

ARTICLES

A Global Diagnosis of the Predictive Factors of Juvenile Delinquency

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ABSTRACT

Juveniles in the world today live in a world very different from that of their parents or grandparents. Problems experienced by children at the turn of the century are the products of multiple and, sometimes, complex causes which stem from the belief that a child, being part of the society in which he or she lives, gets easily influenced by what he/she sees around him/her because of his/her immaturity. Therefore, a child may be provoked due to the influence of his/her environment and social context. Global perceptions of a juvenile crime epidemic fuelled public scrutiny of society's ability to effectively control violent juvenile offenders. As a result, countries worldwide have adopted numerous legislative measures in an effort to crack down on juvenile crimes. This article describes the international, regional and national instruments focusing on structure and process features that relate to delinquency and status offence matters. This article provides the predictive factors and causes of juvenile delinquency, which are manifold. The article presents the effects of juvenile delinquency on society and concludes with a series of recommendations for the prevention of juvenile delinquency.

1. INTRODUCTION

One notable feature of crime globally is the involvement of juveniles in some criminal and/or dubious activities such as thefts, burglaries, robberies (even armed robberies), teenage pregnancy, prostitution, alcoholism, drug abuse, and kindred acts constitutively referred to as juvenile delinquency. Delinquent behaviour has been on the increase in recent times. This increasing wave of juvenile delinquency is a worldwide phenomenon and has become a matter

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of concern to parents, researchers, psychologists, community leaders and the general public. Delinquent behaviours exhibited by youth are many and varied, depending on the prevailing circumstances. Such diversity of youth maladjustment has witnessed a global increase. The idea of increasing trends of juvenile delinquency was noted by Adana¹ when he postulated thus: “most of the criminals started as juvenile offenders.”

For one to fully understand why the rate of juvenile delinquency and crimes are on the increase, one needs to appreciate the fact that youths or juveniles are undergoing critical changes in their lives. These critical periods of adolescence are characterized by a multitude of crises manifesting in storms, stresses, conflicts and frustrations. Youth within the context of changing social economic and political conditions of the time often get confused about what to do when faced with various societal issues such as those emanating from religion, relationship with the opposite sex and societal regulation through laws and orders. As Adeloje² posits, this is done “in a bid to resolve these confusions, the adolescents without proper guidance resort to delinquent behaviour.”

The objectives of this article are, therefore, three, namely: (1) to identify the predictive factors of juvenile delinquency; (2) to examine the international, regional and national instruments dealing with juveniles and their relevance in addressing delinquent acts; and (3) to make some recommendations that will further the prevention of juvenile delinquency.

2. DETERMINING THE AGE OF CRIMINAL RESPONSIBILITY OF A JUVENILE

In the classical era, there were no legal distinctions between adult and juvenile offenders.³ The most important criteria, and which must follow any discussion

1 See, generally, E. O. Adana, *The Research Process in Education*, New York, Holt Richard Inc., (1984), at p. 15.

2 See, generally, B. Adeloje, *Parents Perception of Adolescents Problems*, Ibadan, Heinemann, (1990), pp. 6-9.

3 It was only in equity courts and mainly in cases where guardianship or inheritance were at issue that the court was obliged to look after the interests of those who could not do so themselves. Such intervention on behalf of children was justified in law by the ancient doctrine of *parens patriae* (that the king as father of the country had the ultimate responsibility for protecting his subjects). Quoted in A. B. Dambazau, *Criminology and Criminal Justice* (2nd ed.), Ibadan,

of juvenile justice, is the question of when a person can be properly called a juvenile and when does that juvenile status terminate. Instructively, there is no universally acceptable definition of a juvenile. This is evidenced from international laws and the laws of different nations where different age brackets are stipulated for the status of juveniles.⁴ Besides, the concept of a juvenile is sometimes used interchangeably with other concepts like a child, an adolescent and a youth.

The domestic laws of all countries have laid down different minimum age below which a person is exempt from prosecution and punishment. The rationale for such exemption is the absence of *mens rea*, that is, not to criminalize the acts of those who at the time of commission of the crime did not know the right from the wrong.⁵ This presupposes that persons below that age do not, ordinarily, realize nor intend the consequences of their acts. For instance, the United Nations Convention on the Rights of the Child, 1989 (CRC), provides that:

“States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and in particular:

- (a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law.⁷⁶

However, there is no clear international standard and defined age limit at which criminal responsibility can be reasonably imputed to a juvenile; this accounts for the wide variation in minimum age for determining criminal responsibility of a juvenile around the world.⁷ By virtue of Article 1 of the CRC,

Spectrum Books Limited, (2007), p. 337.

4 *Ibid*, at p. 172.

5 O. Doherty, *Criminal Procedure in Nigeria*, Lagos, Blackstone Press, (1990), at p. 57. See, also, J. C. Smith and B. Hogan, *Criminal Law*, London, Butterworths, (1983), at p. 185.

6 See Article 40(3) (a) of the United Nations Convention on the Rights of the Child, 1989 (UNCRC).

7 For example, the official minimum age of criminal responsibility in countries like Australia, Bangladesh, Egypt, Gambia, Ghana, India, Nigeria, Sudan, South Africa, Iraq, Kenya, UK, Scotland, Turkey, Canada, Colombia, Sweden, Burundi, Gabon, Netherland, Saudi Arabia New

a child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier.⁸

Even within federal states, age of juvenile responsibly is not well defined. For instance, Nigeria does not have a joint nationally defined age of criminal responsibility.⁹ Note that even under the Shari'ah (Islamic) legal system in Nigeria, the age of criminal responsibility is defined as either puberty or eighteen years, except in the case of Zina (fornication or adultery) where the age of criminal responsibility is fifteen years.¹⁰ Determining the true age of an arrested suspect is always a challenge for law enforcement agents whenever there is controversy as to whether he/she is an adult or a juvenile. To avail the benefit of the provision of the law, the material factor to be taken into consideration is the age of juvenile and questions often arise as to the reckoning of the age of a juvenile.

The determination of the age of a juvenile has, also, been the subject of judicial interpretation; this is especially the case with the reckoning date of a juvenile in criminal proceeding as to whether it is the date of production before Court or the date of commission of an offence. This controversy has been resolved by courts around the world. In the Indian case of *Pratap Singh v State of Jharkhand*,¹¹ the Court held that, “[t]he reckoning date for the determination

Zealand and a host of others ranges from 8 years to 18 years. See UNICEF and V. Melchiorre, *Juvenile Justice: Modern Concepts of Working with Children in Conflict with the Law*, Save-the-Children UK, 2002 (see www.crin.org/docs/savejjmodern_concepts.pdf; similar; (Accessed on 20 December 2010).

