

## Original Paper

# Reflections on the Comprehensive Improvement of Juvenile Delinquency Criminal Policy

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### Abstract

*The issue of juvenile delinquency is increasingly attracting attention due to its complex and varied legal, social, and psychological dimensions. While current criminal policies address juvenile delinquency to some extent, challenges remain in the form of an incomplete legal framework, inconsistent policy implementation, and inadequate social support. This paper aims to conduct a comprehensive assessment of existing juvenile delinquency criminal policies, examine their shortcomings in practical application, and draw on international experiences to propose improvements. By systematically analyzing the current state of juvenile delinquency, the effectiveness of existing policies, and international practices, the paper outlines pathways to enhance criminal policies for juveniles to achieve more effective prevention and intervention, promoting healthy development for juveniles and social harmony and stability.*

### Keywords

*juvenile delinquency, criminal policy, legal framework, policy evaluation, international experience*

## 1. Introduction

Juvenile delinquency poses a significant challenge to society, impacting not only the legal realm but also the stability of families and communities. As societal environments evolve and juvenile delinquency types diversify, current criminal policies appear inadequate in addressing these complex issues. The lag in the legal system, differences in policy implementation, and lack of social support make juvenile delinquency increasingly difficult to effectively resolve. This study aims to systematically explore the current status and shortcomings of juvenile delinquency criminal policies and propose improvements based on international experiences. By analyzing the definition, current state, and social impact of juvenile delinquency and evaluating the effectiveness of existing criminal policies, this paper seeks to uncover practical deficiencies and suggest feasible improvement measures.

The research will delve into the current status of juvenile delinquency, provide a comprehensive assessment of existing policies, and draw on international experiences to propose specific recommendations for improving juvenile delinquency criminal policies, thereby promoting effective prevention and intervention, and enhancing overall social stability.

## **2. Current Status and Challenges of Juvenile Delinquency**

### *2.1 Definition and Classification of Juvenile Delinquency*

Juvenile delinquency refers to behaviors by individuals within the legally defined age range that violate legal provisions and result in criminal responsibility. Definitions of juvenile delinquency vary across countries and regions, but they generally include special legal procedures and policies for juveniles. In China, juveniles typically refer to individuals under 18 years old, with primary legal bases for handling juvenile delinquency including the “Law on the Protection of Minors” and the “Criminal Law”. These laws define criminal behaviors of juveniles and outline corresponding legal procedures and measures. Juvenile delinquency can be categorized by the nature of the crime. Violent crimes include behaviors with evident violent characteristics, such as intentional injury, robbery, and rape, causing significant physical or psychological harm to victims. Property crimes involve actions like theft, fraud, and vandalism, primarily aimed at illegally obtaining others’ property. Drug-related crimes involve activities such as drug trafficking, use, or possession, which harm juveniles’ health and severely impact the social environment. Sexual crimes, including rape, molestation, and luring minors into sexual acts, have profound negative effects on the physical and mental health of juveniles. Other crime types, such as public safety crimes and crimes endangering national security, though less common, also require legal intervention and sanctions. In terms of behavior, juvenile delinquency can be divided into direct and indirect criminal behaviors (Lattimore, 2022, pp. 1071-1098). Direct criminal behaviors directly violate legal provisions, such as violent attacks and theft. Indirect criminal behaviors indirectly lead to illegal outcomes, such as juveniles’ involvement in certain fraud schemes. From the perspective of crime frequency, juvenile delinquency can be divided into first-time and repeat offenses. First-time offenses refer to juveniles committing crimes for the first time, usually treated with educational and corrective measures considering their age and motives. Repeat offenses refer to juveniles committing crimes again after their first offense, which may be treated more severely to prevent recidivism. Finally, considering motivation and background, juvenile delinquency can be categorized into economically motivated crimes, emotionally motivated crimes, and crimes influenced by the social environment. Economically motivated crimes, like theft and robbery, are often related to financial difficulties and life pressures. Emotionally motivated crimes, such as violence triggered by emotional disputes, are linked to personal emotional issues. Crimes influenced by the social environment involve behaviors impacted by negative social or family environments, typically involving complex social backgrounds. Understanding these categories helps to formulate targeted prevention and intervention measures.

