



Juvenile Delinquency and Juvenile Justice

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

Dr. iur. Stefan Schulz

Social Studies

schulz@polytechnic.edu.na

+264 61 207 2318



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 Moffitt's Dual Taxonomic Theory of Antisocial Behaviour

Delinquency:

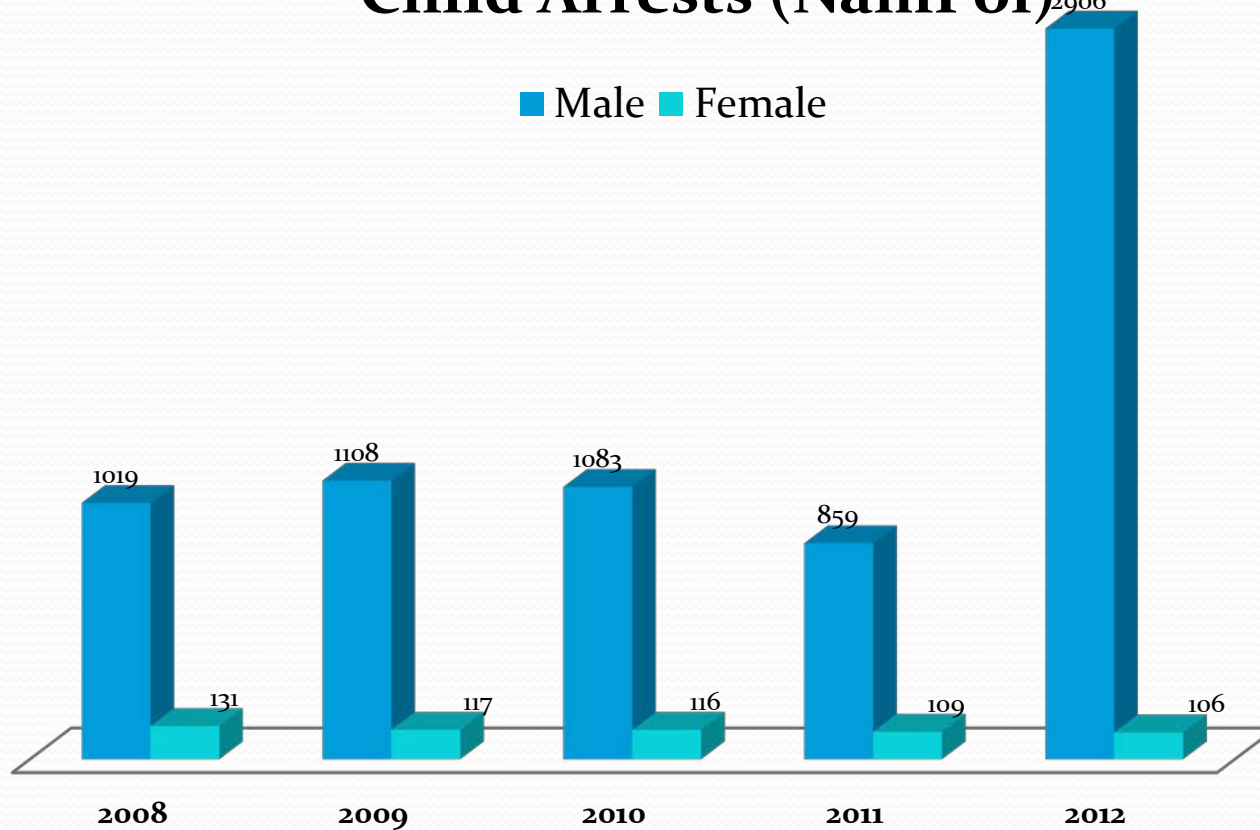
- largely adolescence-limited, ubiquitous,
- a group social phenomenon (sociological explanation)
- affects about all male individuals,
- adaptive strategy in response to contradictions of modernity,
- largely transitional phenomenon, which
- disappears spontaneously (though at times only with strong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



Statistics (2008 - 2012)

