comment and even less to permit the drawing of any conclusion.^{37/}

^{35/} Commission for Technical Co-operation in Africa South of the Sahara, Treatment of Offenders. Inter-African Conference, 2nd Meeting, Kampala, 1956.

^{36/} G. Lafontaine, La législation sur l'enfance juvénile au Congo belge et son application, Brussels, 1957.

^{37/} See United Nations documents A/AC.35/L.270, 1958 and A/4181, 1959.

CHAPTER IV

SOME ANALYTICAL CONSIDERATIONS ON (a) THE NEW FORMS OF JUVENILE DELINQUENCY, AND (b) THE EXTENT OF JUVENILE DELINQUENCY AS A SOCIAL PROBLEM

109. The two preceding chapters, although fragmentary, contain enough information for some tentative conclusions to be drawn about the prevailing trends of the new forms of juvenile delinquency and about the extent of juvenile delinquency as a social problem.

110. The first general remark that may be made on both points is that, however many common features may be found, juvenile delinquency presents its own particular characteristics in each region or even in each country. These, more than the similarities, require attention. In other words, notwithstanding the universal character of juvenile delinquency, the problem is not at all uniform or caused by the same factors, whatever these are considered to be by certain theories or schools of thought. All the information gathered by the Secretariat seems to corroborate these conclusions.^{38/} Thus, in an African country, poverty has not the same meaning and effect that it has in an economically highly developed and industrialized country or in others which, without being so highly developed, have good social welfare systems. The same applies to any other "factors" such as family ties, broken homes, education or lack of it; associated delinquency among juveniles, and the like. In other words, the fact that a variety of "factors" have the same names does not necessarily mean that their content is identical or even similar. To bear this in mind seems to be of some importance in view of the prevailing generalizations about juvenile delinquency as a world problem.

111. In the light of the foregoing remarks, new forms of juvenile delinquency may be summarized as follows:

(a) Offences against property greatly predominate over any other kind of offence. In some countries there are indications that offences against the person are increasing, and in a more restricted group of countries this is the case with sex or morality offences. Drug and liquor offences seem also to be increasing in certain countries.

^{38/} This information has been gathered partly with the kind co-operation of social defence correspondents in different countries. The Secretariat wishes to express its thanks for their co-operation, which has facilitated its work in carrying on the programme of work in social defence.

(b) It would seem that in a general way violence is becoming more and more a feature of juvenile delinquency. Violence is not necessarily restricted to offences against the person, but also occurs in offences against property. The number of homicides and bodily injuries seems to be taking an upward trend in some countries, and the same applies to burglary and breaking and entering. Another manifestation of violence, although often hidden, is typified by the delinquent activities of certain gangs who, by offering protection, or without offering it, obtain various advantages, services or goods, including food. Finally, violence seems to have increased through the growing number of acts of serious damaging or vandalism, committed in revenge, or for the fun of it, or as an expression of a more or less rebellious attitude. With respect to vandalism, it may be that minor forms of damaging committed by children, and even by some very young juveniles, should not always be labelled as delinquency.

(c) In a general way it would seem that in many countries juvenile delinquency is gradually reaching the lowest juvenile age groups. In other words, some forms of delinquency, even serious ones, are more and more being committed by minors between 12 and 14 years of age.

(d) While, in the past, juvenile delinquency was erroneously considered as being confined to juveniles from the lower-income brackets, at present more and more juveniles from the higher-income brackets are becoming delinquents.

(e) Although juvenile delinquency still remains largely an individual matter in quite a number of countries, "association" forms of delinquency are becoming more frequent. However, not all these forms can be identified with the term "gang". The following forms of association may be tentatively distinguished: (i) the gang as an exclusive association of juveniles not necessarily organized for delinquent purposes, but in which rebellious or anti-social attitudes are visible or latent. Usually the gang, as a structure, is a well organized group in which loyalty, categories, recognition and obedience play an important role. Very often "gangs" operate within a particular geographical area. This element does not appear in those "gangs" which, although also well organized and united, commit acts of vandalism or harass persons in any area or places, usually for the fun of it. (ii) Another form of association is that constituted by more or less loose groups of

juveniles who either work or behave as delinquents together. Membership in this case is often temporary or even accidental. Another modality of this form of association is the participation of adults, who sometimes deliberately use juveniles for their criminal purposes. (iii) Yet another form of association is that of the "group" formed by a concentration of juveniles at a certain moment and place, who all of a sudden, and apparently without a prior plan or recognized leaders, start damaging property or harassing persons in a particular area. To what extent these "juvenile riots" may be considered a form of juvenile delinquency committed by a disorderly crowd is difficult to say. It would seem that in these and similar cases what has to be faced is more a problem of juvenile attitudes vis-à-vis a prevailing system of values than the effect of the so-called criminogenic factors.

(f) In many countries the meaning of juvenile delinquency is so broad that it embraces practically all manifestations of juvenile behaviour. Under the influence of certain theories, juvenile delinquency is identified either with maladjustment or with forms of juvenile behaviour which actually are more a reflection of poor living conditions or inadequate laws and regulations than a delinquent inclination. Thus, disobedience, stubbornness, lack of respect, being incorrigible, smoking without permission, collecting cigarette butts, hawking and the like are considered as juvenile delinquency. Very often these "forms of delinquency" are hidden in statistical data under the vague term "other offences". More often than would be desirable, these "offenders" are lumped together with real ones not only because services and institutions for them are not available but also because, according to some policies and practices, all of them are considered "maladjusted" and sent

to the same institutions. The result is an artificial inflation of the juvenile delinquency problem and its "forms".^{39/}

Strictly speaking, none of the offences mentioned constitutes by itself a "new form" of juvenile delinquency. Actually, all of them are in number or gravity forms of criminal offences against the person, property, morality or sex that are already clearly defined in criminal laws and regulations. Thus car-theft, whatever its importance in certain countries, is still not more than an offence against property. The fact that in certain countries it may be considered a furtum usus instead of an outright theft does not alter the conclusion. On the other hand, although not constituting "new legal types" of crime, there is no doubt that the growing number of juvenile offences and the fact that - more clearly than in the past - delinquency is involving more and more juveniles coming from families in the higher-income brackets seem to point to new modalities or "forms" of delinquency, if the latter term is taken as referring to more serious quantitative and qualitative aspects of already known forms of delinquency. These "new forms", although more or less wide-spread throughout the world, do not present the same characteristics in all countries. Thus, theft, robbery and breaking and entering, although by far the most common juvenile offences, do not present, criminologically speaking, the same characteristics in each country, especially as regards their motivation and other factors. With respect to sex offences, the statistical data consulted, although incomplete, show some marked

^{39/} Examples of this more or less all-embracing meaning of juvenile delinquency may be found in some of the U.S.A. Statutes on juvenile delinquency, and also in countries where either by law or accepted practice, delinquency and maladjustment are considered interchangeable terms. For information, see bibliography listed in the Annex. In Hong Kong, juveniles brought before the magistrates courts reached the exceptionally high figure of over 55,000 in 1954/55, but over 90 per cent of them had committed only technical breaches of the law such as obstruction or hawking without a licence. A slight liberalization in the granting of hawkers' licences by the Government resulted in the decline of this figure to 30,947 in 1955/56. In Kenya, to take another example, stricter enforcement of the vagrancy and pass regulations brought the number of juveniles appearing before the Nairobi Central Juvenile Court alone to over 3,000 in 1955; however, "with the introduction of the Prevention of Cruelty and Neglect of Children Ordinance No. 12 of 1955, the number of children brought to the Court as vagrants and homeless was greatly reduced". See "Juvenile Delinquency in Non-Self-Governing Territories", United Nations document A/AC.35/L.270, 17 March 1958.

differences among European countries and between these and non-European countries. Some differences were also found with respect to homicide and bodily injury. In sum, in spite of the scarcity of data, some marked regional or national differences may be said to exist, in juvenile delinquency.