## 2.2 Social Impact of Juvenile Delinquency

Juvenile delinquency has extensive and profound social impacts, affecting individuals, families, and society at large. At the individual level, juvenile delinquency significantly impacts the mental and physical health and future development of the offenders themselves. Criminal behaviors can lead to legal sanctions and criminal records for juveniles, harming their psychological state and affecting their future education and career development. The experience of crime often results in social exclusion and isolation, further exacerbating psychological problems and social adaptation difficulties. At the family level, juvenile delinquency similarly impacts family dynamics. The family is the fundamental environment for juvenile growth, and delinquency often exposes issues in family education and environment. Criminal behaviors can strain family relationships and increase economic burdens, particularly in legal procedures and compensation costs. Additionally, juvenile delinquency can damage a family's social reputation, affecting social interactions and psychological well-being of family members. At the societal level, juvenile delinquency poses a threat to social stability and safety. Increasing juvenile delinquency may deteriorate public security, heighten fear and anxiety, and reduce overall social trust. Inadequate handling of juvenile delinquency can exacerbate public concerns about social safety. Furthermore, juvenile delinquency can lead to the reallocation of social resources, such as increased police and judicial system resources for prevention and handling, impacting the efficiency of social resource utilization. Overall, the social impact of juvenile delinquency is multifaceted, affecting individual health, family stability, and societal safety. Understanding these impacts is crucial for developing effective policies and measures to reduce juvenile delinquency, protect the healthy growth of juveniles, and maintain social harmony (Elliott, 2022, pp. 1-19).

## 3. Evaluation of Existing Criminal Policies on Juvenile Delinquency

### 3.1 Legal Framework for Juvenile Delinquency

The legal framework for juvenile delinquency is the foundation for addressing juvenile criminal issues, involving multiple legal documents and provisions. Countries typically have legal frameworks for juvenile delinquency, including laws on minor protection, criminal law, criminal procedure law, and relevant administrative and local regulations. These documents collectively form the basic legal system for handling juvenile delinquency. In China, the primary legal framework for addressing juvenile delinquency includes the "Law on the Protection of Minors", the "Criminal Law", the "Criminal Procedure Law", and the "Law on the Prevention of Juvenile Delinquency". The "Law on the Protection of Minors" is the fundamental law protecting the legal rights of minors, covering education, life, health, and safety aspects, providing a legal basis for handling juvenile delinquency. The "Criminal Law" stipulates specific criminal responsibilities for juvenile behaviors, including treatment of juveniles over 14 years old who commit crimes, while those under 14 are generally not held criminally responsible. The "Criminal Procedure Law" outlines special procedures for juvenile cases, emphasizing consideration of juveniles' physical and mental characteristics and educational correction

needs during trial and execution. Additionally, the “Law on the Prevention of Juvenile Delinquency” focuses on crime prevention, detailing government, societal, and familial responsibilities and measures in preventing juvenile delinquency (Yang & Qin, 2021, p. 105475).

Key characteristics of these legal frameworks include:

1) Adaptability: Legal frameworks address the special needs and characteristics of juveniles, establishing corresponding principles and procedures. For instance, the “Criminal Law” specifies mitigated or alternative penalties for juvenile offenders, such as educational correction and community service, aimed at promoting behavior correction and social reintegration.

2) Procedural Guarantees: The “Criminal Procedure Law” emphasizes procedural guarantees in juvenile cases, ensuring full consideration of juveniles’ physical and mental development during trial to avoid unnecessary harm. The law requires specialized judges and psychological experts to participate in juvenile case trials, employing measures like closed trials to protect juveniles’ privacy and rights.

3) Educational Correction: Legal frameworks prioritize education and correction for juvenile offenders, emphasizing educational, psychological counseling, and social services to help them correct behaviors and avoid repeating offenses. For example, the “Law on the Protection of Minors” mandates the establishment of correction and rehabilitation institutions for minors, providing professional counseling and social services.

4) Social Participation: Legal frameworks encourage active participation from various societal sectors in preventing and intervening in juvenile delinquency, including schools, families, communities, and social organizations. Laws require societal support and assistance, forming a diversified prevention and intervention network.

