

Committee: ECOSOC

Topic: Reducing Youth Crime Rate

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**Children and Youth: Fostering Peace
and Security for Future Generations**

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I. Introduction

Among all crimes committed worldwide, a worryingly high percentage has been attributed to young people. It is obvious that the consequences of a crime are severe both for the offender, but also for the society as a whole. This applies to a greater extent to juvenile delinquents, who need special treatment when it comes to being judged and perhaps serving their sentence, since they have an entire life of opportunities ahead of them. Consequently, in order to ensure that youth crime rates are decreased, thorough research should be conducted and measures should be enforced, concerning both the prevention, as well as the combat of youth delinquency and the smooth reintegration of young offenders to their societies.

II. Definition of Key Terms

a) Juvenile delinquency:

By this term we refer to any form of criminal activity or law violation committed by young people under the age of eighteen.

b) Juvenile justice system:

Set of laws and procedures that regulate the treatment of juvenile offenders. Each country has its own juvenile justice system, which includes regulations on the Minimum Age of Criminal Responsibility, pre-trial procedures, punishments that may be applied etc.

c) Deprivation of liberty:

“Any form of detention or imprisonment or the placement of a person in a public or private custodial setting, from which this person is not permitted to leave at will, by order of any judicial, administrative or other public authority.”¹

d) Delinquent subculture:

In general, by the term subculture we refer to “shared systems of norms, values, or interests that set apart some individuals, groups, or other aggregation of people from larger societies and from broader cultural systems”.² Based on the aforementioned definition, we understand that delinquent subcultures consist of norms, values or interests that promote criminal behaviours.

e) Minimum Age of Criminal Responsibility:

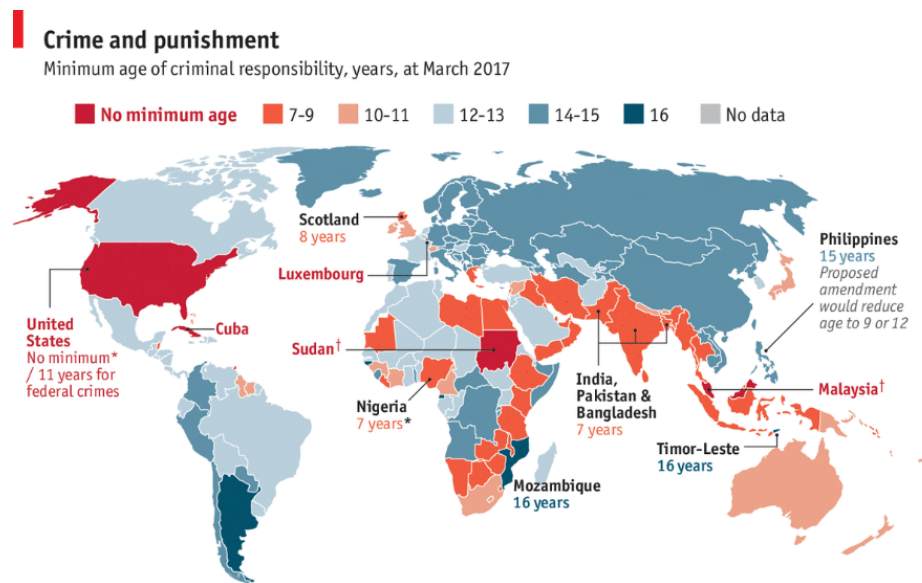
“The minimum age that a child can be prosecuted and punished by law for an offence.”³ Children under this age are considered by law immature and unable to fully comprehend

¹ *United Nations Rules for the Protection of Juveniles Deprived of their Liberty*, United Nations General Assembly, 14 December 1990, <http://www.un.org/documents/ga/res/45/a45r113.htm>. Accessed 2 January 2019

² "Criminal and Delinquent Subcultures." *Encyclopedia of Sociology*. *Encyclopedia.com*. 2 Feb. 2019 <https://www.encyclopedia.com>.