112. The extent of juvenile delinquency as a social problem cannot be considered as affecting only a small part of the juvenile population. It has been argued, for instance, that in several countries juvenile delinquency affects not more than 3 or 5 per cent of the total juvenile population. This point of view seems to overlook (a) that the gravity or importance of a social problem is to be measured or evaluated not only by numerical data, but also by the repercussions and far-reaching effects; (b) that, whatever their perfection, statistical data never reflect the totality of individuals they are designed to cover. With respect to juvenile delinquency this seems evident, if it is remembered, first, that even in highly organized countries such as the United States and Sweden, complete statistics on juvenile offenders are not available for a variety of reasons and, secondly, that a considerable number of juvenile offenders are never covered by the statistics, either because they are undetected or because, if detected, they are dealt with by agencies or by the family and not by the police or the juvenile courts or other official or semi-official agencies. Moreover, it would seem that the number of non-reported delinquency cases is greater than the number of non-reported adult crimes. If, therefore, as is generally assumed, the so-called "dark-figures" of statistics, are from twice to five times as high as those appearing in the statistics, it would be not unreasonable to conclude that the number of juvenile offenders is probably not less than three or four times greater than that appearing in the statistics, even if these are complete and reliable. With respect to the United States, the assumption that only about 3 per cent of the juveniles become delinquent has been denied by several experts, including Perlman, who considers that a better idea of the size of the problem of juvenile delinquency may be obtained by estimating the percentage of all juveniles who will become involved in at least one court delinquency case during their adolescence, which is reckoned as covering an eight-year period. Allowing for repeaters, who account for about one-third of all delinquency cases, the percentage is roughly estimated to be as high as 12 per cent if the 1957 rate of delinquency continues (600,000 juveniles referred to juvenile courts). For boys alone, Perlman concludes that the figure would be, roughly, as high as 20 per cent. The numerical size of juvenile delinquency is greater, therefore,

than is often realized or, as Perlman puts it, greater than would appear from just looking at one year's figures.^{40/}

113. Even assuming that as much as 20 per cent of juveniles at the vulnerable age are delinquent, this percentage will still not constitute in itself an appropriate assessment of juvenile delinquency as a social problem, since especially from the preventive point of view, juvenile delinquency affects all juveniles and to a great extent adults, if account is taken of the fact that a great percentage of adult offenders started their careers as criminals between 14 and 21 years of age. If the present trend, already marked in certain countries towards an increase in delinquency among juveniles under 14 years of age continues, juvenile delinquency as a social problem promises to become more serious in every respect, and a greater number of juveniles and adults will be affected. This leads to the conclusion that, contrary to wide-spread belief, juvenile delinquency, like adult crime, is not a problem affecting one particular group of persons only. On the contrary, it seems to affect all groups. It would not be unreasonable to conclude that the hitherto prevailing opinion that crime and delinquency affect only certain social groups in need of assistance or protection is partly responsible for the paucity and ineffectiveness of programmes and policies aiming directly and specifically at the prevention of crime and delinquency. Most of the existing preventive programmes and policies are based on this idea of special or separate groups, and on findings arising from the treatment of members of these groups. Treatment policies, programmes and techniques, although no doubt valuable, do not offer a broad enough basis for the development of general preventive policies, for, although closely related, the prevention of delinquency as a general phenomenon is one thing and to stop individual juveniles from again becoming delinquent is another.

114. In sum, at the present historical juncture, it would seem that in many countries and for a variety of reasons, juvenile delinquency may be regarded as a social problem of serious proportions. This was the point of view of the General Assembly of the United Nations which, at its fourteenth session, adopted a resolution expressing the hope that the study of the problem of juvenile delinquency should receive the urgent attention which its increasing gravity

^{40/} See "Delinquency Prevention: The Size of the Problem", by I.R. Perlman, Chief of Juvenile Delinquency Statistics of the Children's Bureau, in Annals of the American Academy of Political and Social Science (Philadelphia), March 1959.

deserves.^{41/} As a social problem it presents, however, different features in every country or region. In some countries it would appear that, in spite of the high standard of living and the variety of programmes and services directed to the prevention of delinquency, the problem still assumes serious proportions. 115. On the other hand, the gravity and extent of this problem is occasionally obscured and perhaps exaggerated by the excessive publicity that juvenile delinquency gets as a "news item" in some countries. The problem appears also to be somewhat inflated by the broad and rather confusing meaning given to the term "juvenile delinquency" by some prevailing theories and schools of thought.

^{41/} United Nations document A/Res/1394 (XIV), 27 November 1959.

CHAPTER V

THE ORIGIN OF THE "NEW FORMS" OF JUVENILE DELINQUENCY

116. If by "origin" is meant the factors or causes of the new forms of juvenile delinquency, it would seem that in view of the meaning given in this report to the term "new forms", their causes will not differ essentially from those usually assigned to juvenile delinquency in general.

117. In the abundant literature, including research projects, dealing with the present increase in juvenile delinquency, its origin has been attributed to a variety of factors or causes. In some countries theories which attempt to explain juvenile delinquency incline to the medico-psychological while, in others, their bias is markedly sociological or economic. An analysis of some prevailing theories, however, suggests that they are built either on a generalization of the findings obtained in the treatment of a series of individual cases, or on the results obtained from studying sample groups of juvenile offenders as such and from comparing these groups with others so-called "control groups" composed of non-offenders. No doubt both methods of investigation - generalization of individual cases and study of groups - have contributed to the improvement of techniques and methods in the treatment of juvenile offenders, but it would seem, on the basis of past and present knowledge and experience, that neither of these methods, or other similar methods, offers a generally satisfactory explanation of crime causation. Perhaps the best approach to a complete study of this matter, which is outside the purpose of this report, would be to try, after a revision of the prevailing theories about crime and delinquency, a new approach to their prevention, and to the treatment of offenders. In all probability, this new approach would also imply a new conception of the term "cause". It would seem that crime and delinquency, rather than being caused exclusively by a more or less selected set of factors, are also the result of a learning process. This process enters into play even when the middle or upper-class juvenile suddenly commits a criminal offence. In other words, at the present historical juncture, it is difficult to maintain that, in view of the deterioration of social values in certain societies, or the rapid social and economic changes taking place in others, this learning process occurs only in the so-called "delinquent areas", or comes about as a result of gang membership.