- 8 See, also, the Beijing Rules of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, which define a juvenile as “a child or young person who, under the respective legal systems, may be dealt with for an offence in a manner which is different from an adult”. Under this standard of the United Nations, the age limit will depend on the particularities of various legal systems. There is, therefore, provision for a wide variety of ages coming under this definition, ranging from 8 to 18 years.
- 9 For instance, Section 50 of the Penal Code Cap 89, Laws of the Federation of Nigeria, 2004, provides that “No act is an offence which is done-(a) by a child above seven years of age; or (b) by a child above seven years of age but under twelve years of age who has not attained sufficient maturity of understanding to judge the nature and consequence of such act.”
- 10 See Sections 5(b) and 7(1) of Shari'ah Court Laws of Zamfara State, which provide that the Courts shall have jurisdiction in criminal proceedings under Islamic Law involving or relating to any offence, penalty or forfeiture, punishment or other liability in respect of an offence committed by any person. See Integrated Regional Information Networks (IRIN), Nigeria: Focus on the Administration of Juvenile Justice, August 26, 2002. Available at <http://www.irinnews.org/report.asp?ReportID=29531> (Accessed on 7th February, 2010).
- 11 AIR 2005 Sc 2731, (2005) 1 Crimes 286 (SC), 2005 All MR (Cri) 2258 (SC); 2005 Cr LJ 3091; 2005 AIR SCW 3088. The above case was contrasted with the case of *Arnit Das v State of Bihar*

of the age of the juvenile is the date of an offence and not the date when he/she is produced before the authority or in Court.” In a similar vein, the Indian Supreme Court, in *Rajinder Chandra v. State of Chhattisgarh*,¹² further stated that where two views are possible about the age in borderline cases, a view which is in favour of holding the accused to be juvenile should be adopted and hyper-technical approach should be avoided.¹³ The position of the Nigerian Supreme

(2000)5 SCC 488; 2000 SCC (Cri) 962; AIR 2000 SC 2264; 2000 Cri LJ 2971 (SC), where the Supreme Court observed that the relevant date at which juvenility was to be determined was the date on which the juvenile was produced before the competent authority. But the case of *Umesh Chandra v. State of Rajasthan* (1982) 2 SCC 202; 1982 SCC (Cri) 396; AIR 1982 Sc 1057; 1982 Cri LJ 994 (SC) is similar to *Pratap Singh v State of Jharkhand* where the Supreme Court held that: “As regards the general applicability of the Act, we are clearly of the view that the relevant date is that on which the offence takes place. Children Act was enacted to protect young children from the consequences of their criminal acts on the footing that their minds at that age could not be said to be mature for imputing *mens rea* as in the case of an adult. This being the intentment of the Act, a clear finding has to be recorded that the relevant date for applicability of the Act is the date on which the offence takes place... we are clearly of the view that the relevant date for applicability of the Act so far as age of the accused, who claims to be a child, is concerned, is the date of the occurrence and not the date of the trial.”

12 2002 All MR (Cri) 713 (SC), AIR 2002 SC 748, 2002 Cr. LJ 1014, 2002 AIR SCW 385.

13 Children and Young Persons Law of Lagos State, Nigeria, Cap. 10 Laws of Lagos State, 2004, by its Section 32, for instance, addressed this problem by providing that where the age of a suspect is in issue, he is to be taken to court, which shall make due inquiry and may take such evidence as may be forthcoming including the production of birth certificate or a certificate signed by a government medical officer. The age as determined thereafter shall be deemed the true age of the person. The Indian Apex Court in the case of *Gopinath Ghosh v State of West Bengal* (1984) Supp SCC 228; 1984 SCC (Cri) 478; AIR 1984 SC 237; 1984 Cr. LJ 168 (SC) instructed Magistrates to conduct an inquiry about age when it appeared that the accused was under 21 years of age. The onus is on the court to take measures to determine the age of the accused. This is, also, attested to by A. K. Gupte and S. D. Dighe Hind, *The Criminal Manual* (5th ed.), Bombay, Chapter VI (Law House), (2001) at p. 149 (it was issued by the High Court of Judicature (Appellate Side) Bombay for the guidance of the Criminal Courts and their subordinate Officers) where it is stated: “All Courts should, whenever a youthful offender or a party is produced before them, take steps to ascertain his age. If the age given by the Police does not appear to be correct from the appearance of the offender or party, and if the Police cannot produce satisfactory evidence regarding the age, the Court should consider the desirability of sending the offender or party to the Medical Officer for the verification of his age before proceeding with the case.... At the time of the examination of the accused, the Sessions Judge or Magistrate should, therefore, specifically ask such accused person his or her age for the purpose of recording it. If the Sessions Judge or Magistrate suspects that the age stated by the accused, having regard to his or her general appearance or some other reason, has not been correctly stated, then the Session Judge or Magistrate should make a note of his estimate. The Court may, also, when it so deems fit or proper, order a medical examination of the accused for the purpose of ascertaining his correct age. If any documentary evidence on the point of age is readily available, the prosecution may be asked to produce it.” Quoted in M. S. Maharukh Adenalla, “Child Protection and Juvenile Justice System for Juveniles in Conflict with the Law”; available at www.childlineindia.orgin/pdf/cp-JJ-JCL.pdf-similar (Accessed on 22 February 2011); see, also, *Bhola Bhagat v State Of Bihar* (1997) 8 SCC 720, AIR 1998 SC 236.

Court always emphasizes the importance of age in criminal responsibility.¹⁴ For example, in the case of *Modupe v The State*¹⁵, it was held that by virtue of Section 368(3) of the Criminal Procedure Act, if the evidence on record shows that at the time an offence was committed, an accused charged with capital offence had not attained the age of 17 years, it will be wrong of any court not only to sentence him to death, but also even to pronounce any sentence. The Supreme Court further held that the trial judge is at liberty to adjourn the case and call a medical witness to testify to the age of the accused rather than adopt a single age of criminal responsibility if the trial judge felt that the accused reduced his/her age below that of criminal responsibility.

In view of these realities, some scholars and human rights advocates have argued that the provisions of the law concerning the age of suspects does not adequately protect young persons and should be amended. It has been suggested, for instance, that there should be a more scientific and empirical way of ascertaining the age of a suspect and where a mistake as to the age of the suspect is made and discovered later, the judgment should be reserved and where damage has been suffered, compensation paid. To do otherwise, it appears, is to work against the ends of justice.¹⁶ Prompt identification of persons less than 18 years of age is necessary to ensure that no irreparable damage is caused to them, and that they are not punished for acts done at an age when legislation intends them to be treated differently from an adult. In the next part the article focuses on the implication of age on crime and predictive factors that can influence children and young persons' criminal disposition.

3. THE PREDICTIVE FACTORS OF JUVENILE DELINQUENCY

Criminologists have sought to provide theories to examine the series of predictive

14 *R. v Oladimeji* (1984) NMLR (pt.30), at p. 17.