³ "Age of Criminal Responsibility." Houses of Parliament, Parliamentary Office of Science and Technology, June 2018, <http://webcache.googleusercontent.com/search?q=cache:BIrHRbzOQ1IJ:researchbriefings.files.parliame>

the consequences of their actions and that's the reason why they should not be punished for any law violations. Setting this age is included in the juvenile justice system of each country and therefore it varies around the world.



Variations in Minimum Ages of Criminal Responsibility around the world⁴

f) Life sentence without parole:

It is one of the strictest punishments that may be imposed to someone, obliging the offender to spend the rest of his life in prison, without the option of leaving after serving a standard proportion of his sentence.

g) Labelling theory:

The labelling theory is a sociological approach towards the explanation of delinquent behaviour. It focuses on the important impact that labels, put on offenders due to their actions, have on them even after serving their sentence. More specifically, it supports that, even though several factors could have contributed to people committing their first crime, labelling and treating them as criminals may increase by far the probability of criminal behaviour becoming chronic. Based on this theory, we can understand that, in order to reduce youth crime rates, it is significant to take measures aiming both at the prevention of the initial crime as well as their smooth reintegration.

[nt.uk/documents/POST-PN-0577/POST-PN-0577.pdf+&cd=4&hl=el&ct=clnk&gl=gr&client=firefox-b-ab](https://www.redd.it.uk/documents/POST-PN-0577/POST-PN-0577.pdf+&cd=4&hl=el&ct=clnk&gl=gr&client=firefox-b-ab)
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⁴ “Minimum age of criminal responsibility around the world [1190x769].” Reddit,
https://www.reddit.com/r/MapPorn/comments/6046vv/minimum_age_of_criminal_responsibility_around_the/. Accessed 2 January 2019

III. General Overview

a) Reasons behind youth delinquency

It is undeniable that a lot of different factors may lead an adolescent to delinquent behaviour and therefore each case should be examined separately. However, studies have pointed out some generic attributes that are commonly found between young offenders. These attributes are connected to their personality, the social environment in which they live in and their psychological status. Each of the following factors, that have been linked to youth criminality, should be closely studied so as to come up with effective prevention strategies.

i. Family

Family definitely plays a decisive role in the formation of a child's personality, since it conveys parental values to children and sets the initial rules that an infant has to follow as it grows up. Families that operate smoothly manage to adequately prepare children to successfully integrate themselves in wider social groups. On the contrary, disruptions in family structure, as well as problematic interactions between its members, may lead to unfavourable behaviour of the children as they grow up. Studies have revealed that divorces as well as single-parent homes often come in conjunction with financial difficulties and lack of supervision, both of which encourage adolescent misbehaviour. Moreover, parental neglect, severe punishment that may include child abuse and inconsistent rules of discipline applied within the family may also incline a child to forms of delinquency.

ii. Peers

As children grow up, the level of control performed by their families constantly decrease, while, on the other hand, their interaction with their peers gains importance. Since adolescents of similar ages spend a lot of time together, it is natural that they are affected by each other's views and actions. Consequently, a child whose peers approve or perform delinquent actions is more likely to adopt such practices as well. It is no coincidence that during late adolescence, when the role of peers in a person's life reaches its peak, the youth crime rates are maximized. There are also high risks of addiction to alcohol or drug substances, due to peer pressure and the rebellious nature of youngsters during their adolescence. Additionally, it has been observed that there several incidents of gang formations among youngsters, especially in areas of extreme economic and social problems. The young members of these gangs are more prone to using violence and performing more serious crimes. According to the UN Fact Sheet on Juvenile Justice, a percentage between $\frac{2}{3}$ and $\frac{3}{4}$ of all crimes committed by young people have been attributed to youth gangs.