118. The increase in juvenile delinquency has been explained according to a variety of more or less accepted theories or schools of thought. Within the limits assigned to this report some comments on these various explanations are given here:

119. (a) According to a widely accepted point of view, juvenile delinquency is mostly the result of poor living conditions. Therefore, the improvement of these conditions (usually understood in a rather materialistic sense) is recommended as a way of preventing juvenile delinquency.

120. The existing data suggest that the improvement of living conditions, i.e., what is called a better standard of living, does not necessarily, by itself, reduce juvenile delinquency. In this respect the experience of the United States of America, the United Kingdom, Sweden and other countries with a high or very satisfactory level of living is significant, since it is in these countries that juvenile delinquency seems to be increasing more rapidly than elsewhere and that it has been considered by many as constituting a serious problem.

121. On the other hand, the lack of statistical data about other less developed countries makes it difficult to arrive, by comparison, at such a conclusion. Actually, the more important form of comparison is that made within each particular country. By this test, it would seem that in countries where national and average family income, educational levels, housing conditions, welfare policies and services, health and medical conditions and facilities, labour conditions and organizations have been steadily improving, juvenile delinquency is not necessarily decreasing; indeed, in more cases than expected, the opposite is taking place. In these countries, also, the increase in juvenile delinquency is usually greater than the increase in the corresponding juvenile population. This, however, should not be taken to mean that the improvement of material living conditions is a cause of crime and delinquency. The answer seems to be that each social and economic structure has, to a certain extent, a particular pattern of crime and delinquency. In other words, the improvement of living conditions eradicates certain forms of crime and delinquency and prevents others, but at the same time originates new forms of crime which coexist with those historically surviving, whatever the nature of the social and economic changes that have taken place. This seems to be confirmed not only by comparing the more frequent forms of juvenile delinquency which appear within a particular country at different periods of time, but also by comparing the characteristics of juvenile delinquency in one country with those in another. Thus, car-theft is

evidently a form which reflects a higher standard of living and is not necessarily due to the non-satisfaction of some fundamental needs.

122. Furthermore, the comparison of traditional criminal offences such as those against property, the person, morality and the like will reflect the particular moral values and the social and economic structure of the countries concerned. Car-theft, for instance, is practically unknown in many less developed countries, where, on the other hand, food and clothing thefts prevail; whereas these latter kinds of theft are, if not unknown, at least far less frequent in the highly developed countries.^{42/} In general, one is led to conclude that the improvement of material living conditions, usually accompanied in some countries by well developed welfare systems (which, as already stated, are highly desirable and undoubtedly have a general preventive effect) does not in itself suffice to reduce the problem of juvenile delinquency. It would seem, therefore, either that the beneficial and preventive effects of such improvement are counteracted by other negative factors, or the way in which material conditions are bettered is at fault in some respects.

123. Another closely related question is to what extent the steady improvement of material living conditions implies a parallel improvement of moral values or, on the contrary, leads to a decline of these moral values in certain societies. The question is of particular importance as far as juvenile delinquency is concerned. At present, opinion is growing in a variety of quarters, that, if juvenile delinquency is to be reduced, discipline, moral values and social responsibility should be stressed in every society more particularly among juveniles.

124. (b) Closely connected with the above question, but usually dealt with separately, is the assertion that poverty or poor economic conditions are decisive factors in juvenile delinquency. Here again, a distinction seems to be called for between juvenile delinquency as a social phenomenon and juvenile misbehaviour. Although statistical data are incomplete it would seem from those used in the preparation of this report that juvenile delinquency, as a social problem, is not caused by poverty or poor economic conditions alone. The fact,

^{42/} In the study already mentioned, conducted by Ewies, see footnote 18, it is pointed out that in the Boulac (Cairo) area, collecting cigarette butts is a crime frequently committed by juveniles which is not known in the Roxbury (Boston) area. There, sex, drunkenness and motor vehicles offences are committed which are practically unknown in the Boulac area.

however, that these conditions still prevail in many countries and affect the majority of juvenile delinquents, makes poverty appear as a factor closely associated with delinquency. On the other hand, as already indicated, it would seem that the improvement of living conditions makes certain forms of so-called economic juvenile delinquency practically disappear. The information studied, however, shows that quite often poverty was not the cause of all individual cases of delinquency, even if the juveniles came from very poor families. This seems to be also confirmed by the fact that certain forms of delinquency are committed in highly developed as well as in less developed countries by juveniles coming from families in the higher-income brackets. In general, then, the available data appear to reinforce the conclusion that in certain countries poverty or poor economic conditions may be regarded as among the most important contributory factors only to certain forms of delinquency but not as the only one. It should also be noted that in countries which, for the purpose of this report, may be considered as being in an intermediate position, such as Argentina, Greece, Italy and Spain, juvenile delinquency apparently is not increasing with respect to the corresponding juvenile population and does not seem to constitute a serious national problem.

125. (c) War has also been often mentioned as one of the main causes of the present increase in juvenile delinquency. Unless the term "war" is used in a very loose sense, as referring to practically every situation or condition resulting from, or connected with war, it cannot by itself explain either the origin of all new forms of juvenile delinquency or its general increase. Thus, car-theft, as a new form, started before the Second World War and does not seem to have been originated by the First World War. Actually, juvenile delinquency, as a social phenomenon, was already following a generally upward trend in the United States of America and Sweden, even before the Second World War.^{43/} That War, however, affected in a different way, the following countries among others: France, Belgium, Denmark, Italy, the United Kingdom and the United States of America. Thus, it affected very deeply France, Belgium and Denmark - all three occupied by the enemy. Nevertheless, in France and Belgium, the slight fluctuating increase in juvenile delinquency cannot be compared with the far more steady increase in

^{43/} International Penal and Penitentiary Commission, Les Effets de la Guerre sur la Criminalité, Berne, 1951.

the United States of America or even in the United Kingdom. In Denmark, according to the information supplied at the United Nations Arab Seminar, held at Copenhagen in 1959, juvenile delinquency has been slightly declining in the last two years. In fact, it would seem that Denmark is the only Scandinavian country in which a decline has taken place. In Italy, juvenile delinquency is apparently decreasing. In the United Kingdom, the increase in juvenile delinquency, in which some fluctuations have apparently taken place, is less serious than the more steady upward trend in the United States of America, a country whose participation in the war, as far as damage, occupation and other related circumstances are concerned, differs from the other countries here mentioned. Sweden, although affected by the war, was not one of the belligerents. However, juvenile delinquency in Sweden has increased and apparently had been increasing for a number of years before the war. Spain, after a civil war, does not show signs of a serious increase in juvenile delinquency. In sum, without denying the contributory effects the war may have had upon crime and delinquency - effects which differ in each country and may be counteracted by others not less varied - it would seem that the present increase in juvenile delinquency and its new forms are not to be explained by war alone whatever its effects.