15 (1988) 4 NWLR (pt 130) 124; see, also, *Joseph Uwa v The State* (1965), 1 ANLR 356; and Morenike Francis, "Juvenile Justice in Nigeria: Dilemma of a Criminal Justice System"; available at <http://www.jjn/html>. (Accessed on 25 November 2008).

16 *Ibid.*, at pp. 6-7.

factors responsible for juvenile delinquency globally. This is premised on the fact that crime is a very complex phenomenon in society. The complexity of crime is evidenced by the fact that crime and juvenile involvement cannot be explained by a single theory. Instructively, most theorists often disagree with regard to the actual cause of delinquent behaviour. As a result, delinquency and crime have been variously explained in terms of biological, psychological and socio-economic motivations, environment and inadequacies.¹⁷ Some of the theoretical expositions of the predictive factors of juvenile criminal deviance in society are discussed below.

3.1 Demonological predictive factor of juvenile delinquency

This is a theory linked with the belief and practice rooted in customs of people and, hence, different from one community to another. Incidentally, criminologists who are naturalist in concept have attempted to explain deviance by applying natural and supernatural forces as factors that can affect human fortunes and behaviour.¹⁸ Thus, some of the early deterministic theories of juvenile criminality held that the natural world is reflected in human appearance and behaviour; others held that possession by demons and devils is responsible for criminality and mental illness.¹⁹

3.2 Biological predictive factor of juvenile delinquency

Biological (genetic) relationship is a famous predictive factor used by criminologists to explain juvenile delinquency in society. The biological explanations of causation are deterministic theories that study the effects of

17 See E. E. O. Alemika, and I. C. Chukwuma, "Juvenile Justice Administration in Nigeria: Philosophy and Practice" Lagos: Centre for Law Enforcement Education, (2001); available at <http://www.Cleen.org/Juvenile%20justice%20Report.pdf>. (Accessed on 17th February, 2011).

18 See F. Alder, G. Mueller and W. S. Laufer, *Criminology and the Criminal Justice System* (6th ed.), New York, McGraw-Hill, (2007), at p. 237. See, also, H. A. Johnson, and N. Travis Wolfe, *History of Criminal Justice* (2nd ed.), Cincinnati, O. H. Anderson, (1996), Quoted in "Juvenile Delinquency: World Youth Report", (2003); available at <http://www.tdh-childprotection.org/documents/world/youth-report-chapter-7-juvenile-delinquency> (Accessed on 21 March 2011).

19 For example, a number of ancient cultures engaged in the practice of drilling holes in the skull (known as *trephining*), which supposedly allowed evil spirits to depart from their human "host." See E. E. O. Alemika and I. C. Chukwuma, note 17, *supra*.

congenital traits on human behaviour.²⁰ In this perspective, the biological theory states that people commit crimes because of genetic inheritance and biochemical or neurological deficiencies.²¹ By this preposition, a strong presumption favoured the fact that children whose parents are criminally disposed are more likely to develop criminal dispositions than a well-disciplined family. Thus, a “Bad Seed” is theoretically inherited and passed from generation to generation.²²

Although many early biological theories such as physiognomy, phrenology, and atavism are quasi-scientific by modern standards, they represent a serious effort to bring scientific rigour to the study of predictive factors of criminal causation from juvenile genetic makeup.²³

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- 20 The belief that criminals are born, not made, and that they can be identified by various physical irregularities is reflected not only in scientific writing but in literature as well. This was evidenced in the postulation of Shakespeare’s *Julius Caesar* thus: “Let me have men about me that are fat; sleek headed men and such as sleep o’ nights. Yond Cassius has a lean and hungry look; He thinks too much: such men are dangerous.” Quoted in A. James, *Criminal Justice* (8th ed.), New York, McGraw Hill Companies, Inc., (2007), pp. 49-50. See, also, D. J. Curran, and C. M. Renzetti, *Theories of Crime*, Boston, Boston Ally & Bacon (2002). Quoted in “Juvenile Delinquency: World Youth Report”, (2003), see Note 18, *supra*.
- 21 The perspective postulates that people with XYY chromosomes are born criminal or are, at least, more likely to engage in criminal and delinquent behaviours. During the 1960s, scientists investigated the theoretical implications of the “XYY” pattern and suggested in 1965 that “XYY” males are more prevalent in prison populations than in society. These “super males” were reported to be more aggressive than typical “XY” males, and therefore more prone to criminal deviance than “XY” males. See P. Jacobs, M. Bruton, M. Meville, “Aggression behaviour, mental sub-normality, and the XYY Male” 208 *Nature* (1965), pp. 1351-1352. Quoted in “Juvenile Delinquency: World Youth Report”, (2003) (See Note 18, *supra*.)
- 22 Richard Dugdale’s research on the Juke family, published in 1877, was among the first scientific studies that systematically argued in favour of a genetic basis for immorality, crime, and delinquency. His interest in the family began when he found six related people in a jail in up-state New York. Richard Dugdale referred to the family of Juke as “mother of Criminals” when he found among them 280 paupers, 60 thieves, 7 murderers, 40 other criminals, 40 persons with venereal diseases and 50 prostitutes. A similar finding was made by Henry Goddard in a study of the family tree of a Revolutionary War Soldier, Martin Kallikak, where Goddard found many more criminals among the descendants of Kallikak’s illegitimate son than among the descendants of his son by a later marriage with a woman of his own quality. See R. L. Dugdale, *The Jukes: A Study in Crime, Pauperism, Disease, and Heredity* (3rd ed.), New York, G. P. Putnam’s Sons, (1985), p. 8. See, also, H. Henry, *The Killikak Family: A Study in the Heredity of Feeble-Mindedness*, New York, Macmillan, (1912), p. 50.
- 23 See F. Adler, G. Mueller and W. S. Laufer, “Criminology and the Criminal Justice System; see Note 18, *supra*, at p. 240. See, also, M. Gibson, *Born to Crime: Cesare Lombroso and the Origins of Biological Crime*, New York, Praeger, (2002). Quoted in “Juvenile Delinquency: World Youth Report”, (2003) (see Note 18, *supra*).

3.3 Psychological predictive factor of juvenile delinquency

Social sciences such as psychology and sociology have also provided a rich diversity in theories of causation of juvenile delinquency. Psychological theory on one hand states that people commit crimes because of personality imbalances developed early in childhood.²⁴ Their expositions are grounded in several research traditions, such as psychoanalysis,²⁵ conditioning,²⁶ and psychopathology.²⁷ Incidentally, these explanations are not as deterministic as biological theories, for they leave open the possibility of deviant free will.