However, existing legal frameworks also face problems and challenges. Firstly, the scope and standards of legal application may be inconsistent or ambiguous, leading to difficulties in practical operations. Secondly, resource allocation and professional personnel shortages during law implementation affect policy effectiveness and fairness. Furthermore, as society evolves and juvenile delinquency patterns change, existing legal frameworks may not timely adapt to new demands and challenges. Overall, the legal framework for juvenile delinquency provides fundamental legal guarantees for addressing juvenile criminal issues, but continuous refinement and adjustment are needed in practical application to better protect juveniles’ rights and promote their healthy growth and social integration (Cavanagh, Jennifer & Thomas, 2022, p. 151).

### *3.2 Policy Measures for Juvenile Delinquency*

Policy measures for juvenile delinquency are a series of concrete plans developed by the state and society to prevent and address juvenile delinquency, involving education, legal, and social support aspects. Education is a core measure for preventing juvenile delinquency. The government and societal sectors implement various educational projects to enhance juveniles’ legal awareness, moral standards, and self-protection abilities. Schools incorporate legal regulations and moral education into their curriculum, utilizing classroom teaching, lectures, and interactive activities to help students understand

legal consequences and strengthen self-discipline. Community organizations and social service institutions also conduct legal publicity and preventive education activities, especially in youth-gathering areas, promoting legal knowledge and healthy lifestyles. Family education is encouraged, with parents receiving guidance on family education, parent-child communication skills training, and other methods to improve educational abilities and enhance the family environment, thereby reducing negative impacts of family problems on juveniles. In legal and judicial aspects, policy measures focus on effectively curbing juvenile delinquency through legal means and ensuring fair treatment of criminal behaviors. Criminal policies tailor principles and measures to juvenile delinquency characteristics. For example, for juveniles over 14 who commit crimes, laws allow probation, community service, and other non-custodial measures to promote behavior correction and social reintegration. Judicial procedures mandate special protections for juvenile cases, such as establishing juvenile courts, equipping professional judges and psychologists, and employing protective measures like closed trials to safeguard juveniles' privacy and rights. Additionally, legal frameworks require educational and corrective measures for juvenile offenders, including compulsory education, psychological counseling, and community service, aiming to help juveniles recognize errors, correct behaviors, and receive societal support. Social support and service measures focus on providing comprehensive social services to assist juvenile offenders and their families in addressing problems and promoting social integration. Key services include psychological counseling and treatment, with professional psychologists and social workers providing counseling to help juveniles resolve psychological issues, improve behavior patterns, and reduce recidivism risk. Family support services are also crucial, offering family counseling, financial assistance, and social service support to help family members address issues and educational difficulties, improving the family environment and reducing negative impacts on juveniles. Community intervention measures, such as establishing community correction centers, vocational training projects, and volunteer services, aim to help juvenile offenders reintegrate into society and receive support and assistance. Legislation and policy improvement are foundational for effectively addressing juvenile delinquency. Regular reviews and revisions of juvenile delinquency-related laws help address emerging crime patterns and social demands, ensuring law effectiveness and adaptability. Policy innovation is also essential, introducing new policy tools and measures like social experiment projects and cross-departmental collaboration mechanisms to explore more effective juvenile delinquency prevention and handling strategies. Comprehensive application of these policy measures can effectively reduce juvenile delinquency, help juvenile offenders correct behaviors, restore normal life and learning, and promote social harmony and stability (Wong & Cindy, 2023, pp. 113-132).