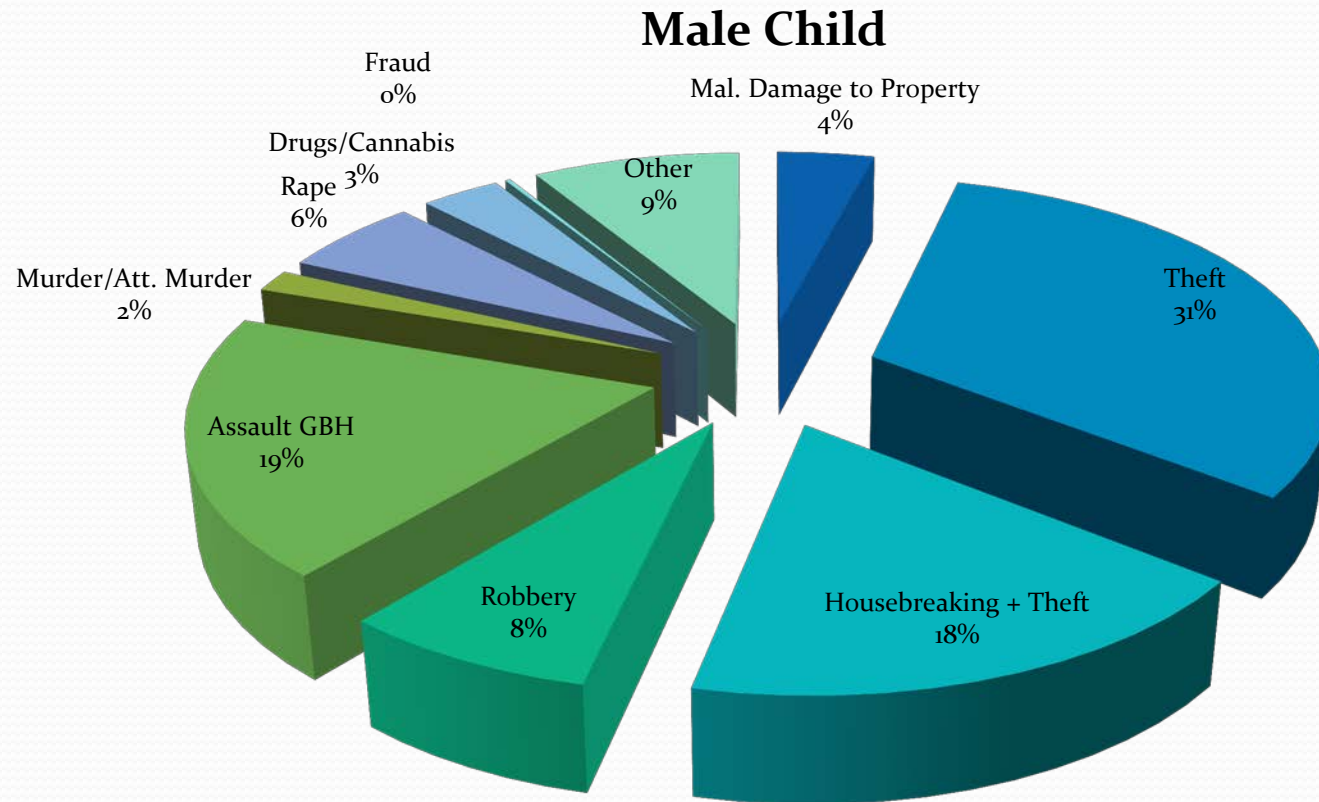
Child Arrests (NamPol)²⁹⁰⁶

■ Male ■ 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.