3.4 Sociological predictive factor of juvenile delinquency

Sociological approaches examine the effects of social structures and processes on the behaviour of individuals and groups of people. Societal conditions theoretically affect people's collective perceptions of the availability of opportunities and the intensity of deprivations, so that delinquency and crime are reactions to certain types of environments.²⁸ Instructively, therefore, sociological theories are used to substantiate the rehabilitation view of justice.²⁹ If people are controlled by their environment and by their relationship with significant

24 Sigmund Freud was the founder of psychoanalysis, and his research is the foundation for psychoanalytic theory. He believed that human personalities are formed during several phases of childhood development. Abnormal personalities and other psychological imbalances begin to form during these phases, and can reflect the phase in which the problem developed. For example, according to him, if a person regresses to or becomes fixated in their phallic phase of development (ages three to five years), they may become sexually deviant and engage in illicit sex practices such as prostitution or rape. See, generally, F. Sigmund, *A General Introduction to Psychoanalysis*, New York, Liveright, (1920), p. 50. See, also, F. Sigmund, *The Ego and the Id*, London, Hogarth, (1927), p. 87.

25 See J. Campbell, *The Portable Jung* (ed.), New York, W. W. Penguin Books, (1976), pp. 9-10.

26 "Juvenile Delinquency: World Youth Report", (2003); see Note 18, *supra*.

27 *Ibid*.

28 Socio-economic conditions, inequality and deprivation, underclass conditions such as poverty, neighbourhood degeneration, low educational achievement, inadequate housing, and family dysfunction are associated with delinquency and criminality. See Gabriel Tarde (trans. R. Howell), *Penal Philosophy*, Boston: Little Brown, 1912, p. 252.

29 A. Quetelet and A. Michel Guerry were among the first scholars to repudiate the classical free-will doctrine from their working independently on the relation of crime statistics to such factors as poverty, sex, race, age and climate to mention just but few, concluded that society, and not the decisions of individual offenders, was responsible for criminal behaviour. See A. Quetelet and T. Smibert, *A Treatise on Man*, Cambridge, CUP (2013), p. 103. See also, D. Cheatwood, "Is There a Season for Homicide?" 26 *Criminology* (1988), pp. 287-306; quoted in F. Adler, G. Mueller and W. S. Laufer, "Criminology and the Criminal Justice System, see Note 23, *supra*.

others, then it follows that their behaviour can be changed by improving the quality of their social world. As examined below, it is worth noting that several other factors are directly connected to sociological and environment factors of juvenile delinquency.

3.4.1 Learning by experience

It is a truism that every person's future behaviour is conditioned by experiences learnt directly or indirectly beginning from his/her very immediate environment. In other words, we learn from lifetime events and base our decisions, perceptions, and conduct on these events. According to learning conditioning theorists, the experiences or environmental stimuli underline socially acceptable behaviour, as well as delinquency and criminality.³⁰ Many behaviourists have concluded that human criminality and delinquency could be conditioned to continue. According to this school, environmental stimuli operate either as punishers or reinforcers.³¹

Therefore, differential association is a process of social learning, in which criminals and law-abiding people learn their behaviour from associations with others. People imitate or otherwise internalize the quality of these associations. Thus, delinquency and criminality are learned behaviour that is acquired from interacting with others who participate in criminal lifestyles,

30 The pioneer behind conditioning theory is Ivan Pavlov, a Russian physiologist who conducted behavioural experiments on dogs during the late nineteenth and early twentieth centuries. The basic attributes of his experiments were stimulus–response and reward–punishment. His laboratory dogs were stimulated to respond with certain behaviours. Pavlov's methods were remarkably simple: The dogs were rewarded when they responded correctly, and punished when they responded incorrectly. Pavlov's most famous experiment involved conditioning dogs to salivate at the ring of a bell. He initially rang a bell each time the dogs were fed (which stimulated them to salivate), and eventually simply rang the bell without food. The result was that the dogs were stimulated to salivate even though no food was given. Extrapolating these observations to human behaviour, Pavlov's experiments theoretically demonstrate that behaviour is predicated on lifetime stimuli. For a selection of the writings of Pavlov, see I. P. Pavlov, *Selected Works*, Honolulu, HI, University Press of the Pacific, (2001), p. 198.

31 If behaviour produces desirable consequences, it will increase in frequency and in that case it is said to be reinforced. In contrast, behaviour which produces aversive consequences will decrease in frequency and the behaviour is therefore said to be punished. In essence Criminals and delinquents are stimulated (reinforced) by their environment to continue acting out defiantly until they are punished in some manner. Therefore, when offenders are repeatedly rewarded for their deviance and receive no punishment for breaking the law, they are likely to continue until the authorities catch them.

so that the difference between offenders and non-offenders lies in individual choices. In other words, offenders and non-offenders strive for similar goals, but they choose different avenues to achieve those goals.³² These choices are based on the lessons they take from exposure to certain kinds of life experiences. In particular, those with strong attachments to delinquents are more likely to become delinquents, and people who grow up in criminal milieus will adopt deviant values that can result in delinquency and criminality.

3.4.2 Parental/family factor

The family is a social institution and the immediate environment for juvenile internalization of behaviour and future style of life. Thus, parental neglect constitutes one of the famous predictive factors of juvenile internalization of criminality in that children and their families defy narrow descriptions. It is apposite to note that the family as a social institution is currently undergoing substantial changes because of modernization; its form is diversifying with, for example, the increase in one-parent families and non-marital unions. In this spectrum, absence of father or mother in many low-income families can lead children to seek patterns of delinquency from groups of peers.³³ These groups in many respects are considered substitutes for the family, define children roles, and contribute to the acquisition of such attributes as cruelty, strength, excitability and anxiety.

Studies show that children who receive adequate parental supervision are less likely to engage in criminal activities.³⁴ Inadequate parenting practices are among the most powerful predictors of early anti-social behaviour.³⁵ Furthermore, dysfunctional family settings characterized by conflict, inadequate parental control, weak internal linkages and integration, and premature autonomy are closely associated with juvenile delinquency. Similarly, families in which

32 See, generally, I. P Pavlov, note 30, *supra*.

33 J. D. Hawkins, *et al.*, "A review of predictors of youth violence," in R. Loeber and D. P Farrington, (eds.), *Serious and Violent Juvenile Offenders: Risk Factors and Successful Interventions*, Thousand Oaks, CA Sage Publications, Inc., (1998), pp. 106–146.

34 D. Cicchetti, and F. A. Rogosch, "Equifinality and multifinality in developmental psychopathology", *8 Development and Psychopathology*, (1996), pp. 597–600; available at <http://www.ncjrs.gov/html/ojjdp/.../contents.ht> (Accessed 20 October 2011).