126. (d) Another factor frequently mentioned in the causation of delinquency is urbanization and industrialization. This is referred to in many studies and reports, especially those dealing with the less developed countries. As social and economic phenomena, urbanization and industrialization are not new. Indeed, it would be difficult to maintain that urban growth and industrialization by themselves are "criminogenic factors". It would seem more reasonable to conclude that, as far as crime and delinquency are concerned, it is the way in which both processes take place rather than the processes themselves, which largely explain the increase in crime and delinquency which has taken place in many countries. The question thus arises whether, in planning the economic, industrial and urban development of a country, especially of the new countries, problems of crime and delinquency should not be taken into account among other social problems. The experience of certain countries shows that a lack of co-ordination between economic and industrial development on the one hand and social development on the other, may be an important contributory factor to an increase in crime and delinquency. In many countries social development came later than industrial development, as something distinct from it and not always willingly accepted. Unless this state of affairs can be avoided, the new countries may be faced with

the problems of crime and delinquency with which some highly developed countries are still confronted. It is therefore desirable that social and especially welfare and health policies should not be put at a disadvantage compared with economic policies. In this respect, a general statement made in a recent report seems to be applicable to crime and delinquency:

"The present report indicates that progress can be made and has been made in recent years, however slow and uneven it has been. Yet the very process of development has been creating new problems as it has been solving old ones, and the present report demonstrates also the need for a much closer integration of economic and social objectives than has been yet achieved in most countries, much less compartmentalization of thought, and much better understanding of the complex process of development upon which so many peoples and Governments are now basing their hopes for the future." 44/

127. Closely associated with the problems of economic development and industrialization are the problems of urban and rural crime and delinquency. Urban delinquency appears, on the whole, to be a more serious problem than rural delinquency, and this difference seems to be due not to urban growth as such, but rather to the way in which this has been and still is taking place. Cities and rural districts have different rates of crime, which are determined not by the size of the population but by the way in which the people live and are governed. Political corruption, poor living conditions, discriminatory policies and other factors may cause a disproportionate increase in the rate of crime in any kind of urban and rural area. Generally, the kinds of delinquency depend upon the kinds of circumstances in which juveniles live and the pattern of life of the group or society to which they belong.

128. Studies from a number of regions, some of them specifically mentioned in this report, show that juvenile delinquency tends to increase rapidly in cities of countries undergoing economic and social change. A recent United Nations report summed up the situation as follows:

"Much of the increase in juvenile delinquency during urbanization is attributed to the decline of family influence and community control over youth. Many youths drift to the towns without their parents (their departure may be itself an act of rebellion against established society); some go to the towns to seek their parents, who had earlier left them in the village..."

44/ Report on the World Social Situation (United Nations publication, Sales No.: 1957.IV.3), p. 4.

"Even youths who migrated with their parents or were born of migrant parents often do not receive adequate parental supervision and guidance ... and the younger generation, brought up in the city, may regard the older generation as backward and primitive and refuse to be guided by it. In addition to such circumstances, the temporary and unstable marriages and liaisons which are quite common among populations in transition produce large numbers of broken homes and abandoned and homeless children.

"The weakening of family, kinship and community ties is compensated for in the urban environment by the growth of 'peer' groups at different age levels with their own codes of behaviour. Such groups may fill the social vacuum in legitimate and constructive ways, but in the conditions of urban slums they often operate as 'gangs' that roam the streets, committing petty crimes, sometimes supporting themselves by predatory means, conducting warfare against other gangs and often serving as the tools of professional criminals.

"Whether in gangs or not, children and youths who do not attend school and cannot find fitting and steady employment are apt to take to the streets and fend for themselves, not only by doing odd jobs that are legitimate such as shining shoes, but also by pilfering, begging, scavenging, gambling, directing older men to prostitutes, selling narcotics, operating in black markets, etc. In a study dealing with juvenile delinquents and destitution in Poona, India, it was found that more than 50 per cent of those who committed thefts were neither employed nor in school. In some cases the situation is aggravated by legislation resulting in a hiatus between school leaving age (e.g., 14 years) and the minimum age for juvenile employment (e.g. 16 years). This problem has been noted in both Africa and Latin America"

"... the social problems of urbanization may be self perpetuating: an urban class of people who live by crime recruit the unwary youth into their ranks and the latter in turn become members of the class

"The tendency of rural youth to seek excitement in the city frequently ends in juvenile delinquency. There is no doubt that urban ideas and influences now reaching into the countryside are causing widespread restlessness among the rural youth: some of them are reported to migrate hundreds of miles in search of the excitement of the town and the prestige of urban life and employment." 45/

45/ Ibid., pp. 141-142.

129. Recent information tends to confirm that, in spite of the efforts made and the hopes entertained, the juvenile delinquency situation does not seem to have improved.^{46/} The growing influence of communication media seems to have the effect of stimulating among juveniles living in rural areas a desire to imitate their "models" in the urban areas. This imitation, which has its good and bad sides, will considerably reduce the difference between urban and rural areas in many countries. The uniformity thus produced in certain patterns of life is likely to favour the dissemination of new forms of juvenile delinquency.^{47/}

130. (e) Another school of thought, mostly medico-psychological, has put forward the theory that non-satisfaction of emotional needs is the origin not only of the new forms of delinquency but also of delinquency in general. According to this theory, tension, lack of affection, aggressiveness, frustration and the like are, if not the only sources of juvenile delinquency, at least the main ones.

According to this way of thinking, what seems to be more important is not the preservation of the prevailing system of values of a particular society or group, but the satisfaction of its needs, particularly the emotional needs of juveniles. A corollary of this theory is the assumption that children and juveniles live in a world of their own and that the nature of the criminal or delinquent act is therefore irrelevant. What really matters is the personality of the minors.

131. Although in some individual cases the non-satisfaction of emotional needs may lead to crime or delinquency, it would seem that as a general theory the satisfaction of emotional needs is a never-ending process. As such it would mean, among other things, the employment of a huge assortment of services or techniques devoted to the satisfaction, not only of needs which are more or less permanent, but also of those which are constantly changing. From a less medico-psychological point of view, it would seem that the satisfaction of certain fundamental needs should be related to the prevailing system of values.

^{46/} See, among others, the study by S. Ewies already mentioned and, with respect to Mexico, "Industrialización y delincuencia", by Héctor Solís Quiroga in Jornadas Industriales, 4a, January-March 1957, pp. 123-160, where, according to statistical data relating to several industrial areas of Mexico, juvenile delinquency seems to be determined by industrialization and urban growth.

^{47/} Contrary to rather wide-spread belief, juvenile delinquents have not always adopted a particular way of dressing. The fact that in certain countries, especially in urban areas, groups of young people have adopted distinctive clothing does not necessarily mean that they should be identified with delinquents.