iii. School

School is the second to family organized form of community that a child enters. It is a social activity that, besides providing knowledge, is accompanied by sets of rules and the corresponding punishments, in case of disobedience. However, some of the practices used by modern schools in several countries can contribute to increased signs of aggression by adolescents. More specifically, grade retention and suspension hinder the student's progress and trigger emotions of inferiority,

increasing the likelihood of dropping out of school and engaging with delinquent subculture.

iv. Social environment

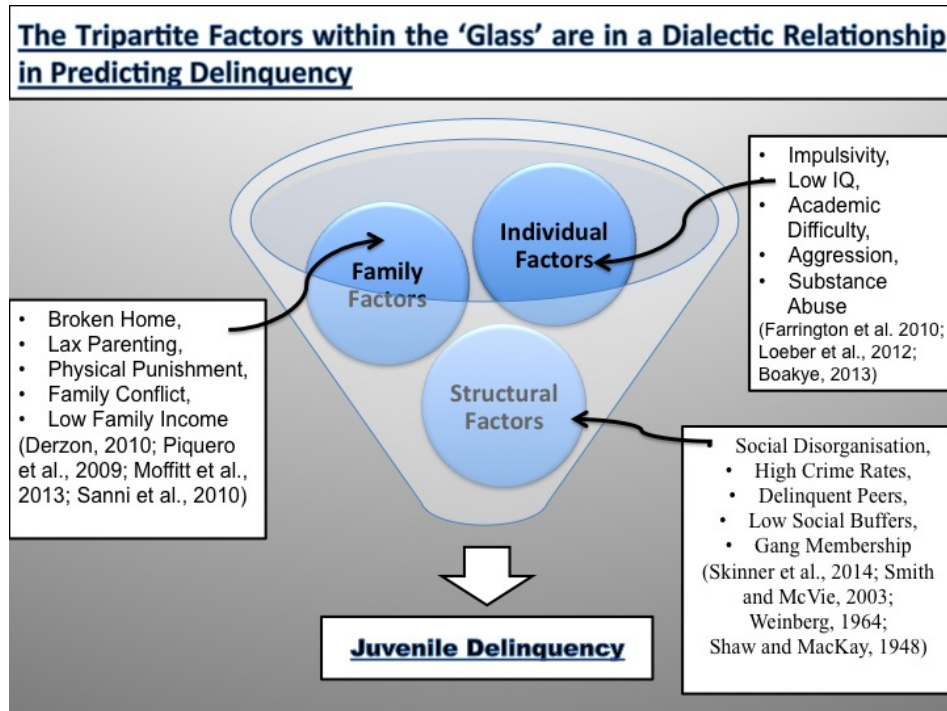
The circumstances in which someone is born and raised can have a significant impact on their character development and their future actions. More specifically, societies characterized by high unemployment and poverty rates tend to show higher criminality rates, since people seek alternative means to success. Furthermore, children tend to easily accept behaviours that are common in their surrounding environments and, therefore, the extent of violence that a child is acquainted to directly influences its future attitude towards crime. Statistical data also shows that youth delinquency is a phenomenon that mostly concerns urban areas, where there are high criminality rates.

v. Economic environment

The financial conditions under which a child is raised could be also considered a determining factor concerning potential future delinquency. More specifically, the chances for an adolescent from a low-income environment to show delinquent behaviour are higher, since criminal actions such as theft may be viewed as a means to gain goods or money that cannot be attained due to the family's economic struggles. It is also important to note that it is a part of children's nature to compare themselves to their peers. Therefore, observing a huge gap between the living standards of other children and their own can trigger feelings of jealousy and inferiority, thus leading to actions of hatred and social revenge against the more privileged members of the society.

vi. Technology

It is undeniable that children spend a lot of time using electronic devices from a really young age. However, the recent trend in movies, TV series or videogames is the excessive use of violence and the glorification of criminal activities. Consequently, children get acquainted to such behaviours and tend to consider them as natural, if not desirable.