35 *Ibid.*

the children do not have conduct problems compared with families of young children with conduct problems have been found to be eight times more likely to engage in conflicts involving discipline, to engage in half as many positive interactions, and, often unintentionally, to reinforce negative child behaviour.³⁶

Another important predictive factor in paradigm is that children, especially boys and younger children, who are exposed to or do witness domestic violence have, also, been linked to increasing behavioural problems. In most families, when the woman is battered,³⁷ children are also battered; such co-occurrence of child abuse and witnessing domestic violence affect children's social adjustment. At the same time, children whose parents divorced or separated³⁸ and subsequent remarried and children who lose their parents have been found to be more likely to have continuing problems with antisocial, coercive and noncompliant behaviour through their upbringing.³⁹ Parents' antisocial personality disorder,⁴⁰ parental substance abuse, parental psychopathology and depression⁴¹ show many parenting deficiencies associated with increased antisocial behaviour in children such as inconsistency, irritability, lack of supervision and increased rates of psychiatric disorder among school-aged children.

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- 36 F. E. M. Gardner, "Positive interaction between mothers and conduct-problem children: Is there training for harmony as well as fighting?" 15 *Journal of Abnormal Child Psychology* (1987), pp. 283–293.
- 37 P. Jaffe, D. Wolfe, and S. K. Wilson, *Children of Battered Women*, Newbury Park, CA Sage Publications, Inc., (1990), at p. 108.
- 38 See S. McLanahan, and K. Booth, "Mother-only families: Problems, Prospects, and Politics." 51 *Journal of Marriage and the Family* (1989), pp. 557–580; and R. J. Sampson, "Urban black violence: The effect of male joblessness and family disruption" 93 *American Journal of Sociology* (1998), pp. 348–382. These sociologists postulated that on average children from single-mother households are at increased risk for poor behavioural outcome as a result of their fewer economic resources, mental health problems, higher levels of residential mobility, fewer resources to monitor their children's activities and whereabouts. Cumulatively, each of these factors contributes to increased levels of early childhood behaviour problems.
- 39 T. Hirsch, *Causes of Delinquency*, Berkeley, CA, University of California Press, (1996), p. 148.
- 40 B. B. Lahey, et al., "Psychopathology in the parents of children with conduct disorder and hyperactivity", 27 *Journal of the American Academy of Child and Adolescent Psychiatry* (1988), pp. 163–170.
- 41 The Pittsburgh Youth Study has shown that the association between delinquency and parental anxiety or depression was stronger in younger than in older children. See R. Loeber, *et al.*, *Antisocial Behaviour and Mental Health Problems: Explanatory Factors in Childhood and Adolescence*, Mahwah, N.J., Lawrence Erlbaum, (1998), available at <http://www.ncjrs.gov/html/ojjdp/.../contents.ht...> (accessed 20 October 2011).

3.4.3 Child abuse and trauma

Another closely connected predictive factor of delinquency to family factor is child abuse and trauma. In modern world, evidence abound that many children and young persons are subjected to abuse and are traumatised every day. Some of these abuses are infrequent while others occur on a regular basis. The abuse may vary in nature as physical, sexual, or psychological, or as a combination.⁴² There is no doubt that whatever the nature of the abuse it can have long lasting and profound effects on a young person's life. Thus, the correlation between the abuse of a young person and the development of serious problems in life is not a surprising one and may turn out to be one of the most significant factors in the development of delinquent behaviour.

Peer Pressure can also cause a juvenile to become involved in delinquent and illegal behaviour.⁴³ In many cases, pressure from peer group may be a principal cause of juvenile delinquency. Young persons are influenced under intense pressure from their peers to participate in criminal or other antisocial activities in order to feel that they belong. Youth policies seldom reflect an understanding of the role of the peer group as an institution of socialization.⁴⁴

3.4.4 Politically predictive factor

Some theoretical expositions fixed delinquency and criminality to the reflection of the political and social discord of a particular period in society. Criminologists have linked delinquency and criminality to society's inequitable, ideological, political, and socio-economic makeup.⁴⁵ They argued that because power and wealth have been unequally distributed, those who have been politically and economically shut out understandably resort to criminal antagonism against the

42 C. B. Siegfried, S. J. Ko, and A. Kelley, "Victimization and Juvenile Offending", National Child Traumatic Stress Network, (2004); available at http://www.nctsn.org/nctsn_assets/pdfs/edu_materials/victimization_juvenile_offending.pdf (accessed 08 April 2009).

43 See A. Mason, "Self-Esteem and delinquency revisited (again): A test of Kaplan's self-derogation theory of delinquency using latent growth curve modelling", 30 (1) *Journal of Youth and Adolescence*, 2001, pp. 83-101; available at http://www.ehow.com/info_8260115_causes-effects-solutions-juvenile-delinquency.html. (Accessed 25 May 2012).

44 World Youth Report, (2004), "Juvenile delinquency"; available at <http://www.un.org/esa/socdev/unyin/documents/ch07.pdf> (accessed 02 February 2011).

45 See B. Krisberg, *Crime and Privilege: Towards a New Criminology*, Englewood Cliffs, N.J, Prentice-Hall, (1975), p. 128.

prevailing order.⁴⁶

The plight of ethnic minorities, migrants, displaced persons and refugees in certain parts of the world is, especially, distressing. The countries in transition are facing particular challenges in this respect, with the associated insecurity and turmoil contributing to an increase in the numbers of children and juveniles neglected by their parents and suffering abuse and violence at home.⁴⁷

3.4.5 School/Community influences as predictive factors of juvenile delinquency

Another famous predictor of delinquency is the school organisation and community which play a vital role in the development of children. The generality of the school environment may affect children positively and or negatively.⁴⁸ Therefore, a school with fewer teachers and higher number of students' enrolment is susceptible to having higher levels of teacher victimization and poor rule enforcement and in contrast to schools that are associated with higher levels of student victimization.⁴⁹

A further specific school influence for delinquency is poor academic performance. Children who perform poorly on academic tasks will fail to develop strong bonds to school and will have lower expectations of success.⁵⁰

3.4.6 Media violence

46 Willem Bongers made the first consistent attempt to provide a Marxist framework for the analysis of crime. He sought to establish a causal link between crime and material conditions by looking at the effects of competition and "egoism" on "criminal thought". See, generally, W. Bongers, *Criminality and Economic Conditions* (with an Introduction by A. T. Turk), Indiana, University Press, (1969).

47 See B. Krisberg, *Crime and Privilege: Towards a New Criminology*, Note 45, *supra*, at p. 135.

48 J. D. Cole, *et al.*, "Childhood peer rejection and aggression as predictors of stable patterns of adolescent disorder", in R. Loeber and D. P. Farrington (eds.), *Development and Psychopathology*, Thousand Oaks, CA Sage Publications, Inc., (2001), pp. 211–246. T. Herrenkohl, *et al.*, "School and community risk factors and interventions", in R. Loeber and D. P. Farrington (eds.), *Child Delinquents: Development, Intervention, and Service Needs*, Sage publications, (2001), pp. 231–246.

49 *Ibid.*, at p. 250.

50 E. Maguin, and R. Loeber, "Academic performance and delinquency", in M. Tonry (ed.), *Crime and Justice: A Review of Research*, vol. 20, Chicago, IL., University of Chicago Press, (1996), pp. 145–264.