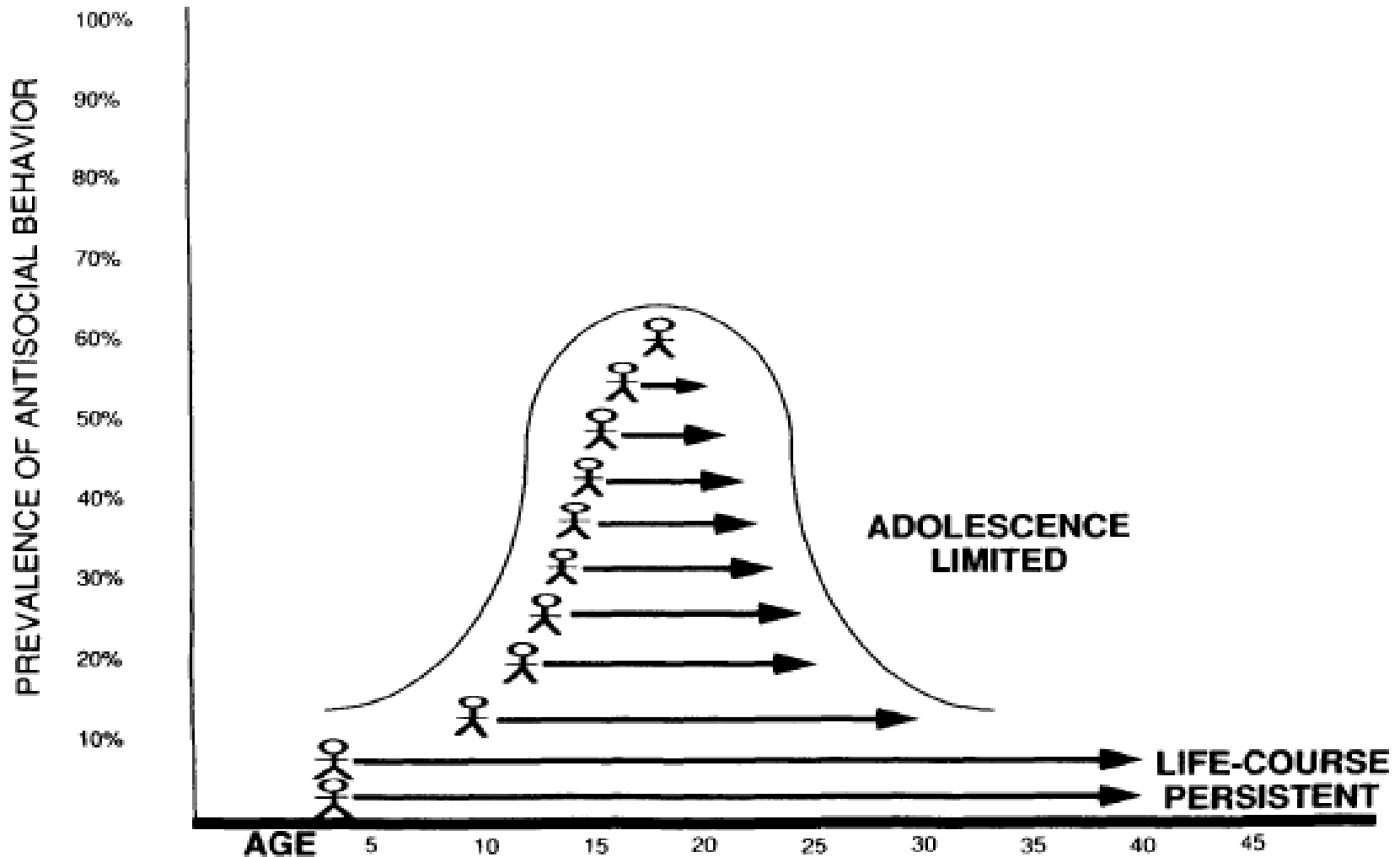


Age Crime Curve: FBI Index Crimes in 1980





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.



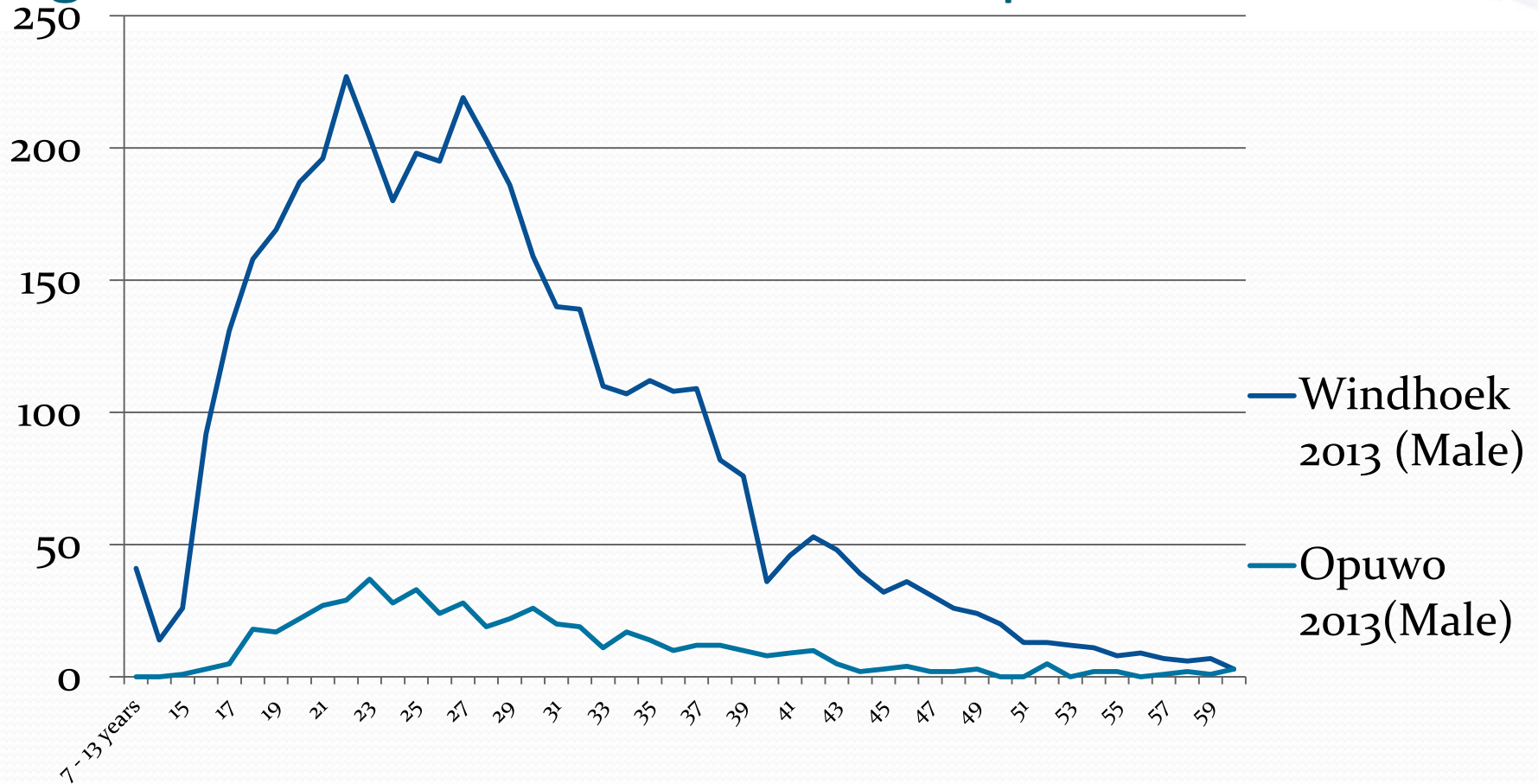
Maturity Gap: desistance

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.