Factors that may lead to juvenile delinquency ⁵

b) Effects of youth delinquency

While the effects of criminal acts conducted by young people are obvious to their victims, numerous other consequences of equal importance should also be taken into consideration. More specifically, effects that are related to:

i. The offender

A young offender will need to face a stressful reality, which includes the process of prosecution and trial and possible punishment such as placement in detention centers for juveniles or incarceration. Moreover, a potential detention will hinder the delinquents' educational progress, something which will also affect their performance after release. The social integration is interrupted, sometimes with irrevocable consequences concerning their relationships with relatives and peers. Even after having served their conviction, it will be difficult to reenter the society, due to existing social prejudice against them, which will also harm their efforts to seek employment.

ii. The family of the offender

First of all, the delinquents' relatives are stigmatized because of the children's actions, something which affects the way others view and treat them. At the same time, they may feel equally guilty for not being able to foresee and prevent the crime committed, resulting in increased tension and further disruption in family harmony. Additionally, they may need to raise money for supporting legally their child during his prosecution.

⁵ Lazarus, Suleman, Ibrahim. "The Tripartite Branches of Juvenile Delinquency Risk Factors The Tripartite Branches of Juvenile Delinquency Risk Factors." https://www.researchgate.net/figure/The-Tripartite-Branches-of-Juvenile-Delinquency-Risk-Factors_fig2_282926327. Accessed 2 January 2019

iii. The society

Young generations are the future of each society and that's the reason why it depends on each one of them to develop and prosper. Consequently, it is essential that all young people become active members of the society. However, this is not the case for juvenile delinquents, who perform in a socially unacceptable way, causing disruption in their community's social balance. The society is burdened with the costs to chase the offenders, prosecute and reintegrate them, as well as fixing the damages they may have caused.

c) Different models of juvenile justice systems

Each country has the right to form its own penal system and that's the reason why juvenile delinquents all over the world are not treated in the same way. However, there have been observed some common elements between the different justice systems and therefore they can be divided into the following three categories:

i) Welfare model

The welfare model is a more child-centered model. In other words, it uses more informal practices, in order to focus on the needs of the child. The young offenders are seen as victims of unfavourable combinations of circumstances and therefore are thought to need guidance and support.

ii) Justice model

The justice model focuses more on the accountability that the delinquents have for their actions and therefore stipulates punishments for them. However, in such a punitive model, little attention is paid to the offenders' treatment, something which may cause problems with their reintegration or even lead to them committing more crimes after serving their sentence.

iii) Restorative model

This is a more recent model, which can be viewed as a combination of the two aforementioned ones. More specifically, the offenders' punishment is considered vital as long as it is placed in some context related to the crime they have committed. In other words, through the restorative model of juvenile justice the delinquents are supposed to be able to recognize the harm they have done and take responsibility for their actions. As suggested by its label, restorative model tries to restore the damage caused by the offender's conduct by mediating between the offender, the victim and their relating community (families, peers, etc). In this way, it is attempted to reduce the future effects of the delinquent action, while preventing any similar behaviors in the future.

IV. Major Parties Involved and their Views

a) United Nations

The significance of this issue has been recognized by the UN for a long time and that's the reason why it has conducted a lot of research and adopted several resolutions concerning both the prevention of juvenile delinquency, as well as the treatment conditions of young offenders who have to go through procedures, such as pre-trial detention, prosecution,

trial and perhaps deprivation of their liberty for a short period of time. The UN bodies that are most active on this issue are UNICEF, UNODC and OHCHR.

b) International Juvenile Justice Observatory

The International Juvenile Justice Observatory (IJJO) is an organization founded in Brussels in 2002, whose goal is to promote an international juvenile justice system without borders. The IJJO is active in four main fields concerning juvenile justice – advocacy, research, training and raising awareness. First of all, it provides technical guidance and assistance to several countries, since it is in touch with the corresponding Ministries of Justice. Moreover, in cooperation with universities and other research centers, it has published several extremely useful reports, that examine the issue of juvenile delinquency from various perspectives. The IJJO also plays a significant role regarding the training of professionals involved in the juvenile justice through conferences, workshops and courses. For instance, it has created an e-learning platform, which provides courses about the prevention of youth crime, the intervening role that education can have, as well as ways through which the offenders can be protected. Moreover, it also organizes an International Conference every 2 years, during which more than 400 specialists on the topic of juvenile delinquency and justice exchange knowledge and opinions. Last but not least, the IJJO has created numerous campaigns that aim at raising awareness on the matter.