### *3.3 Problems and Deficiencies*

Despite providing legal guarantees and support for addressing juvenile delinquency, existing policy measures face numerous issues and deficiencies in practical application, affecting their effectiveness and fairness. Firstly, inconsistencies or ambiguities in the scope and standards of legal frameworks

pose operational challenges. For example, the “Criminal Law” may lack clear standards for different age groups of juveniles, leading to inconsistent legal applications and affecting legal outcomes. Lag in legal and policy frameworks is another significant issue, as existing frameworks may not timely adapt to emerging crime patterns and societal changes, resulting in policy execution inadaptability. Secondly, resource allocation deficiencies during policy execution limit the implementation of various educational and corrective measures. Although legal frameworks specify multiple educational and corrective measures, actual implementation often suffers from insufficient funding and professional personnel. Particularly at grassroots units and community levels, resource shortages restrict the conduct of education and correction work, impacting policy effectiveness. Professionalism and protective measures in judicial procedures are also often constrained by resource limitations, affecting the trial and handling of juvenile cases. Moreover, deficiencies in social support systems are a crucial issue. While policies encourage societal participation in preventing and intervening in juvenile delinquency, practical operations often lack robust social support networks, making it difficult for juveniles and their families to receive effective assistance. For instance, psychological counseling and family support services may be inadequate in some areas, hindering juvenile offenders’ behavior correction and social integration. Lastly, monitoring and evaluation mechanisms for policies also face deficiencies. Despite existing policies and measures, lack of systematic monitoring and evaluation mechanisms hampers accurate assessment and feedback of policy execution effectiveness. Changes in the status and trends of juvenile delinquency may not be timely reflected in policy adjustments, affecting policy scientificity and adaptability. Establishing effective monitoring and evaluation mechanisms helps timely identify issues, optimize policy measures, and enhance policy targeting and effectiveness. In summary, despite providing certain guarantees for addressing juvenile delinquency, existing policies and measures face numerous practical issues and deficiencies. Improving policy effectiveness requires adjusting and refining legal frameworks, increasing resource input, enhancing social support systems, and establishing robust monitoring and evaluation mechanisms. These improvements will better prevent and handle juvenile delinquency, safeguard juveniles’ legal rights, and promote social harmony and stability (Lee, Lung-Fei et al., 2021, pp. 849-857).

#### **4. International Experiences in Juvenile Delinquency Criminal Policy**

Globally, policies and practices for juvenile delinquency vary widely, with different countries and regions formulating diverse measures based on their legal systems and societal needs. These international experiences provide valuable references for improving juvenile delinquency policies and practices. Below are some experiences and practices from major countries and regions in handling juvenile delinquency. The United States emphasizes a balance between punishment and correction in its juvenile delinquency policies. Through the “Juvenile Justice and Delinquency Prevention Act” (JJDP Act), the US has established a basic framework for handling juvenile delinquency, focusing on prevention and correction. The US implements a “Juvenile Court System” specifically for juvenile

cases, equipped with professional judges, psychologists, and social workers to provide legal-compliant and developmental-need-sensitive handling solutions. The US also employs a “graduated sanctions” system, offering different treatment measures based on the severity and history of juvenile crimes, such as probation and community service, allowing individualized corrective measures based on specific circumstances. The United Kingdom centers its policies on “protection and support”, emphasizing education and social integration for juvenile offenders. The UK’s “Children and Young Persons Act” provides a legal framework for handling juvenile delinquency, focusing on prevention and community intervention. Preventive measures include community support networks, legal and moral education projects, and psychological counseling, aiming to reduce juvenile delinquency through early intervention. The UK uses the “Youth Offending Service” (YOS) model, a comprehensive correctional service combining law, social work, and psychological counseling to offer individualized corrective plans for juvenile offenders. The UK also values community participation and restorative justice programs, encouraging juvenile offenders to take responsibility and compensate victims, promoting social reconciliation. Germany prioritizes the “education first” principle in juvenile delinquency handling, focusing on education and social adaptation for juvenile offenders. Germany’s “Youth Criminal Law” stipulates treatment principles for juvenile offenders, emphasizing behavior correction through education, psychological counseling, and social services. Specialized juvenile courts handle juvenile cases, with judges, prosecutors, and lawyers undergoing specialized training to ensure measures meet juveniles’ needs. Germany’s “Social Integration Program” provides vocational training, education, and social support to help juvenile offenders reintegrate into society and reduce recidivism. Japan emphasizes family and community support in handling juvenile delinquency. Under the “Juvenile Law”, Japan adopts a lenient attitude towards juvenile delinquency, prioritizing education and correction over punishment. Social workers and psychologists play crucial roles in handling juvenile cases, providing professional counseling and social support. Japan’s “Juvenile Training School” system offers specialized education and correction services, helping juveniles correct behaviors and undergo social adaptation training. Japan encourages community involvement, promoting juvenile delinquency prevention through community support and family education. Overall, these international experiences highlight the importance of comprehensive management and educational correction for juvenile offenders. The US “Juvenile Court” system, the UK’s “Youth Offending Service” model, Germany’s “education first” principle, and Japan’s family and community support all offer valuable references for improving juvenile delinquency policies. Integrating these experiences provides new perspectives and strategies for enhancing the effectiveness and adaptability of domestic juvenile delinquency handling policies (Wells, Timothy et al., 2022, pp. 21-44).