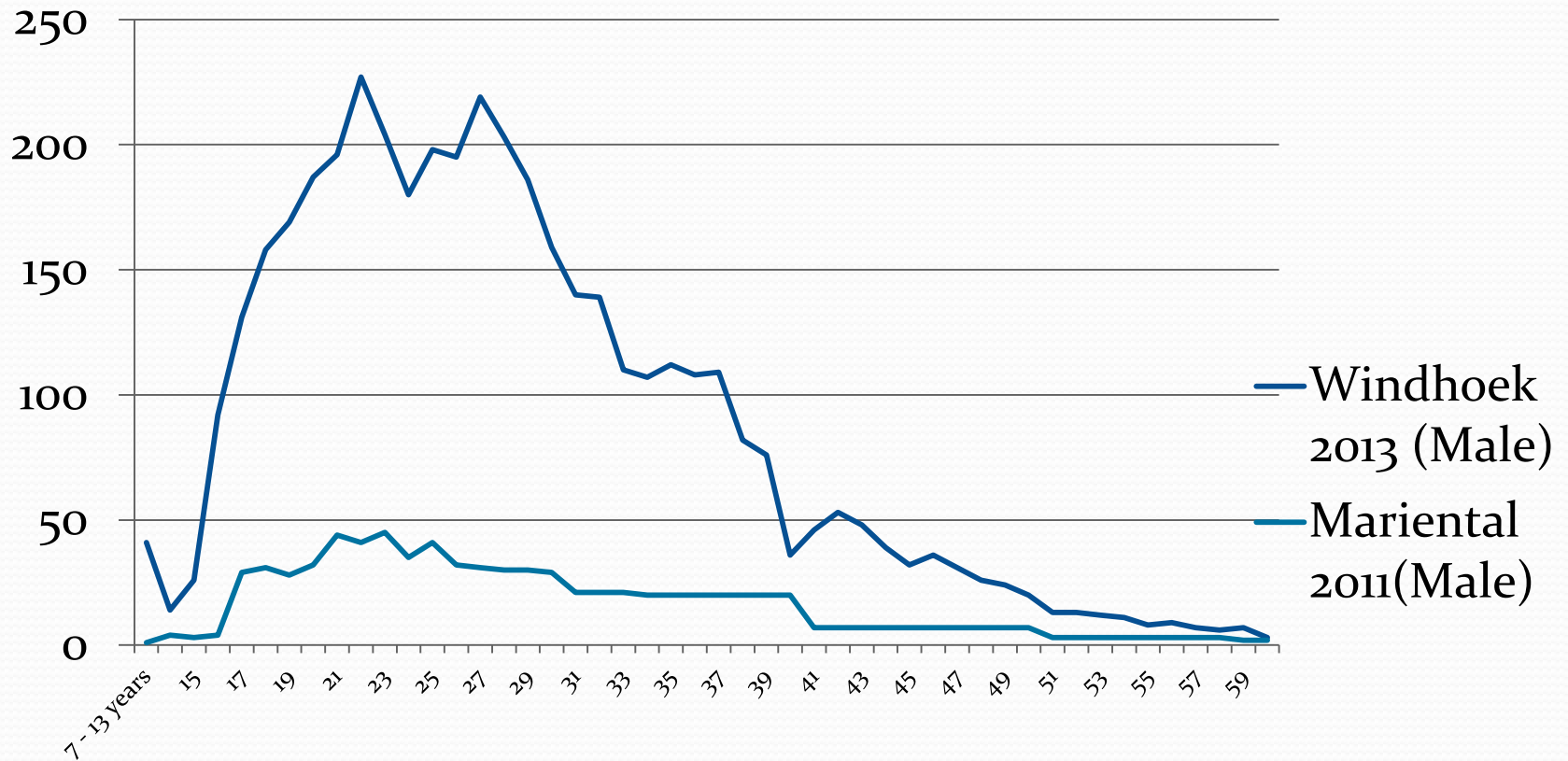


Age-Crime Curve: Windhoek vs Opuwo



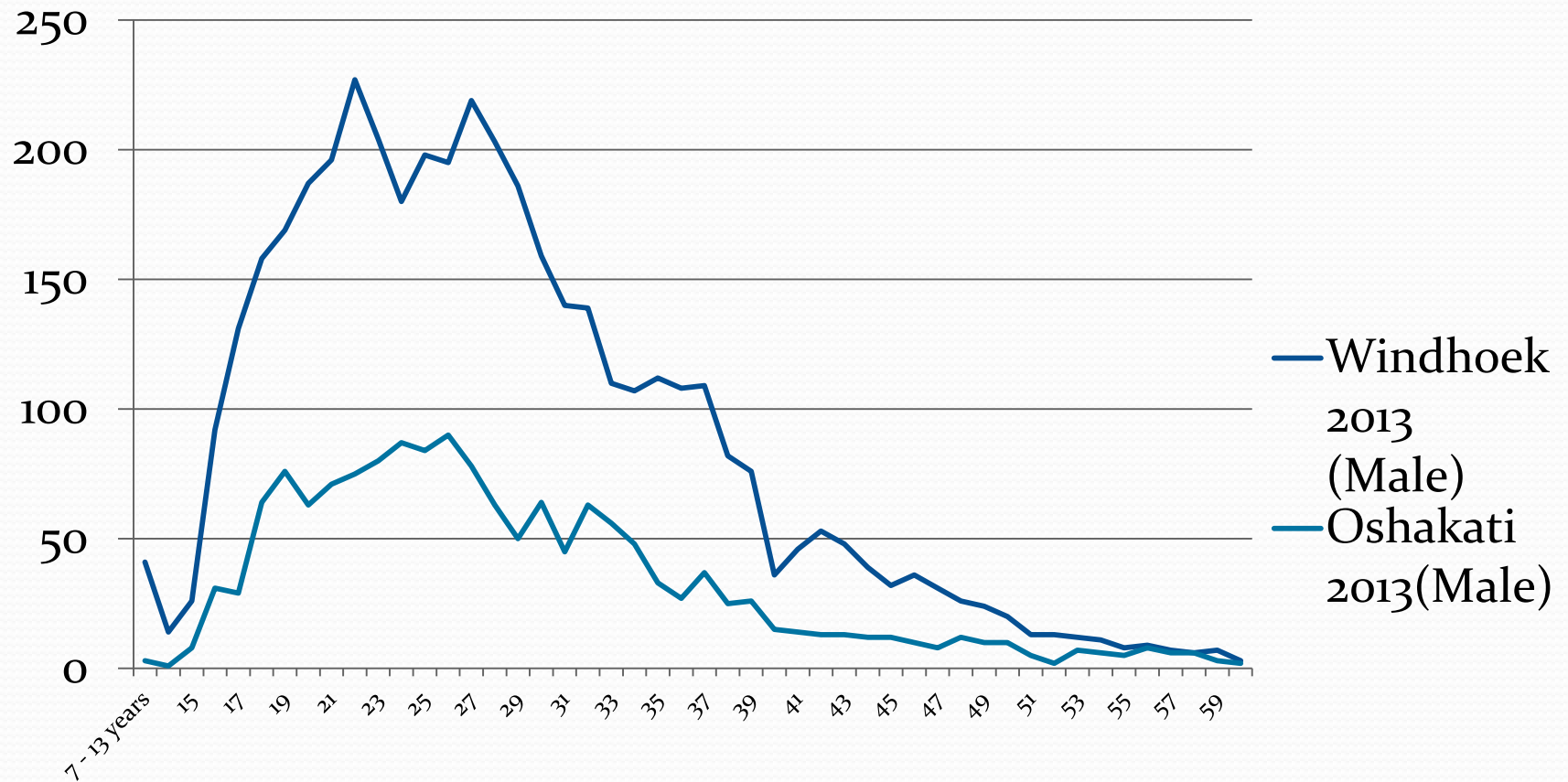


Age-Crime Curve: Windhoek vs Mariental