Media violence, particularly electronic, is a predictive factor of juvenile delinquency in society. Eron and Huesmann⁵¹ posit that violence can be learned by young persons who watch violence media programmes and tend to behave more aggressively or violently after viewing such violence in the media.⁵² In addition, children of parents who frequently watched violence on television and showed aggression were found to be more likely than other children to exhibit aggression and to prefer violent programmes. Media bring an individual to violence in three ways⁵³ as discussed below.

First, movies that demonstrate violent acts excite spectators, and the aggressive energy can then be transferred to everyday life, pushing an individual to engage in physical activity on the streets. This type of influence is temporary, lasting from several hours to several days. Second, television can portray ordinary daily violence committed by parents or peers (the imposition of penalties for failing to study or for violations of certain rules or norms of conduct). It is impossible to find television shows that do not portray such patterns of violence, because viewer approval of this type of programming has ensured its perpetuation. As a result, children are continually exposed to the use of violence in different situations and the number of violent acts on television appears to be increasing. Third, violence depicted in the media is unreal and has a surrealistic quality; wounds bleed less, and the real pain and agony resulting from violent actions are very rarely shown. The consequences of violent behaviour often seem negligible.⁵⁴ Over time, television causes a shift in the system of human values and indirectly leads children to view violence as a desirable and, even, courageous ways of re-establishing justice.

The foregoing brief discussion of selected theories and perspectives provide us with an understanding of crime and delinquency, especially their multiple and complex origins and manifestations. It should be noted that the list

51 L. D. Eron, and L. R. Huesmann, "Television as a source of maltreatment of children", 16. *School Psychology Review* (1987), pp. 195–202.

52 For example, children exposed to high levels of television violence at age 8 were found to be more likely to behave aggressively at that age and, subsequently, up to age 30; *ibid.*, at p. 220.

53 American Psychological Association, "Violence and youth: Psychology's response" (Summary report of the APA Commission on Violence and Youth), Washington D.C., 1993; available at <http://www.aacap.org/publications/ractsiam/behavior.htm> (accessed 20 February 2010).

54 *Ibid.*

is not exhaustive of factors that can directly or indirectly affect juvenile in any society; the fact remains that children may be criminally disposed internally or externally.

4. INTERNATIONAL, REGIONAL AND NATIONAL COMMITMENTS TO JUVENILE DELINQUENCY

Law has a key role in protecting and ensuring the fulfilment of the rights of children vulnerable to criminal disposition. Against the above background, there are several international, regional and national legal instruments that are committed to regulate the promotion and protection of the rights of the child and treatment of juvenile offenders, generally, and especially in custodial institutions. These international and regional laws include the United Nations Convention on the Rights of the Child, 1989 (UNCRC)⁵⁵, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules), 1985,⁵⁶ the United Nations Rules for the Protection of Juveniles Deprived of

55 Prior to the adoption of the UNCRC, the child had been at the centre of the brief 1959 Declaration of the Rights of the child, which does not however cover the various issues relating to the administration of juvenile justice, *per se*. The preparation of the CRC started in 1979 by the Polish government to embarrass the West by proposing that the 1959 Declaration of the Rights of the Child be made a binding agreement. The West's riposte was to urge a wider review of human rights and children. In seizing the moment, civil society organisations (CSOs) began to step up pressure on the United Nations, eventually motivating the United Nations Commission for Human Rights in 1986 to draft a Convention on the Rights of the Child (CRC). In search of a moral compass at the end of the Cold War, the Child Rights Convention was quickly adopted by the United Nations General Assembly on 20 November 1989. The CRC, adopted in 1989, came at a time when the need for improvement in the situation of children all over the globe was clearly apparent. In that context, it was the only international Human Rights Convention that came into force just one year after adoption. See Jones, Gareth A., "Children and development: Rights, Globalization and Poverty." *Progress in Development Studies*, 2005 (4), pp. 336-342. Available at <http://eprints.lse.ac.uk/16971/> (accessed 30 January 2013). As at 2013, 193 out of the 195 UN Member States had ratified the Convention; see the Profile of Existing Diversion Programmes in Nigeria (prepared by UNICEF); available at <http://traties.un.org/pages/ViewDetails.aspx?src=TREATY&msgid=IV-11&chapter=4&lang=en> (accessed 29 May 2013).

56 The "Beijing Rules" was the first comprehensive international statement to focus specifically on juvenile justice administration with a child-rights and child-development approach. It aimed at developing a juvenile justice system that should be fair and humane, emphasizing the well-being and rehabilitation of juveniles. Ensure that the reaction of the authorities is proportionate to the circumstances of the offender as well as the offence. See Okagbue, I., "The Treatment of Juvenile Offenders and the Rights of the Child", in I. A. Ayua, and I. E. Okagbue (eds.), *The Rights of the Child in Nigeria*, Lagos, Nigerian Institute of Advance Legal Studies, (1996), p. 243. See Commentary to Rule 1 of The Beijing Rules, 1985.

their Liberty (United Nations Rules), 1990,⁵⁷ the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines), 1990⁵⁸ and the African Charter on the Rights and Welfare of the Child, 1990 (ACRWC).⁵⁹

It is important to remember, for instance, that before the Child Rights Convention, children were the most invisible segment of the society. However, after its adoption, the issues related to children gained importance and it is not a peripheral issue anymore, but the centre of attention in the countries that ratified both international and regional Conventions. Undoubtedly, the Child Rights Convention has profound importance throughout the world. It has given great visibility to issues concerning children, and has served as a reference for the development of new laws and public policies.

It is also possible to assure that the Child Rights Convention has been enormously influential; indeed, to many, it is regarded as the touchstone for children's rights throughout the world.⁶⁰ It constitutes the most comprehensive list of human rights created for a specific group. International bodies refer to it with approval on the basis that it can be utilized to promote a change in the way children, as individuals with rights, are viewed and, also, to encourage their

57 It sets out standards applicable when a juvenile is confined to any facility. The rules apply whether penal, correctional, educational or protective, and whether on the grounds of conviction or suspicion of having committed an offence, or simply being deemed "at risk". It includes principles that universally define the specific circumstances under which children can be deprived of their liberty, emphasizing that deprivation of liberty must be a means of last resort, for the shortest possible period of time and limited to exceptional cases. This serves as an internationally acceptable framework intended to counteract the detrimental effects of deprivation of liberty by ensuring respect for the human rights of juveniles and ensuring the dignity and welfare of the children is upheld while in custody. See I. Okagbue, "The Treatment of Juvenile Offenders and the Rights of the Child", in I. A. Ayua, and I. E. Okagbue (eds.), *The Rights of the Child in Nigeria, Ibid.*

58 The United Nations Guidelines for the Prevention of Juvenile Delinquency were adopted as a preventive rather than a curative policy. They focus on the need for preventive actions in respect of juvenile justice. These guidelines see prevention as not merely a matter of tackling negative situations, but rather a means of promoting welfare and well-being. The Guidelines stress the importance to pursue a child-centred orientation in any preventive programme. See The United Nations Guidelines for the Prevention of Juvenile Delinquency proclaimed by the General Assembly Resolution 45/112, 14 December 1990.