In other words, emotional needs should in principle be evaluated in accordance with the prevailing moral and social values and not be considered as things apart. Otherwise, emotional needs - the meaning of which does not always appear clear even among experts - would override the prevailing system of values of a particular group or society. Although in some cases these values are in need of reform or replacement, it is not easy to accept the proposition that the change or replacement should take place only because of emotional considerations. However conventional the prevailing systems of values are, they are not more so than certain theories which try to explain juvenile delinquency as an outcome of some vague emotional dissatisfaction. It should be added that quite a number of juveniles whose emotional needs are not satisfied do not become delinquents. 132. Neither does there seem to be any justification for the assertion that children and juveniles live in a world of their own. As regards juveniles, the information gathered suggests that many juveniles adopt an imitative attitude not only towards the adults of their own country, but also towards the juveniles of other countries. This rather wide-spread imitative attitude has apparently been encouraged by the indiscriminate and frequent use of a variety of mass communication media, among which certain films, television programmes and publications seem to play a definite role. Experience shows that for a variety of reasons, groups and societies are finding it more and more difficult to remain isolated. The present trend seems to be for a closer relationship and interdependence of individuals and societies. With respect to minors between 10 and 14 years of age, it is difficult to maintain that their world should not be governed by the same fundamental values which apply to those outside this age group.^{48/} It is particularly in this group that a recrudescence of delinquency is now appearing in many countries. It is not possible to examine here to what extent this increase is the result of putting into practice the "worlds apart" theory, which has had its repercussion both on family life and on educational policies.

133. It may be tentatively concluded that the non-satisfaction of some important emotional needs may, in association with other circumstances, lead to delinquency, especially among certain minors. This non-satisfaction of emotional needs does not in itself, however, offer a satisfactory explanation of the total social problem of juvenile delinquency.

^{48/} Children under 8 or 10 years of age are not usually considered delinquent, whatever they do.

134. (f) The disintegration of the family and the decline of moral values - two closely related phenomena - have been pointed out, especially during recent years, as among the main contributory causes of the present increase in juvenile delinquency. The family, considered as the fundamental unit of society is always under pressure, especially from economic and social changes. These, however, do not take place everywhere in the same way and at the same pace; that is why in certain countries where family ties are still strong, social and economic changes, although often drastic, have not as yet led to a noticeable increase in juvenile delinquency. Although it is impossible to make comparisons, it should, however, be pointed out that the existing data, even if incomplete, permit some interesting tentative conclusions to be drawn about the connexion in certain groups of countries between family strength, economic and social development (including welfare services), and juvenile delinquency.

135. Reinforcing family ties seems to be a rather difficult task. Such reinforcement raises a variety of considerations - too numerous to mention here - ranging from moral and political conceptions of the role of the family to the question of working mothers. It may, however, be pointed out that in most of the reports and studies consulted, especially from the newly independent countries, the gradual or occasionally rapid disintegration of the family under the impact of a variety of forces is frequently mentioned. In highly developed countries, it has already been accepted that, for a variety of reasons the family, especially in large urban areas, is not in a position to fulfil the functions traditionally assigned to it. In order to remedy this situation to a certain extent, family counselling and other services have been established and are functioning in several countries, especially in certain highly developed countries where the incidence of juvenile delinquency is still disproportionately high, having regard to the country's prosperity, high standard of living and welfare services.^{49/}

136. The reports and studies mentioned in this report have also cited the lowering of moral standards as a contributory cause of juvenile delinquency.

^{49/} According to the U.S. Children's Bureau, delinquency has risen in periods of economic prosperity marked by the general acceptance of hedonistic values, such as the 1920's and 1950's, and has fallen in periods of depression. See Report to the Congress on Juvenile Delinquency, U.S. Department of Health, Education and Welfare, Children's Bureau (Washington, 1960), p. 6.

It is difficult to assess to what extent this deterioration is the result of factors such as growing materialism, contradictory systems of values, one idealistic and the other for practical every-day use; a more or less generalized sense of distrust or insecurity in spite of greater material security; the reported increase of corruption in levels entrusted with functions of guidance, protection or security. It is interesting, in any case, that in quite a number of countries, juveniles, especially young adults, seem to assume in a variety of ways, even in clothing, an attitude of sometimes clearly rebellious distrust or protest against certain prevailing mores, principles and slogans. Usually, especially in highly developed countries, these young people enjoy material advantages, including good working conditions and opportunities of earning and spending money, which were never before available to this age group. No doubt such protests and rebellions among young people are not new. What is new is the way in which this attitude is at present affecting more young people than ever before.

137. In conclusion, it may be said that delinquency, like crime, is caused by a variety of factors among which family disintegration or transformation accompanied by a more or less general lowering of moral values seems to play a significant role. Moreover, in some highly developed countries juvenile delinquency is becoming more and more a problem of attitudes, while in the less developed countries, especially of Africa, Asia and Latin America, it can still be clearly linked with factors such as poverty, lack of education, poor health and urbanization.^{50/}

^{50/} With respect to the United States of America the report mentioned in the preceding footnote states on page 29: "A major reversal in ... delinquency is dependent on a marked change in prevalent American attitudes, goals and values and in the way in which children and youth are prepared for adult responsibilities".

CHAPTER VI

PREVENTION

138. The entire question of the prevention of juvenile delinquency has given rise to considerable confusion and throughout the world there is at present no consensus as to the group for which preventive measures should be devised, the types of behaviour to be prevented, the factors of the various manifestations of behaviour and the types of policies and programmes which should be formulated or which have proved to be most effective. Perhaps the statement that can be made on the subject of prevention is that existing preventive activities can only be considered as being of a rather empirical nature, and that there is no definite knowledge of types of preventive programmes which would be effective in combating the many types of behaviour considered to be unacceptable to societies. Taking these reservations into account, certain ideas on prevention can now be considered. Since knowledge of the prevention of juvenile delinquency is limited any recommendations will likewise be limited in scope, but questions will be raised which will need to be answered before constructive preventive programmes can be established, although no definitive answers can be given at present. In a previous chapter it was pointed out that, on the basis of information received from various parts of the world, delinquent behaviour had common characteristics but did not always arise from the same causes. While offences against property, for example, predominate in almost every country, the factors leading to these offences are often quite dissimilar. Thus, in considering the general subject of prevention and in discussing ways and means of establishing effective preventive policies and programmes, it would seem to be essential to give particular attention to national, regional and even local characteristics. In so doing it would be possible to avoid the danger of transplanting unsuitable ideas, methods and techniques from one country or region to another.

A. Some considerations related to prevention

(a) Definition of juvenile delinquency

139. An effective programme for the prevention of juvenile delinquency in any country must be determined, at least in part, by a clear and concise concept of juvenile delinquency. It is suggested that the meaning of the term "juvenile delinquent" be restricted to those juveniles who have committed criminal offences.

Therefore, statutory definitions should not include acts which, although undesirable, are not criminal offences. A distinction should be made between juvenile offenders and juveniles with behaviour problems. This point was forcefully made in the findings of the Second United Nations Seminar for the Arab States on the Prevention of Crime and the Treatment of Offenders in relation to preventive programmes and policies, where it was stated that preventive policies should be based, inter alia, on the following premises:

"(a) Maladjustment and delinquency are not interchangeable terms. Consequently, delinquent juveniles should be considered as constituting, sociologically, a separate problem from that raised by juveniles who are in need of assistance or protection through general social, mental, health and other types of welfare services... Both types of juveniles should be treated and helped, but because they need assistance. Thus, any legislation considering delinquent and non-delinquent children alike should be replaced by legislation that is more in accordance with the present conclusions.

