Juvenile Delinquency and Juvenile Justice

Causes of crime and delinquency in Namibia – readings from data on age-crime distribution

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The Study in Perspective:

R-Problem: Namibia experiences child/juvenile crime/uncertainty about the nature of the phenomenon

R-Objectives: Describe (in parts) incidence, prevalence and dynamic of Namibian child/juvenile crime

R-Question: Does Terry E. Moffit’s Dual Taxonomic Theory of adolescent antisocial behaviour (1993) explain child/juvenile crime in Namibia

R-Design: “Extended case method” (Babbie, 2013, 338); presence of pre-conceptions

R-Method: Extraction of case information from a non-random convenience sample of various Magistrate’s Courts
Propositions from Moffit’s Dual Taxonomic Theory of Antisocial Behaviour

**Delinquency:**
- largely adolescence-limited, ubiquitous,
- a group social phenomenon (sociological explanation)
- affects about all male individuals,
- adaptive strategy in response to contradictions of modernity,
- largely transitional phenomenon, which
- disappears spontaneously (though at times only with strong social support)
Statistics (2008 - 2012)

Child Arrests (NamPol)

- Male
- Female

2008: 1019 (Male) 131 (Female)
2009: 1108 (Male) 117 (Female)
2010: 1083 (Male) 116 (Female)
2011: 859 (Male) 109 (Female)
2012: 2906 (Male) 106 (Female)
Child Arrest (Namibian Police 2011)
When would Moffit’s theory ‘make sense’ in a domestic context?

Evidence lies in the data
Predictions from Moffit’s taxonomy:

- steep incline in antisocial behaviour (offending/arrests) between ages 14 – 18 (19/20);
- less steep decline between ages 18 (19/20) – 30; complemented by
- few accounts of antisocial behaviour (offending/arrests) recorded in the age bracket 7 – 13.
Age Crime Curve: FBI Index Crimes in 1980
Change in prevalence of participation in antisocial behaviour across the life course
Pertinent questions arising from the age-crime curve:

Why do so many youngsters with no history of behavioural problems in childhood become all of a sudden antisocial in adolescence?

Why is delinquency so common during the teenage years?

How is the great majority among them able to spontaneously recover from an anti-social lifestyle within a few short years?
Contemporary adolescents are trapped in a maturity gap – they are chronological hostages of a time warp between biological age and social age:

- “You are too young for that...”
- “Wait until you are grown up...”
Maturity Gap: onset of AL-crime

- Age of biological maturity **decreased** by 3/10 per decade
- Schooling/formation requirements **delay** the age of labour-force participation
  
  - No *driver’s licence* (learner’s) before the age of 16
  - No *marriage*, no *voting* before the age of 18
  - No purchase of *alcohol* before the age of 18
  - Establishment of own private dwelling only after education completed (often more than 10 years after attainment of sexual maturity)
  - Etc.
Maturity Gap: desistance

As more legitimate and tangible adult roles become available, a change in perception set in: the consequences of illegal behaviour shift from rewarding to punishing:

- adult arrest records limit job opportunities
- Drug/alcohol abuse prevent from getting to work in time;
- DIU is costly;
- Bar brawls do not serve as a qualification for parenthood
- Etc.
Age-Crime Curve: Windhoek vs Opuwo
Age-Crime Curve: Windhoek vs Mariental

![Graph showing Age-Crime Curve for Windhoek and Mariental](graph.png)
Age-Crime Curve: Windhoek vs Oshakati

- Windhoek 2013 (Male)
- Oshakati 2013 (Male)
Age-Crime Curve: Windhoek vs Ondangwa
Observations: 1 - 2 - 3

- **First**, Windhoek curve is peaked, bimodal at age 21 and 27, kurtosis of all other curves is flatter, crime involvement moderately declining beyond the mode/s.
- **Second**, all curves/distributions show a **rapid incline** during mid-teens.
- **Third**, arrests scores 7 -13 year age bracket generally very low, even in Windhoek
### Proportion of arrests in the 7 -13 year age bracket:

<table>
<thead>
<tr>
<th>District</th>
<th>Arrests (total)</th>
<th>Arrests (7 - 13)</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Windhoek</td>
<td>4248</td>
<td>41</td>
<td>0.96</td>
</tr>
<tr>
<td>Mariental</td>
<td>791</td>
<td>1</td>
<td>0.13</td>
</tr>
<tr>
<td>Oshakati</td>
<td>1556</td>
<td>3</td>
<td>0.19</td>
</tr>
<tr>
<td>Ondangwa</td>
<td>1616</td>
<td>1</td>
<td>0.06</td>
</tr>
<tr>
<td>Opuwo</td>
<td>528</td>
<td>0</td>
<td>0.00</td>
</tr>
</tbody>
</table>
Age & Crime (at three points in time)
Once more:

Age-Crime Curve: Windhoek vs Opuwo
Transitioning into Namibian University of Science and Technology

Observations 1 vs 2

- **First**, while Windhoek is clearly peaked, bimodal at age 21 and 27 years, the kurtosis of all other curves is flatter, with crime involvement moderately declining beyond the mode/s of the distributions.