c) European Union

The European Union has also taken some initiatives in terms of juvenile delinquency and justice. More specifically, the European Union Agency for Fundamental Rights (FRA) has been created, which is responsible for collecting and sharing data with decision makers, as well as raising awareness. One of FRA's publications is called "Mapping minimum age requirements: Children's rights and justice" and focuses on the preservation of the young offenders' rights. Furthermore, in collaboration with the IJJO, the European Council for Juvenile Justice (ECJJ) was created. It is a network of institutions and experts on the issue of juvenile justice from all member states, through which the exchange of knowledge on this significant matter is facilitated. In 2011, the "Alliance for Children" was launched in partnership with UNICEF and other organizations, such as the IJJO. This initiative aims at incorporating children's rights into legislations passed by the European Parliament. The EU has also adopted several legislations concerning the right treatment of the delinquents such as the "Directive on procedural safeguards for children who are suspects or accused persons in criminal proceedings" and the "Directive establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA". Moreover, it has launched a Rights, Equality and Citizenship Programme for the period 2014 to 2020, which, among others, includes the prevention of violence against children. Additionally, in 2010 the EU adopted the "Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice", a document which provides consultation to member states on how to ensure the well-being of the juvenile delinquent during all stages of his implication with the law. Last but not least, on 25-26 June 2018, a "Conference on child-friendly justice and integrated child protection systems – lessons learned from EU projects" was held by the European Commission, in order to examine the progress made through EU funds directed towards relative initiatives.

d) Belgium

The Belgian Minimum Age of Criminal Responsibility is eighteen years of age, meaning that no adolescents can be prosecuted for crimes they have committed. There are youth

courts, which, depending the nature of the offense, may oblige the offenders to participate in educational trainings or refer them to social support agencies. However, under special circumstances, the judge may decide to transfer a young delinquent's (aged over sixteen) case to an adult court.

e) U.S.A.

According to the US Constitution, each state has the right to set its own legislation regarding a number of internal matters, including the juvenile justice system. Therefore, variances are observed in the way young delinquents are treated in each state. However, the US juvenile justice system could be characterized as an example of the justice model, since severe punishment methods are often used to treat young offenders. The Minimum Age for Criminal Responsibility can be as low as six years old (North Carolina), with the majority of states setting it at the age of seven. Cases regarding offenders older than twelve years old are often transferred to adult courts, while in some states delinquents older than sixteen are automatically judged as adults, regardless of the severity of the crime they have committed. Despite decisions made by the US Supreme Court, the US remains the only country in the world, that may sentence adolescents to life sentence without parole, if they are judged to be incapable of rehabilitating and reintegrating in society.

f) New Zealand

New Zealand can be considered an ideal example of a restorative model of juvenile justice system, since it promotes the offenders taking accountability of their actions without going through formal legal procedures, if not necessary. One pioneering method that is used are the Family Group Conferences (FGC), which are meetings between the offenders, their families and the victims, as well as specialized professionals. The FGCs follow a very specific procedure. First of all, the police report is read, in order for everyone to have a clear view of what the charges are. After that, everyone will have a chance to talk on the offenses' circumstances and effects and the victims can propose ways, through which the offenders can make up for their actions. The goal of the FGCs is to come up with a legally binding plan, which may include community work, writing an apology letter etc, in order for the offenders to take responsibility for what they did. During the implementation of this plan, the offenders and their families will be offered support and consultation by professionals and a Youth Justice coordinator, so as to ensure that all problems that may arise are tackled smoothly. However, the aforementioned procedure does not apply to serious offenses. In this case, the delinquents will be judged by the Youth Court and in cases of murder or manslaughter by the High Court.