(b) By 'juvenile delinquency' should be understood the commission of an act which, if committed by an adult, would be considered a crime." 51/

140. At the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, "delegates from several countries emphasized, as did the report of the Secretariat, the importance of defining delinquency precisely and in legal terms... It was concluded, however, that because of wide variations in custom, law and philosophy in different cultures, it was not feasible to formulate a precise and universal definition of the term".^{52/} Is there need for a universal definition of the term "juvenile delinquency"? If the term is restricted to those juveniles in each country who have committed criminal offences, it would seem that no universal definition is needed. Allowance could be made for the wide variations found in the legal systems of the many countries of the world, but the inclusion under the term "juvenile delinquent" of acts which are not serious and which can be classified as behaviour problems could be ruled out. If a clear and restricted definition of juvenile delinquency is established would it not be possible to focus more attention on the kinds of behaviour which need to be prevented?

51/ From the findings of the Second United Nations Seminar for the Arab States on the Prevention of Crime and the Treatment of Offenders, held in Copenhagen from 23 September to 16 October 1959. The report will be published shortly.

52/ First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, 22 August-3 September 1955. Report prepared by the Secretariat, (United Nations publication, Sales No.: 1956.IV.4), p. 78.

(b) Age limit

141. The question of establishing an upper age limit for juvenile offenders is also relevant to prevention. There has been a tendency in some countries to raise the upper age limit to 18 or even higher. In various parts of the world, however, this position is being reconsidered, since experience has shown that the raising of the upper age limit has not taken account either of national characteristics or of the physiological and psychological development of the individuals concerned. Thus, preventive agencies, courts, etc., rather than directing attention to juveniles, often deal with a great number of persons who can, in reality, be classified as adults. Since the financial resources, trained personnel, etc., of services for juveniles are often limited in most countries, not enough attention is given to the group which should receive it. It would seem that this question should be carefully studied on a national basis, so that a realistic upper age limit can be set.

(c) Causation

142. Causality in the social sciences cannot be identified with causality in the physical sciences. As far as juvenile delinquency is concerned, causation is historically and sociologically dependent on a variety of constantly changing elements. A set of more or less specific or frequent factors cannot be said to be the "cause" of juvenile delinquency. Causation should rather be attributed to the variable relationships of a variety of factors, which have sociological and bio-psychological characteristics to different degrees.

143. It is often stated that, until the "cause" of juvenile delinquency is known, little can be done about prevention. More exact knowledge is needed for the prevention of juvenile delinquency and for the treatment of those who have already become delinquent. However, while continued scientific research into etiology should be encouraged, it is felt that, for practical purposes, enough is now known to reduce considerably the problem of juvenile delinquency.

(d) Approaches to prevention

144. Other important questions to be considered in relation to prevention are the types of preventive measures to be used and the persons for whom they are designed. In preparing for this report on new forms of juvenile delinquency, the Secretariat circulated an outline to selected national correspondents, non-governmental organizations and selected individuals to guide them in

submitting information on origin, prevention and treatment. With respect to prevention, the outline stressed direct types of prevention, and the recipients were asked to evaluate existing preventive programmes, if this was possible. The information received on prevention was the least complete of all and some replies did not include any statement on this subject. Unfortunately, no replies included accurate evaluations of the effectiveness of the many existing programmes. Some replies as were received included comments such as the following: "little co-ordinated action has been taken", "there is no type of preventive programme, but only one of sporadic and disorganized repression", "very little of a purely preventive nature has been done in our country", etc.

145. The following approaches to prevention are suggested:

(i) A broad, indirect approach, aimed at the improvement of society in general, including adults and juveniles. Few of those replying mentioned this approach, since they had been asked to set forth specific rather than general programmes. Measures taken in accordance with this approach come within the framework of broad social policy, and while the importance of a sound social policy cannot be underestimated, such broad policy should not be confused with delinquency prevention per se. This point was stressed in the findings of the Second United Nations Seminar for the Arab States mentioned above, which stated that the

"general improvement of living conditions and the extension of social, mental and health services, although fully justified, are intended for the benefit of the general public. This general purpose, however, cannot be considered as constituting by itself an effective programme for the direct prevention of juvenile delinquency. It is well known that delinquency is steadily increasing in countries with high standards of living and highly developed welfare services". 53/

(ii) Closely related to this approach is one which is also indirect and which is aimed at all juveniles, not only those who show delinquent tendencies. Many replies mentioned measures in this category as being juvenile delinquency preventive measures. The measures described included recreational and leisure time programmes such as boys' clubs and recreation centres, playgrounds, clubs for slum children; health clinics, child welfare programmes; foster homes; slum clearance;

53/ A similar point of view had already been suggested in "The Prevention of Juvenile Delinquency", report prepared by the Secretariat for the First United Nations Congress, Geneva, 1955. In International Review of Criminal Policy, United Nations publication, Sales No.: 1955.IV.10.

visiting teachers; courses for school children focussing on the pitfalls of anti-social behaviour, etc.

(iii) A more direct approach to prevention focusses special attention on juveniles who show a clear tendency toward delinquent behaviour. The replies included descriptions of the following types of specific measures: youth gang projects; child guidance clinics; community conferences on juvenile delinquency; referral by the schools to the social agencies of children showing anti-social behaviour; special police for juveniles; observation homes; use of attendance officers in detecting troublesome juveniles; special schools, etc.

(iv) Another direct approach is the direction of attention to persons who have been adjudged delinquent (i.e. prevention of recidivism). This approach is considered to be a treatment measure and is not dealt with here.

146. In those countries which are introducing or developing industries, urban centres are increasing, people are moving to these centres from the rural milieu, and the influences of the urban way of life are felt by those who do not migrate to the cities; the structure of family life is changing and education is being extended. Much can be done in these countries by well-planned national policies which co-ordinate social development with economic and industrial growth. It is important, too, that social development should both keep pace with and not be subordinated to economic development and industrial growth. If social problems, including crime and delinquency, are to be kept to a minimum, it would also seem essential to ensure that specialists who understand the factors involved in social disorganization have a role in the creation of a co-ordinated social policy and the necessary accompanying legislation. It is nevertheless important not to consider the first two approaches as direct delinquency prevention, and to establish direct, preventive measures concurrently as an integral part of a country's social policy. In a recent report on the progress achieved by the Non-Self-Governing Territories the following apt statement is made in relation to the prevention of juvenile delinquency:

"Direct measures... include programmes for the detection and treatment of juveniles showing a marked tendency towards crime and for the prevention of recidivism in juvenile offenders. Such measures are almost completely lacking in Non-Self-Governing Territories with the exception of special police and child guidance clinics in a few... The trend up to the present has been, instead, to stress indirect measures... A variety of social and educational services have been vigorously developed in the urban areas of many Territories, sometimes in the expectation that if their primary aim were

attained the volume of delinquency would somehow diminish. The influence of such programmes on the prevention of juvenile delinquency may, however, be limited." 54/

147. Often, however, measures which at face value would seem to benefit all, in reality do not necessarily do so. The same report goes on to state:

"It is impossible, for instance, to deny the value of compulsory education and expanded educational facilities, but this does not mean that the introduction of such measures will more or less automatically prevent juvenile delinquency. It is well known, on the other hand, that many countries with high general levels of education have correspondingly high rates of juvenile delinquency and in some Non-Self-Governing Territories the spread of education may, at least during a transitional period, arouse or accentuate conflicts between old and new culture patterns and accelerate the disorganization of accepted ways of living. 55/