- **Second**, we see indeed that all curves/distributions show a **rapid incline** during the mid-teens. This is arguably a feature of modernity prevalent in all districts.
School Attendance Rate (2006)
Observation 3 and the LCP-type

**Third**, the proportion of arrests in the 7-13 year age bracket is low in all districts; lowest (zero) in Opuwo.
LCP-type

Evidence to argue for the existence of another type of offender – distinct from the AL-type – who display a pattern of continuity across life.

• A form of psychopathology:
  • Pernicious
  • Tenacious
  • Biological basis in the nervous system
The Life Course Persistent Offender (LCP)

- **Small group of males**
  - display high rates of antisocial behaviour
  - across time
  - In diverse situations
    - Biting and hitting at age 4,
    - Shoplifting/truancy at age 10,
    - Selling drugs/stealing cars at age 22,
    - Fraud and child abuse at age 30

- **Underlying disposition** remains the same, expression changes
LCP-type (aetiological chain)

- **Origin** in (impaired) neuro-developmental processes
  - Disruption of neural development:
    - Poor prenatal nutrition
    - Drug abuse (maternal)
    - Pre-/post-natal exposure to toxic agents
    - Complications during delivery
    - Neo-natal disruption
      - Nutrition
      - Stimulation
      - Affection
    - Genetic/heritable in origin

- **Thrives** on evoked responses from the interpersonal social environment
LCP-type: Person-Environment-Interaction

The child acts, the environment reacts, the child reacts back in mutually interlocking evocative interactions.

Caspi et al. 1987, p. 387
Opportunity cost of modernity...

Modernity/Individualism

Higher scores of neuro-psychological impairment:

- Social differentiation,
- Segmentation, stratification
- Individual caretaker (parents/guardians) reactions most significant

Tradition/Communalism

Lower scores of neuro-psychological impairment:

- It takes a whole village to raise a child!
  African Proverb (i.a. Igbo/Yeruba)
Summary

With a great deal of caution (low density and range of available relevant data), we have seen that our age-crime curves show the theorised:

- steep incline of crime during mid-teen; and
- the variation of recorded offending at very young age (7 – 13 bracket) as a function of the assumed degree of traditional/communal life vs modern life.

The question lingers on:
Does Moffit’s taxonomy apply...?
Outlook/way forward:

- Disentangle incidence and prevalence
  - Disaggregate data from the magistracy countrywide
  - Self-report studies (University/College students Survey 2015)?

- Source early childhood development information
  - Social Work data
  - Mental health data

- Others...?
Juvenile Delinquency and Juvenile Justice

Thank you!
Sources of Slide Texts/Figures

Namibia and the UNCRC

UNCRC-obligations in more detail:

- **Arrest, detention, imprisonment (Art. 37 (b) UNCRC):**
  - measures of last resort,
  - for the shortest period of time
- **Specialised system for children: (Art. 40 (3) UNCRC)**
  - to be established.
Committee on the Rights of the Child

CRC/C/NAM/CO/2-3 5, October 2012:

“The Committee notes with concern that despite discussions over a decade, two notable laws on children’s rights, the Child Care and Protection Bill and the Child Justice Bill have not been yet adopted.”

“The Committee reiterates its earlier recommendations (CRC/C/15/Add.14, 1994, para 20) that the State party bring its juvenile justice system fully in line with the Convention, in particular articles 37, 39, 40 and with other relevant standards, ..., and the Committee’s general comment No. 10 (CRC/C/GC/10, 2007).”
## Child Arrest Data (per crime)

**Source:** Namibian Police 2011

<table>
<thead>
<tr>
<th>Crime</th>
<th>M</th>
<th>F</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mal. Damage to Property</td>
<td>37</td>
<td>12</td>
</tr>
<tr>
<td>Theft</td>
<td>287</td>
<td>44</td>
</tr>
<tr>
<td>Housebreaking + Theft</td>
<td>162</td>
<td>6</td>
</tr>
<tr>
<td>Robbery</td>
<td>69</td>
<td>5</td>
</tr>
<tr>
<td>Assault GBH</td>
<td>175</td>
<td>25</td>
</tr>
<tr>
<td>Murder/Att. Murder</td>
<td>15</td>
<td>2</td>
</tr>
<tr>
<td>Rape</td>
<td>53</td>
<td>5</td>
</tr>
<tr>
<td>Drugs/Cannabis</td>
<td>30</td>
<td>3</td>
</tr>
<tr>
<td>Fraud</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Other</td>
<td>79</td>
<td>17</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>909</td>
<td>119</td>
</tr>
</tbody>
</table>