59 According to F. Viljoen, the "numerous political compromises" made at the drafting of the Child Rights Convention overlooked issues that were important to African children. See F. Viljoen, "Why South Africa should ratify the treaty", *South African Law Journal* (1999), p. 660. By 2007, 50 of Africa's 53 countries had become signatories to the African Charter on the Rights and Welfare of the Child (ACRWC). See UNICEF Information Sheet; available at <http://www.africaunion.org/root/au/documents/treaties/list/africa%20charter%20on%20the%20rights%20and%20welfare%20of%20the%20child.pdf> (accessed 31 October 2007).

60 See G. A. Jones, "Children and development: Rights, Globalization and Poverty", Note 55, *supra*.

active and responsible participation within the family and society.

It is easy to find superlatives related to the achievements of Child Rights Convention, as it is the most widely ratified treaty in history.⁶¹ It is, also, the most far-reaching, the most forward-looking, and the most comprehensive. It is the embodiment of a whole new vision for children; a definitive turning point in the struggle to achieve justice for children; and a document with an unprecedented potential to bring about dramatic change. It is the most “complete” human rights treaty in that it covers virtually all the economic, civil, political, social and cultural rights of children.⁶²

However, notwithstanding the significance of international conventions/rules/guidelines on the child rights and juvenile justice system, it has been argued that they do not adequately address juvenile justice in the Africans’ perspectives. Thus, in recognizing the specific cultural setting in which it is to operate by calling for consideration of the cultural heritage, historical background and the values of the African civilization, which should inspire and characterize the concept of the rights and welfare of the child, the African Charter on the Rights and Welfare of the Child (ACRWC) was, thereafter, negotiated and adopted at the 26th Ordinary Session of the Assembly of Heads of State and Government (AHOSG) of the Organisation of African Unity (OAU) on 11 July 1990. The Charter entered into force on 29 November 1999, nine years later, after obtaining the requisite number of ratifications. This is because the United Nations Convention on the Rights of the Child (CRC) had not addressed the important challenges facing African children due to the fact that only few African countries were involved in the drafting process and they were unable to articulate African children’s position especially in the areas of African values, harmful traditional practices among others.⁶³ Although, nine African States

61 See United Nations Human Rights Fact Sheet Series No. 10, (1990) *The Rights of the Child*, (GE.90-17337-10,975) 4. See UN Backgrounder, Children’s Rights, (DPI/1756/hr-96-00186-January 1996, 20m) 4. See, also, “The Rights of the Child in the Administration of Justice”, in *Human Rights in the Administration of Justice* (A Manual on Human Rights for Judges, Prosecutors and Lawyers); available at <http://www.ohchr.org/Documents/Publications/training9chapter10en.pdf-similar> (accessed 3 June 2011).

62 *Ibid.*

63 Commentary on the United Nations Convention on the Rights of the Child (2007): Article 3 – “The best interest of the child” (University College London, Nijhoff Publishers), quoted in Adegbola R.E.’s Dissertation (2007): *Children’s Rights in Africa: An appraisal of the African Committee of Experts on the Rights and Welfare of the Child* (submitted in partial fulfillment for the requirement of Masters of Law at the University of Pretoria); available at

were participatory in the activities of the Working Group by 1989, for at least five of the nine years that the Working Group took to draft the final proposal, only three African States participated.⁶⁴

In summary, countries that are signatories and have acceded to the international and regional conventions/rules/guidelines, have adopted these conventions with some modifications⁶⁵ to make the conventions country specific in operation and relevance to the peculiarity of each country's socio-economic, political and cultural conditions.

5. RECOMMENDATIONS FOR THE PREVENTION OF JUVENILE DELINQUENCY

Government, community, society and even religious institutions throughout the world have realized that the society is paying too much for the care of criminals and too little for the prevention of crime. A number of United Nations Instruments reflect on a preference for social rather than judicial approaches to controlling juvenile delinquency. The Riyadh Guidelines assert that the prevention of juvenile delinquency is an essential part of overall crime prevention in society⁶⁶ and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) recommend instituting positive measures to strengthen a juvenile's overall well-being and reduce the need for State intervention. However, for purpose of this article, some recommended preventive measures of juvenile delinquency are identified and discussed below.

repository.up.ac.za/bitstream/handle/2263/5343/adegbola.pdf?...1 (accessed 18 January 2013).

64 *Ibid.*

65 For example, Ghana and Cameroon (Cameroon 2005) did not enact separate Child Rights Act but rather incorporated these provisions of the International Convention/rules/guideline and Charters on juvenile justice system in their Criminal Procedure Code while Nigeria and India enacted separate Child Rights Acts (Nigeria 2003; India 2000, the Juvenile Justice Act) in compliance with international standards.

66 United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines), 1990.

5.1 Assistance to parents in dealing with early behavioural problems

To start with, there is no substitute for home life and intelligent parenthood in the rearing of children. The family, as the primary institution of socialization, appears to play the most important role in the prevention of child and juvenile delinquency. It is in the home that the child's needs for affection, security, and opportunities for growth or development, which play so important a part in shaping his personality, are met or thwarted.⁶⁷ To promote the stability and happiness of family life is, therefore, to aid in the prevention of juvenile delinquency. At the same time, every community should insure opportunities for parental education which will provide instruction in the principles of home making, family relationships and the education and care of children. In doing this, model educational programmes must be designed to assist families and children by providing them with information that informs parents on how to raise healthy children and teach children about the effects of drugs, gang involvement, sex, and weapons. These programmes will instil young persons with an awareness that will allow them to exercise discretion in decision making. This article supports the full implementation of the provisions of the United Nations Convention on the Rights of the Child⁶⁸ in this respect.

5.2 Education of public opinion

In the global world, the plights of children remain elusive despite the existence of laws for the promotion and protection of their rights. Thus, an enlightened

67 In an address on Child Welfare Standards a Test of Democracy at the National Conference of Social Work in 1919, Julia C. Lathrop, the first Chief of the Children's Bureau reiterated that children are not safe and happy if their parents are miserable, and parents must be miserable if they cannot protect a home against poverty. Let us not deceive ourselves. The power to maintain a decent family living standard is the primary essential of child welfare. This means a living wage and wholesome working life for the man, a good and skilful mother at home to keep the house and comfort all within it. Society can afford no less and can afford no exceptions. This is a universal need.