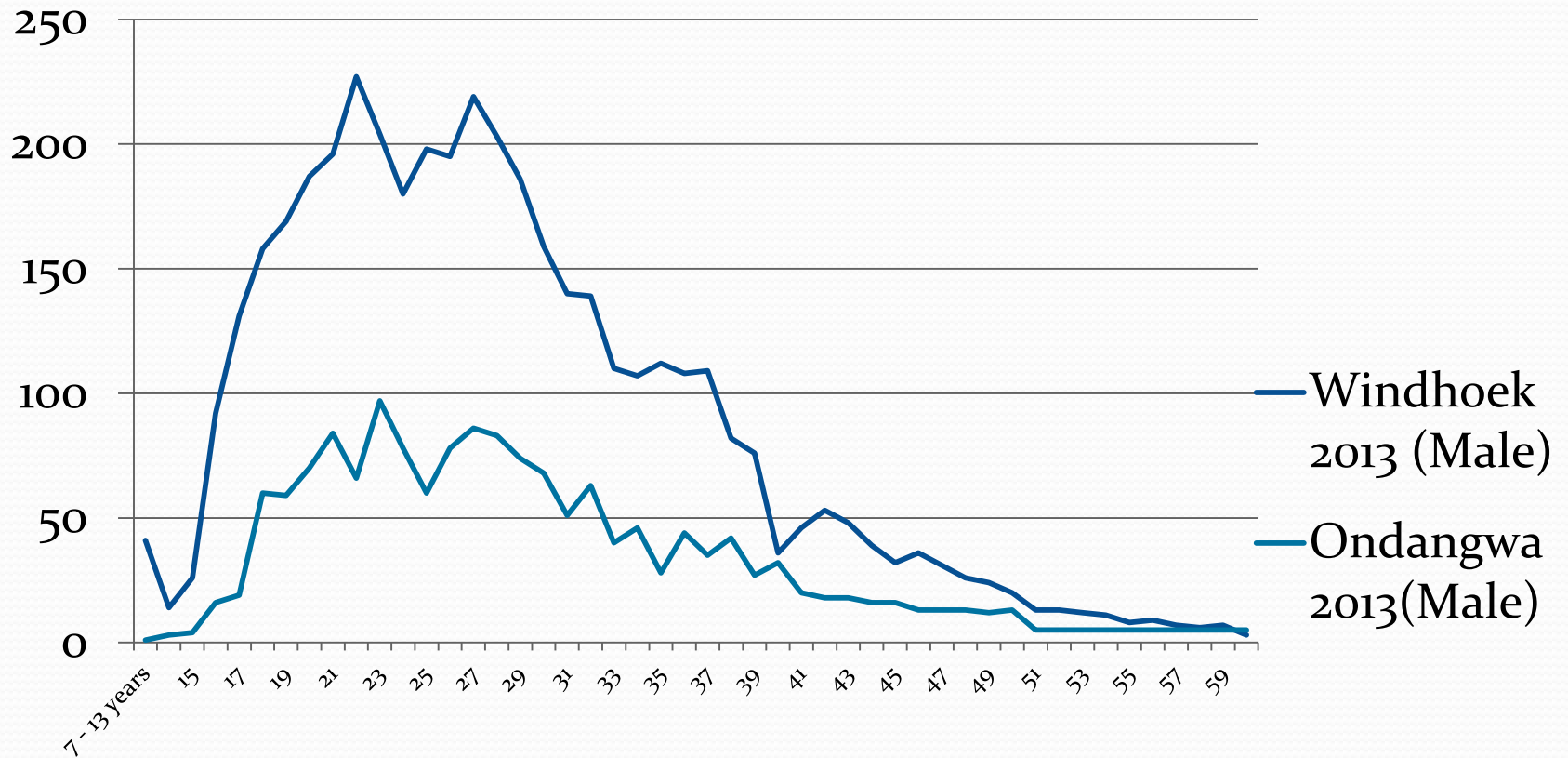


Age-Crime Curve: Windhoek vs Oshakati





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