V. Relevant United Nations Documents

The United Nations have long before identified the importance of reducing youth crime rates and that's the reason why there have been several resolutions and other consulting documents concerning both the prevention of juvenile delinquency, as well as helping member states introduce legal frameworks that aim at punishing the offenders in a way that does not obstruct them from reentering society.

a) United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing rules)

In 1985 the UN adopted this resolution, which provides guidelines concerning the treatment of children who face conflicts with the law. The rules proposed cover a variety of aspects of juvenile justice, such as, but not limited to, ensuring the well-being of the

offenders and the preservation of their rights, implementing the “principle of proportionality”, guaranteeing special training for personnel involved with juvenile delinquents and setting guidelines concerning detention. It is also significant to note that the Beijing rules introduced the notion of the Minimum Age of Criminal Responsibility, according to which children who are under a specific age set by the state should not be prosecuted or punished.

b) United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)

This UN document was published in 1990 and stresses out the importance of member states implementing a child-centered policy, in order to prevent juvenile delinquency. It is also mentioned that states should refrain from penalizing a young person for offenses that do not cause serious damage, since this behaviour could be a part of the adolescent’s puberty and may result to the formation of a criminal pattern. Moreover, there are measures suggested, concerning the successful socialization of children, which could minimize the risk for delinquency, through their family, school, community, as well as mass media.

c) World Program of Action for Youth

The World Program of Action for Youth, which was adopted by the UN in 1995, provides some guidelines to member states, so as to ensure the improvement of children’s lives concerning 15 priority areas. One of these areas is juvenile justice. It is acknowledged that the reasons behind criminal acts committed by young people can usually be found in the socioeconomic circumstances in which they grow up. Therefore, it is proposed that, instead of relying entirely on the justice system, priority should be given to combatting poverty and violence, in order for adolescents to not be affected.

d) Convention on the Rights of the Child

The Convention on the Rights of the Child was adopted in 1992 and is “the most widely ratified human rights treaty in the world”, since it was approved by all UN member states except from the US. It outlines the rights to which all children should be entitled and suggests measures which can ensure that every child can enjoy these rights. The 37th and 40th article of this Convention focus on inhumane treatment and juvenile justice respectively. Specifically, it is mentioned that juvenile delinquents should not face cruel punishment methods, but instead be held for as little time as possible. During a potential detention, the behaviour towards them should be characterized by care and communication with their parents should not be disrupted. Additionally, all accused youngsters should be treated with dignity and have the right to a fair trial. Moreover, several alternatives to juvenile detention, which are more beneficial for the child’s well-being, are provided. In 2007, the UN published the General Comment no 10 on the children’s rights in juvenile justice. Its aim was to provide member states with more detailed consultation on how to ensure their juvenile justice systems’ compliance to the aforementioned Convention.

e) Guidelines for Action on Children in the Criminal Justice System

This resolution was adopted in 1997 and its goal is to reform the juvenile justice systems of the member states, so as for them to be aligned with the UN Convention on the Rights of the Child and compatible with the offender’s best interests. The measures proposed refer to evaluation and, if needed, alteration of the current systems, while it is stressed that

alternative methods, that will promote the social rehabilitation of the delinquents, should be exploited.

f) Fact Sheet on Juvenile Justice

This Fact Sheet published by the UN provides the essential information on the issue of juvenile justice. Except from mentioning some statistical facts on the issue, it includes a short overview of the issue of juvenile delinquency, including information of youth gangs, detention as a means of punishment and rise of adolescents' crime in urban areas. Furthermore, it proposes some measures that could improve the current situation and gives a short summary of relevant UN actions and regulations.

g) United Nations Rules for the Protection of Juveniles Deprived of their Liberty