## 5. Reflections and Recommendations for Improving Juvenile Delinquency Criminal Policy

To enhance the effectiveness of juvenile delinquency prevention and handling, further improvement of related policies is essential. Firstly, refining the legal framework is a necessary step. Existing laws may have inconsistent or ambiguous standards for different age groups of juveniles. It is recommended to revise relevant laws to clarify treatment principles for juveniles above and below 14 years old, ensuring consistent and fair legal application. The legal framework should be updated regularly to adapt to societal changes and emerging crime patterns, through periodic evaluation and revision, ensuring law effectiveness and adaptability. Specific requirements for educational and corrective measures should be added to ensure juvenile offenders receive necessary education and counseling, promoting behavior correction. Secondly, policy implementation should be effectively ensured. Addressing resource allocation deficiencies requires increased government funding and resource support for juvenile delinquency handling and prevention, especially at grassroots and community levels. Funding for educational and correctional institutions should be increased to ensure effective implementation of measures. For example, increased funding for community correction centers and counseling institutions can enhance service quality and coverage. Policy measures should focus more on personalization and comprehensiveness, developing individualized correction plans based on specific circumstances of juvenile offenders, and combining education, counseling, vocational training, and social services to form a comprehensive support system. Enhancing social support systems is also crucial. Establishing robust social support systems can effectively promote juvenile delinquency prevention and handling. Firstly, psychological counseling and family support services should be improved to ensure juvenile offenders and their families receive effective assistance. For instance, establishing more counseling centers can provide professional counseling and treatment for juveniles; family counseling and education training can help parents improve educational methods and family environments, reducing negative impacts of family issues on juveniles. Secondly, community participation and support should be strengthened, encouraging community organizations and social service institutions to actively participate in juvenile delinquency prevention and intervention. Community support can include volunteer services, community activities, and educational resources to increase community attention and support for juvenile delinquency. Finally, monitoring and evaluation mechanisms for policies must be strengthened. Establishing robust policy monitoring and evaluation mechanisms ensures effective policy implementation. It is recommended to establish specialized monitoring institutions for regular evaluation of juvenile delinquency-related policies. Collecting and analyzing data can timely identify issues and deficiencies in policy implementation, providing improvement suggestions. Strengthening feedback mechanisms ensures evaluation results are promptly fed back to decision-making departments, allowing for timely policy adjustments and optimization. Regularly publishing policy evaluation reports transparently demonstrates policy effects and improvement directions, enhancing scientificity and fairness in policy implementation. In summary, improving juvenile delinquency criminal policies requires efforts from legal frameworks, policy measures, social support, and implementation



mechanisms. Clarifying legal standards, increasing resource input, enhancing personalized and comprehensive policy measures, establishing robust social support systems, and building effective monitoring and evaluation mechanisms can improve policy targeting and effectiveness, reduce juvenile delinquency, help juveniles correct behaviors, and promote social harmony and stability (Huntington & Elizabeth, 2020, pp. 1371-1457).

## 6. Conclusion

Improving juvenile delinquency criminal policies requires comprehensive enhancements in legal frameworks, policy measures, social support systems, and implementation mechanisms. Clarifying legal standards, increasing resource input, strengthening personalized and comprehensive policy measures, establishing robust social support systems, and building effective policy monitoring and evaluation mechanisms are essential for enhancing policy effectiveness. Through these improvements, juvenile delinquency can be more effectively prevented and handled, promoting healthy development and social integration for juveniles, thereby fostering social harmony and stability.

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