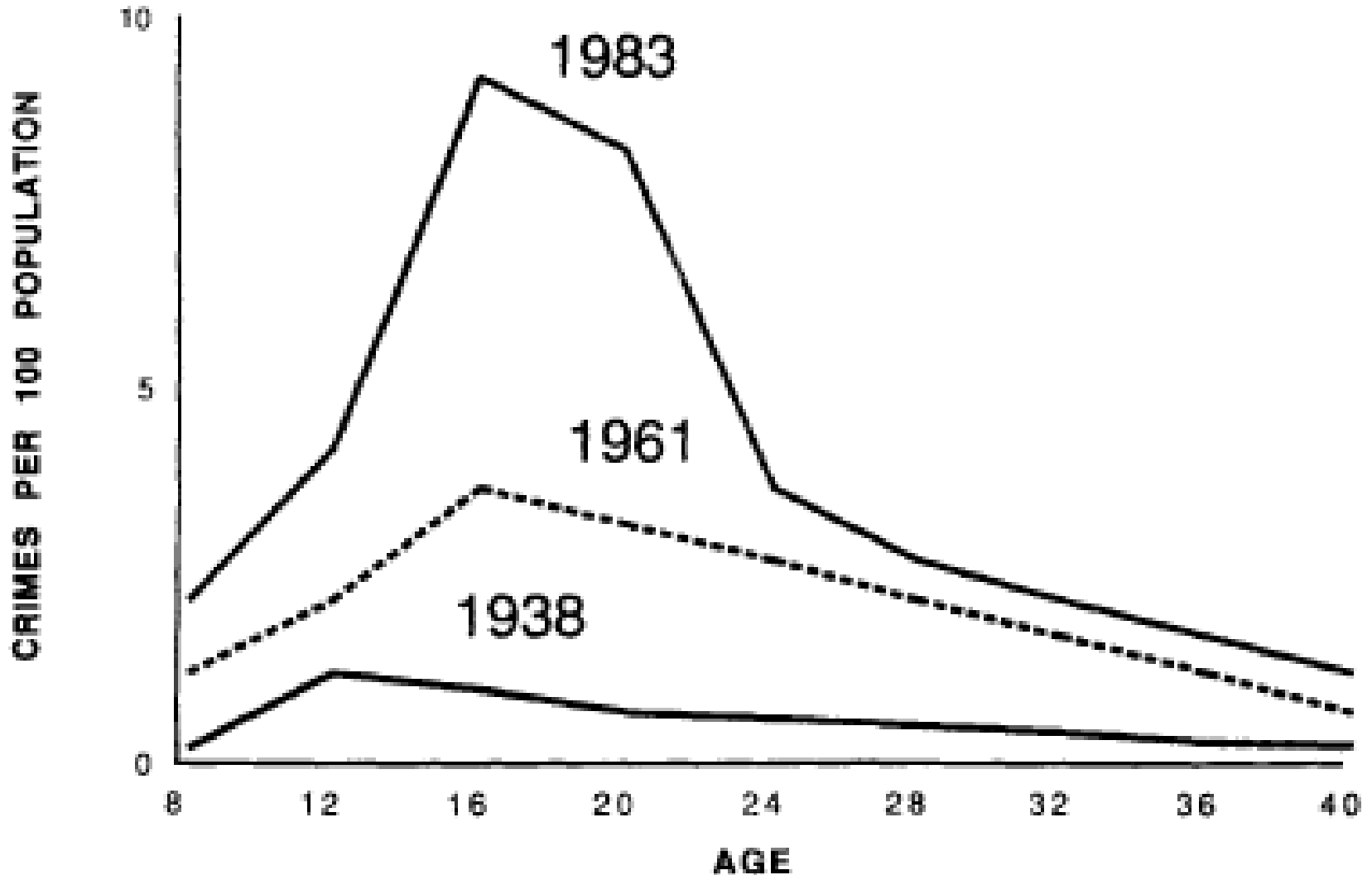


Proportion of arrests in the 7 -13 year age bracket:

District	Arrests (total)	Arrests (7 - 13)	%
Windhoek	4248	41	0.96