148. Well-planned national social policies are important not only to developing countries but to developed countries as well. Many of the latter have established policies which have not kept pace with changes in the social structure. In the previous chapter it was noted that juvenile delinquency is increasing in many countries having high standards of living and extensive social welfare programmes and that there is a need to instil juveniles with a sense of discipline, moral values and social responsibility. It is important to consider methods designed to achieve this end. If, as is commonly stated, the role of the family has weakened, can another institution of society fulfil this obligation? Or can the family be strengthened, for example, by extending social security to enable working mothers to remain in the home? What can education do? Should educational institutions be charged with the responsibility that once belonged to the family? In a report of a recent international meeting of experts on maladjusted behaviour of young people in present-day society, it is stated that "instead of merely handing down old-established and commonly accepted norms, which are no longer generally valid, education today must concentrate on awakening in young people a consciousness of social obligations and associations in the world today and of the role of the individual and to try to help them to develop their own personality and way of life and their own standards of morality". 56/

54/ "Progress Achieved by the Non-Self-Governing Territories in Pursuance of Chapter XI of the Charter. Social Welfare. Report prepared by the Secretariat." (United Nations, A/4181), pp. 120-121.

55/ Ibid., p. 121.

56/ Mimeographed report of the Meeting of Experts on "The Maladjusted Behaviour of Young People in Present Day Society", UNESCO Youth Institute, June 1958, p. 33.

149. All of the approaches described above have merit provided that the persons responsible for carrying them out are aware of the limitations of each approach, and provided that each approach is co-ordinated with the other into a general programme of social policy for the country concerned.

(e) Research

150. Research should be an integral part of whatever type of preventive programme is established. At the Second Asia and Far East Seminar, this point of view was emphasized in the conclusions relating to the prevention of juvenile delinquency; it was stated that:

"the first essential of a national programme was national as well as regional research to ensure that programmes were correctly related to national and local conditions and needs. Research was an economy, not an extravagance; it should be long-term as well as short-term; and it afforded a valuable means of communication among persons concerned with general social questions, with the prevention of juvenile delinquency and with its treatment". 57/

This point was also stressed by the First United Nations Congress, whose report stated that

"more important, perhaps, than any of the specific conclusions and recommendations submitted... is the obvious need for the development of more research relating to the definition of the term 'juvenile' to delinquency causation, prediction and prevention... Research should be directed both to the identification of the measures that are currently employed in the effort to prevent juvenile delinquency and to objective and cultural evaluation of the effectiveness of such measures. Comparative, co-ordinated and interdisciplinary research should be carried out to determine the relative effects of programmes in different countries". 58/

151. Attention is drawn to the fact that in the five years that have elapsed since this statement, apparently not much progress has been made in such research, and it would seem, on the basis of data received, that the majority of countries have not as yet co-ordinated their preventive programmes with evaluative research, although various countries report research projects related to almost every other phase of juvenile delinquency. This is perhaps due to the fact that many countries do not have planned programmes of prevention, but are still relying

57/ Second Asia and the Far East Seminar on the Prevention of Crime and the Treatment of Offenders, Tokyo, 25 November-7 December 1957 (ST/TAA/SER.C/34), p. 9.

58/ Report of the First United Nations Congress, op. cit., p. 81.

on a variety of unco-ordinated programmes which are called preventive but have not been established as such. This aspect of prevention is one requiring consideration in the development of an effective programme of prevention for any country.

B. Prediction of juvenile delinquency

152. At present in some countries, the use of prediction tables seems to meet with favour in certain circles.

153. As stated in 1955, the predictability of juvenile delinquency is only one aspect of crime predictability, which is in turn part of the more general problem of the predictability of human behaviour.^{59/} At that time serious reservations were expressed with respect to the validation of results obtained by the application of prediction tables. These reservations were maintained when the question of the Prognosis of Recidivism was discussed at the Third International Congress on Criminology the same year. According to the resolution adopted on this question the development of prognosis devices, including predictive tables, should be encouraged, and it was also noted that the validation of predictive methods^{60/} is an indispensable aspect of any improved prognostic technique.

154. The prediction of human behaviour in general, and that of delinquency in particular, is based on the knowledge and experience of a variety of interrelated elements and on the concept of the event to be predicted. Particularly important in the prediction of human behaviour is the definition of such terms as causality, probability, expectation, analogy and validation. As regards the concept of the event to be predicted, which in the present case is juvenile delinquency, it would seem of decisive importance to define this term as specifically as possible.

155. It is not the purpose of this report to examine all the questions involved in the complex process of predicting human behaviour. Suffice it to say that selected sets of factors cannot explain, whatever the frequency with which they appear, the whole etiology of juvenile delinquency. In this respect it is perhaps pertinent to indicate that by itself frequency does not necessarily mean causality. Furthermore, as long as juvenile delinquency is considered, as

^{59/} See the United Nations Study "The Prevention of Juvenile Delinquency", op. cit., pp. 29-30.

^{60/} See Summary of Proceedings, Third International Congress on Criminology, published by the British Organizing Committee, London 1957. Although approved by a great majority, the conclusions on this particular matter were the only ones not unanimously adopted by the Congress.

happens in many countries, to be an all-embracing concept covering practically any form of juvenile misbehaviour, the validation claimed by predictions seems to have only a relative value. Prediction tables would have greater value if the behaviour to be predicted takes the form of definite or specific manifestation of juvenile behaviour and not of manifestations covered by the vague term of maladjustment. In any event, at the present juncture, the validation claimed for certain prediction tables has been seriously challenged.^{61/} Far less subject to reservations would be the methods used in the prediction of recidivism.

^{61/} In January 1960 two reports published respectively by The Citizens Committee for Children, New York, and the Council of the Society of Psychological Study of Social Issues, New York, challenged the adoption of prediction devices of potential delinquents by the Youth Board of the City of New York. The reports stated that the findings claimed were not justified or valid and that prediction tests would increase juvenile delinquency by labelling children as "bad".

CHAPTER VII

TREATMENT

156. The treatment of juvenile offenders is considered here from the point of view of the fundamental or basic concept of treatment; no attempt is therefore made to describe or enumerate a variety of treatment methods.

157. The content and purpose of treatment will be determined by the meaning of the term "delinquency". If this term is defined as covering almost every kind of juvenile misbehaviour, treatment will, in turn, embrace every kind of method. If, on the contrary, delinquency is given a restricted meaning, the methods of treatment will be more restricted. Generally speaking, treatment should endeavour to develop in the juvenile a sense of moral and social responsibility, through his participation in a world where adults and juveniles live together, and where he is eventually expected to act in accordance with the generally accepted system of fundamental values. This conception of treatment in no way excludes the satisfaction of the emotional or other needs of juveniles, when these needs are really fundamental and their satisfaction is possible. The guiding principle for this satisfaction should be to ensure that juveniles eventually become useful members of society. To attain all of these ends no methods or combination of methods should be excluded. Among other things this would mean an increased use of agencies which in one way or another allow juveniles to remain in freedom, rather than keeping them in closed institutions. If institutional treatment is needed, open and semi-open institutions should be used as much as possible.