68 The United Nations Convention on the Rights of the Child provides a framework for improving the living conditions of children most especially Articles 2, 6, 12, 13, 14, 17, 19, 24.1, 26, 28, 32.1, 33, 34, 36 and 37. These provisions range from children survival's rights, development rights, protective rights and participation rights, among others.

public opinion is one of the most important requisites in any successful programme for the prevention of juvenile delinquency. The public is often inclined to “view with alarm” the misdeeds of the younger generation without stopping to consider its own responsibility in the matter and to discriminate unjustly against children going through the courts or receiving specialised institutional care.⁶⁹ This attitude is not constructive. The attitude of the public toward all problem children should be characterised not by irritation, fear, or censure but by understanding of the child’s need for protection, education, and guidance, in the community if possible, in a well-managed institution if necessary.⁷⁰ When the public is brought to an understanding and acceptance of its own responsibilities in the prevention and treatment of delinquency, it will be more willing to give the needed support to that well-rounded and coordinated community programme for the development of constructive, wholesome interests and the early study and guidance of children presenting problems of behaviour and personality. Distribution of literature, newspaper and magazine publicity, radio talks, lectures, and study-club work will be found useful in educating public opinion.

5.3 Social work in the schools

School is an important environment for the development of children; when a child enters school, he enters a new world and faces new conditions. Although the modern ideal in education demands that full recognition should be given to individual differences in children and that emphasis be placed on the person taught rather than the things taught,⁷¹ the fact remains that the school undertakes not only to give the child an academic education but to train him/her to fit into society. Whatever the causes of juvenile delinquency may be, it is usually

69 Facts about Juvenile Delinquency: Its Prevention and Treatment, Publication No. 215, United States Department of Labour Children’s Bureau 193. Provided by the Maternal and Child Health Library, (Georgetown University).

70 H. A. Murphy, *et al.*, “Behavioural school psychology goes outdoors: The effect of organized games on playground aggression”, 16 *Journal of Applied Behavioural Analysis* (1983), pp. 29–35.

71 S. G. Kellam, and G. W. Rebok, “Building developmental and etiological theory through epidemiologically based preventive intervention trials”, in J. McCord and R. E. Tremblay (eds.), *Preventing Antisocial Behavior: Interventions From Birth Through Adolescence*, New York, NY, Guilford Press, (1992), pp. 162–195.

during the school days that the child's most serious delinquencies develop, and the school is, therefore, most intimately involved in the whole problem of delinquency.

In essence, there must be a real programme for the prevention of delinquency and part of this promise should lie in the fact that the school must realize increasingly that the child it teaches has a life outside of that which is passed in the classroom, that he/she must be taught and treated and guided in the light of this fact and that the school must sincerely and, vitally, interest itself in the environment of the child it tries to teach.⁷² Designing several types of school programmes will serve as interventions for reducing aggressive behaviour in the classroom. This article supports the postulation of Greenberg and some other scholars,⁷³ when they opined that schools should design programmes that will enhance development of social competence curriculums to promote norms against aggressive, violent, and other antisocial behaviours. Conflict resolution and violence prevention curriculums, bullying prevention programmes, multi-component classroom programmes to improve academic achievement and reduce anti-social behaviour, afterschool recreation programmes and mentoring programmes will, also, help a lot in this regard.

At the same time, the school organisation must provide for various services to assist in preventing or solving the various problems of school maladjustment and dissatisfaction, which are fertile sources of delinquency. These services should include health services and child-study departments and clinics, attendance departments like social work officers who will be visiting the schools and conferences at schools with children, teachers and parents. They can equally visit homes, special schools and classes should also be organized to cater for children whose needs cannot be met in a regular class, by this, such children will be placed in a special class equipped to deal scientifically with their particular difficulty. Such classes include classes for children who have physical handicaps, mental handicaps, classes for retarded children who are mentally deficient and classes for gifted children for whom the challenge

72 S. G. Kellam, *et al.*, "The course and malleability of aggressive behaviour from early first grade into middle school: Results of a developmental epidemiologically based preventive trial", 35 *Journal of Child Psychology and Psychiatry and Allied Disciplines*, (1994), pp. 259–281.

73 M. T. Greenberg, "Improving peer relations and reducing aggressive behavior: The classroom level effects of the PATHS curriculum", (1997) (article presented at the Society for Research in Child Development, Washington, DC).

of a different school curriculum may be the solution of behavioural problems caused by lack of interest and satisfaction in their work. Another service could be a provision for educational and vocational guidance which will include a sufficient number of well-trained and experienced counsellors in the schools to make adjustments for every child that will prevent discouragement and prolong his/her school life.

5.4 Community influences and leisure-time activities

Community is an extension of the home and another world entirely beyond the precinct of home and school in which the child will spend more and more of his/her time as he/she grows older. Community, therefore, helps to shape his/her personality and influences his/her conduct and attitude towards life. The street on which he/she lives, the neighbours whom he/she sees from day to day, the children with whom he/she plays are but a few of the influences, tangible and intangible, that affect the child's daily life and that help to create what might be called the spirit of the neighbourhood. The community, through its various agencies, may help to strengthen the child, fit him/her to meet life squarely, or it may help to make him/her dissatisfied with his/her environment, to rebel against it, and, thus, may become one of the causes of juvenile delinquency. Various studies have been made showing that delinquency is most likely to occur where proper community environment is lacking.⁷⁴ Therefore, programmes of prevention should be designed to provide a constructive, wholesome, happy use of leisure time and a programme of protection against harmful and demoralizing influences.

Community resources for preventive and protective work should include, among others, the recreational facilities under public auspice which will accommodate public playgrounds, athletic fields, municipal beaches, swimming pools, play street, camp sites, parks for picnics, public-library service, concerts and musical activities, museums, etc. Overall, public and private children's organisations such as child-welfare boards and departments should be established including children's aid societies, juvenile-protective

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H. A. Murphy, J. M Hutchinson, and J. S. Bailey, "Behavioral school psychology goes outdoors: The effect of organized games on playground aggression", note 70, *supra*.

associations, and societies for the prevention of cruelty to children which often make protective work a major function.

6. CONCLUSION

An attempt has been made in this article to examine juvenile delinquency and its predictive factors. This article argues that juvenile delinquency is a global phenomenon in its predictive factors and effects in society. Thus, efforts at addressing the issue of juvenile delinquency have been geared through enactments of domestic legislation, regional and international conventions to address the issue and this line of commitment is highly commendable.

It is, therefore, important for society to prioritize juvenile delinquency prevention programmes over measures designed to punish or treat juvenile offenders. Programmes designed for reform of criminal justice systems that fail to address the structural roots of crime and delinquency will merely aid continuous repression of victims of structurally induced socio-political and economic disabilities and exclusion. These preventive methods, if adopted and translated to welfare and social security services, and effectively implemented, can create a relatively stress-free, and less criminal environment in which children and young persons can grow and blossom. Overall, the strategy of the government in improving juvenile justice should be focused on three areas: youth crime prevention, providing young persons with meaningful consequences for their actions, and the rehabilitation and reintegration of young offenders.