Mariental	791	1	0.13
Oshakati	1556	3	0.19
Ondangwa	1616	1	0.06
Opuwo	528	0	0.00



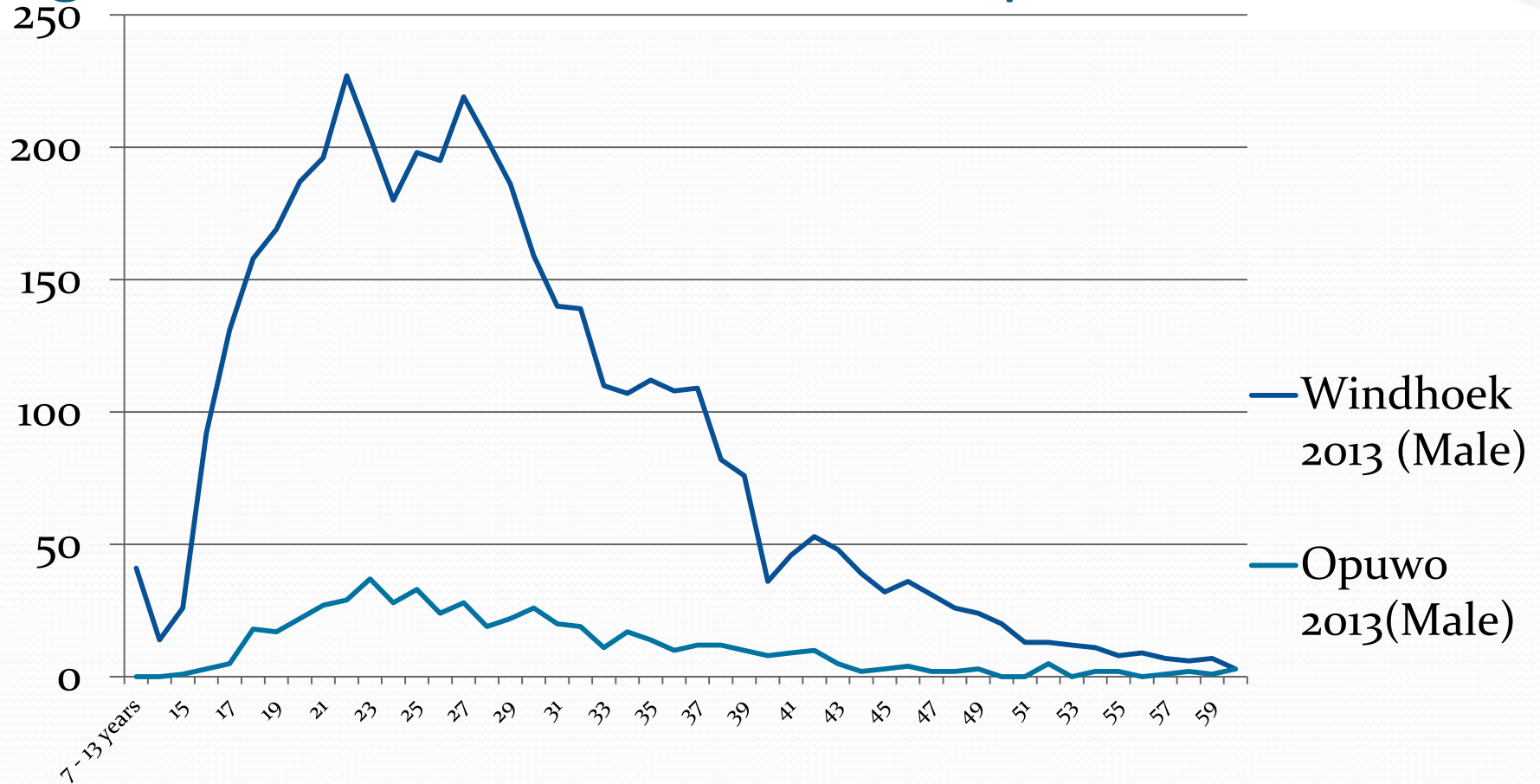
Age & Crime (at three points in time)