158. As used here, the term "treatment" embraces all types of methods and measures, including disciplinary measures and punishment. Admittedly, no social rehabilitation is possible without discipline, which is understood to mean not only obedience to certain rules and principles, but also self-control, self-reliance, and due consideration for the established hierarchy of moral values.

159. The term "punishment" means those measures which in different ways involve restriction of certain rights. Actually, the distinction between rehabilitative and punitive measures is considered to be inconsistent with the idea of flexible and individualized treatment embracing, without bias or excess every possible method of social rehabilitation.^{62/} Therefore, punishment may be understood to

^{62/} See among others J. Chazal, "The Choice of Treatment at the Option of the Juvenile Court or other Competent Body", International Child Welfare Review, Vol. 7, No. 1, 1953, p. 21.

mean, among other things, fines, restitution, compulsory attendance at particular centres or institutions, detention and deprivation of freedom. Corporal punishment, occasionally revived in the belief that it is a useful form of punishment or rehabilitation, should be excluded in any form. Corporal punishment has practically no effect as a deterrent, especially for those juveniles who have already undergone it. The use of the so-called "judicial birching" as a disciplinary measure as well as of corporal punishment in general can hardly be regarded as treatment, whatever distinctions are made between suitable and non-suitable cases for this kind of treatment. Under the emotional impact created by the increase of juvenile delinquency, the re-introduction of corporal punishment is occasionally advocated. One of the reasons put forward is that in the past corporal punishment had preventive effects. However, it would seem that proof of such positive results has so far been lacking. When a return to these measures is recommended, among the things apparently forgotten is that today's juvenile cannot be compared to his predecessors and the same applies to his family and his environment; therefore, what may have been "suitable" in certain particular settings is not necessarily applicable to today's juveniles and their living conditions. There is no doubt that wide variations exist in national practices concerning the imposition of corporal punishment, but there is also no doubt that both the treatment of juvenile offenders and the conduct of institutions may be successful without resorting to corporal sanctions.^{63/} The selection of the institutional or other staff in charge of treatment is particularly important in the treatment of both juvenile offenders and adults. The selection process should not only take professional qualifications into account but should also require suitable personality traits.^{64/} 160. Another question very often discussed is whether the length of the treatment should be determinate or indeterminate. Without denying the difficulties involved, it would seem that every possible effort should be made a priori to establish the length of the treatment. Contrary to widespread belief, both juvenile and adult offenders appear to react more favourably when they have an approximate idea of the length of the treatment in advance.

^{63/} Report of the European Exchange Plan Seminar on the Institutional Treatment of Juvenile Offenders, Vienna, 27 September-9 October 1954 (United Nations, ST/TAA/SER.C/23), p. 30.

^{64/} This was also the point of view of the above-mentioned Seminar with respect to institutional personnel.

CHAPTER VIII

FINAL REMARKS

161. Although the statistical and other data contained in this report are incomplete they point to the tentative conclusion that, with some very significant exceptions, juvenile delinquency constitutes in many countries a serious social problem requiring urgent consideration. On the other hand, estimates of the gravity of the problem are somewhat inflated by the broad meaning given to the term "delinquency" in certain countries. In countries where the definition of juvenile delinquency does not include those forms of misbehaviour usually dealt with by the family or welfare agencies, the proportions of the problem are considerably reduced and apparently are more realistically evaluated. An even more accurate perspective of the problem is achieved in countries where a legal distinction is made between juveniles who have committed acts which, if committed by adults, constitute criminal offences of varied gravity, and juveniles who have not committed offences but who are in need of assistance or protection. This distinction does not mean that both groups should not receive assistance and protection.

162. For a variety of reasons, juvenile delinquency receives excessive publicity in many countries. There is no doubt that on many occasions this publicity reflects public interest. On the other hand, exaggerated publicity too often gives a rather distorted impression of the problem and creates a public and even an official attitude of apprehension which does not correspond to reality.^{65/} The existence of certain more or less appalling cases of juvenile delinquency does not necessarily mean that juvenile delinquency is excessive or that such cases are characteristic.

163. It would therefore seem that, as long as the term "juvenile delinquency" covers practically any form of juvenile misbehaviour or "maladjustment", the use of such terms as "pre-delinquent", "para-delinquent", "potential delinquent", "delinquency-prone", "in danger of becoming delinquent" and the like is not only equivocal but also contributes to the inflation of the problem of juvenile

^{65/} In this respect, see among other examples, Child Welfare Department of New South Wales (Australia), Annual Report, 1959. This report describes how excessive publicity has given a distorted picture of the problem of juvenile delinquency in the State, where actually juvenile delinquency is not increasing and does not constitute a serious problem.

delinquency.^{66/} It would also seem to be of questionable use to label as "delinquent" or "pre-delinquent", juveniles whose behaviour in many cases is disobedient, stubborn or truant, or who collect cigarette butts, wander in the streets, smoke without permission, run away and the like. No doubt each society may have its own idea of juvenile delinquency, but in view of existing data and experience the question arises as to whether it would not be better to establish a more restricted definition of delinquency.

164. These remarks should not be understood as an attempt to underestimate the gravity of the problem of juvenile delinquency, especially in certain countries. Their purpose is rather to suggest a new approach to the problem, an approach which will probably facilitate the prevention and treatment of juvenile offences. If accepted, the new approach would imply, among other things, a revision of some prevailing theories, programmes, policies and research methods concerning juvenile delinquency, and more particularly of the all-embracing concept of juvenile delinquency prevailing in many countries. If present and past knowledge and experience are considered, it would seem reasonable to conclude that as long as such a broad concept of juvenile delinquency is maintained, it will be extremely difficult, if not impossible, to reduce the problem to any marked extent.

165. As stated in this report, priority should be given to the prevention of juvenile delinquency. Existing preventive programmes would seem to need evaluation and revision in view of the limited results which the majority of them obtain. Although no doubt essential, treatment programmes, whatever their success, cannot by deducing general conclusions, be transformed into preventive programmes or policies. Past and present experience and findings lead to the conclusion that juveniles should not be considered as a group apart but as persons living in the same world as adults. Therefore, although the satisfaction of needs, emotional or otherwise, may be of importance, it is not less important that juveniles understand the meaning of moral and social values and that they acquire a sense of social responsibility. To further the development of preventive policies, persons who have specialized training and competence in the field of the prevention of crime and the treatment of offenders should

^{66/} According to preliminary information, the recent White House Conference on Children and Youth, which was held in Washington, D.C., March-April 1960, included among its recommendations, which are not yet officially published, a recommendation that these terms should not be used.

participate in the formulation and implementation of those social and economic policies which directly affect the ways and standards of living. The lack of such participation may perhaps explain, to a certain extent, why the raising of living conditions does not always succeed in preventing juvenile delinquency. 166. Finally, if the present approach to the problem of juvenile delinquency is modified, an evaluation of present research methods would also seem to be justified. Particular attention should be given to the methods used in creating devices for early prediction of pre-delinquency and delinquency. Therefore, before accepting the immediate application of such devices, it would perhaps be desirable to define juvenile delinquency in more specific terms.

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