This UN resolution was adopted in 1990 and highlights the importance of paying special attention to adolescents being held in detention centers, due to their vulnerable age. It is also mentioned that the deprivation of young offenders' liberty should be the least preferred correctional action. The rules set covers many aspects of the issue, such as accommodation, religion, education, medical care, communication with the rest of the world, disciplinary procedures, preparation for reintegration in society etc.

h) Thirteenth United Nations Congress on Crime Prevention and Criminal Justice

The UN has long realized the importance of crime prevention through efficient criminal justice systems for achieving sustainability in terms of development. That's the reason why the 13th UN Congress on Crime Prevention and Criminal Justice took place in Doha, Qatar, during the period 12-19 April 2015. One of the issues discussed was child detention. It is supported that young offenders' detention should be implemented only in cases of very serious offences. Moreover, it is mentioned that there has been a decrease in the average number of adolescents facing incarceration from 12 to 10 per 100,000 between the time periods 2004-2006 and 2011-2013.

i) United Nations Common Approach to Justice for Children

This document was published in 2008 by the UN and focuses on the importance of international cooperation in order for a fairer and more efficient justice system to be implemented, something which would facilitate the achievement of the Millennium Development Goals. In 2009, the Secretary General published a Guidance Note on the Common Approach to Justice for Children, regarding an implementation plan.

j) Joint report of the Office of the High Commissioner for Human Rights, the United Nations Office on Drugs and Crime and the Special Representative of the Secretary-General on Violence against Children on prevention of and responses to violence against children within the juvenile justice system

This report was published in 2012 and aims at outlining the issues that characterize modern detention centers. It focuses specifically on the use of violence, both during pre-trial as well as post-sentence detention, against juvenile offenders and ways through which this could be decreased. The worrying fact that there are several incidents in which the punishment decided is disproportionate to the circumstances of the offense is also stressed.

k) United Nations Study on Violence against Children

An independent Brazilian expert, called Paulo Sergio Pinheiro, was appointed by the Secretary General to conduct a research on violence against children and present it at a

meeting of the General Assembly in 2006. This study presents information on different areas of children's lives in which they may face violent behaviour. One of these areas is the justice system and some of the measures proposed concern training people who come in touch with children, ensuring adolescents' reintegration in society and strengthening data collection mechanisms and international cooperation.

VI. Questions to Consider

Even though several measures have been taken during the past years, the issue remains far from being considered as resolved. You should use the following questions as a starting point when coming up with solutions, always keeping in mind your country's policy.

- How can parents be assisted in educating their children, so that they adopt behaviours that comply to their societies' expectations and values?
- In what form can the state offer counseling services to children that belong to malfunctioning families?
- How can schools identify students' tendencies towards delinquency and what should their reaction be?
- What kind of reforms do the current educational systems need, in order not to maximize the students' risk for showing delinquent behaviours?
- How can societies inspire young people to seek success through legal means, rather than criminal activities?
- To which extent does high criminality in urban areas affect adolescents and therefore what can be done to combat it?
- Should there be any measures towards eliminating the promotion of violence to young audiences through technological means?
- Should there be a common Minimum Age of Criminal Responsibility worldwide or at least a range of ages between which it could fluctuate?
- Which alternative punishment methods can be implemented, which will focus on socially educating young offenders, rather than simply depriving their liberty?
- How can the well-being of the offenders be ensured during the legal procedures they have to go through?
- Which factors should be taken into consideration when deciding upon a delinquent's punishment?
- How can the integration of juvenile offenders be facilitated?

VII. Conclusion

It is evident that applying justice is the cornerstone of any organized society. In the case of juvenile delinquency, however, numerous other factors need to be taken into consideration before the final verdict. Youth represents the future of this world. Young people need to be guided in a way that will ensure their smooth integration into their society. At the same time, societies must be prepared to tackle juvenile delinquency in a constructive rather than a vindictive way. It is also important to keep in mind that the best way to deal with an issue is to prevent it. Therefore, actions

aiming at the prevention of juvenile delinquency and the minimization of the risk factors leading to it are needed.

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