Once more:

Age-Crime Curve: Windhoek vs Opuwo





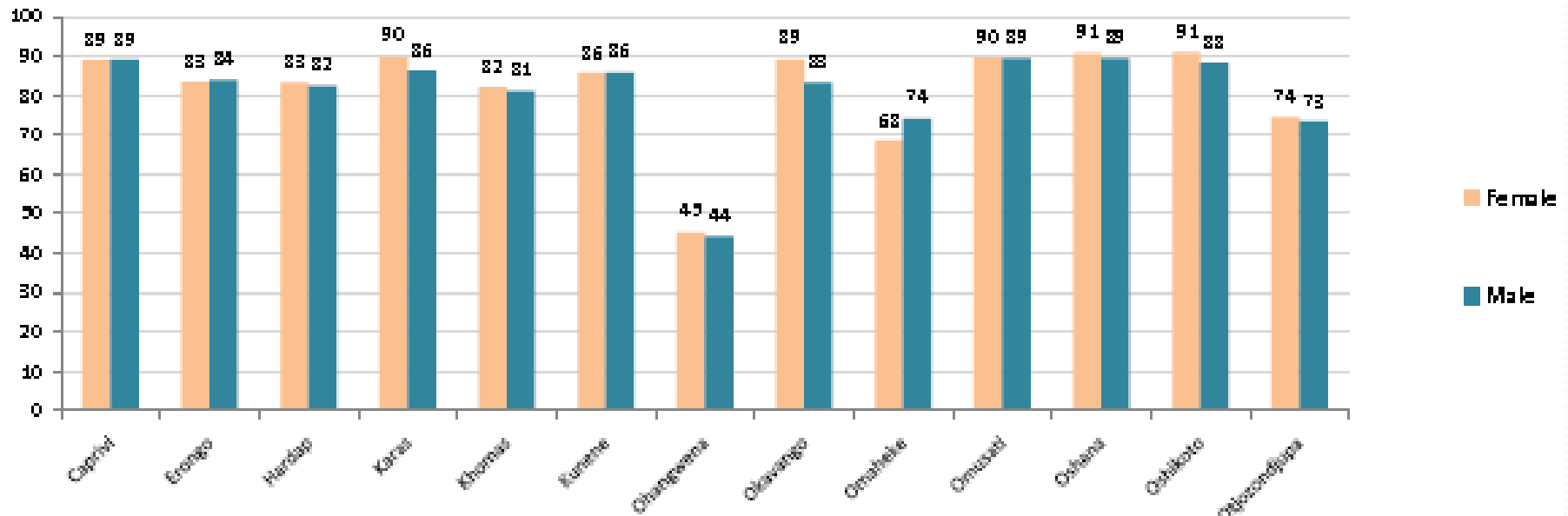
Observations 1 vs 2

- **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)

Primary School Net Attendance Rate



Source: Demographic and Health Survey, 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

- Andrews, Donald A. and James Bonta. (2010). The Psychology of Criminal Conduct. 5th edition. Lexis Nexis.
- Babbie, Earl (2013). The Practice of Social Research. 13th edition. Wadsworth
- Caspi, Avshalom et. al. (1987) Moving against the world: Life Course patterns of explosive children. *Developmental Psychology*, 23, pp. 308 – 313.
- Farrington, David P. (1986). Age and Crime. In M. Tonry and M. Norris (Eds.), *Crime and Justice: An Annual Review of Research* (Vol. 7, pp. 189 - 250). University of Chicago Press.
- Moffit, Terry E. (1993). Adolescence-Limited and Life-Course-Persistent Antisocial Behavior: A Developmental Taxonomy. *Psychological Review* 100 (4), pp. 674 – 701.
- Schulz, Stefan (2014). Child Justice in Namibia: Back to Square One? In: John A. Winterdyk (ed.) *Juvenile Justice: International Perspectives, Models and Trends*. CRC Press.



Namibia and the UNCRC

Namibia became
State Party to the
United Nations
Convention on the
Rights of the Child
(UNCRC) in
September 1990.





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

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