

**ACTUALISATION AND ACCESS TO THE JUVENILE
CRIME RESEARCH PROBLEM IN THE REPUBLIC OF
MACEDONIA**

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Abstract

Juvenile crime, with its phenomenological characteristics, is one of the most important indicators of the actual situation of the society. The characterisation of this type of criminality as a social phenomenon, as well as its scope, structure, dynamics and etiology, are determined by consulting and researching data from official institutions. These are the basic parameters to build scientific systematised and verified information about the phenomenon. The paper explains the dilemma associated with the (in)accuracy of the police statistics of the detection and the clarification of the juvenile crime as the indicator of determining the efficacy of the police, on the one hand, and its comparison with prosecutorial and judicial statistics, on the other. The research of this very segment of juvenile crime is considered a cloudy field of science, as if stepping into the zone of *terra incognita*. The findings are but an important factor for the actualisation of the problem and the approach to it.

Keywords:

Statistics;
Indictors;
Criminality;
Juvenile;
Etiology;
Phenomenology;

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1. Introduction

Juvenile crime has a significant place in the overall structure of criminality in society; "Worldwide it has the tendency of growth, both in developed and in developing countries, in rich and as well as poor countries" (Heuer, 1969). In Macedonia, "the participation of minors is around 6.0-7.0% of the total number of criminal charges, and children under 14 years participate in the final outcome with about 34% which results in a significant increase of recidivism" (Arnaudovski, 2007). Its features associated with the age of children in the context of the thesis - malice that brings crime is compensated for the age ("malitia suplet aetatem"). So far, in the development of criminal law theory, a continuing interest in defining the credible concept as a response to phenomenological forms of juvenile crime is noticed. Therefore, it is stated that the level of development of a certain criminal - law system is evaluated according to "the decisions contained within towards juvenile offenders (Arnaudovski, 2007)." These solutions are an expression of liberal and humanistic development of society and putting aside repressive and retributive suppression.

The answer to the current forms of juvenile crime depends on their research on the one hand, and theoretical paradigms on the other hand. Scientific research on its etiology and phenomenology is accomplished by applying scientific methods, i.e. "observation that is directed towards the exploration of the unfamiliar" (Hasanbegović, 2015) in the field of this form of criminality. The basis of the structure of etiological and effect relationships consists in "calculating the correlations, but it should be pointed out that the correlation coefficient as a mathematical expression of the relationship is not sufficient to claim that this is a causal relationship. The relation between cause and effect, which is the basis of any scientific knowledge, can be characterized by the fact that reason always occurs before effect, and that effect will not "happen" if there is no reason. "The statistical survey of the police, prosecution, court, children rights protection centers, non-governmental organizations and state statistics offices contribute to the study of certain socio-demographic and other attributes of children- offenders (Mužić, 1977).

Theoretical design of juvenile crime is multidisciplinary: sociological, cultural, victim-based, criminal - legal, criminological, criminal etc. The latter should be supported also by the social significance of this phenomenon as socially harmful, negative and a negative phenomenon.

1. Juvenile Crime In Macedonia as A Phenomenon

Phenomenological and morphological characteristics of juvenile crime can be explained primarily through the statement "meeting the basic personal and social characteristics of its actors: their age, social background and status, education, marital status, sex, nationality, religion, attitudes and value system" (KraleV, 2005). Hence, the phenomenon of criminality of minors imposes the need for effective "archiving of data with public character as well as the process and the possibility of data exchange among all relevant actors in the criminal legal system, family –legal and social protection of juvenile criminals (Stevkovic, 2014)." Minor age and crime are closest to the actual crime on criteria reported, and solved crimes whose perpetrators are juvenile and children, which should mean that the offender is discovered.(Arnaduovski, 2007) " Rate as a measure of the extent and severity of juvenile crime as an adequate tool for comparison of this phenomenon among different social environments is obtained through the relationship among this categorical group and the total number of reported offenders, such as table No.1 shows:

Table No. 1 Rate of offenders in the period 2001-2010

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009
Crime rate per 100,000 residents	840,7	904,70	1110,70	1113,50	1113,60	1078,60	1282,20	1382,70	1331,40
Total offenses	17.139	18.308	22.547	22.663	22.634	22.024	26.224	28.327	27.330
Population	2.038.651	2.023.654	2.029.892	2.035.196	2.032.544	2.041.941	2.045.177	2.048.619	1.052.722

Source: Ministry of Internal Affairs, moi.gov.mk, <http://moi.mk/DesktopDefault.aspx?tabindex=0&tabid=392>, visited on 19th of April, 2017)

The interest in monitoring juvenile crime is complex; statistics for juveniles is included in the police, prosecutorial and judicial statistics.

Police statistics of crime movement in the country in the research period 2001-2010, shows that: in the period 2001-2005, the number of the offenses had continuous growth that is most prominent in 2003 and is 23%. This negative trend in crime in the long term was interrupted in 2006, when it decreased slightly, 2.7%, and in 2007 there was larger increase of 19%. In the years remained, the number of crimes oscillated with tendency to slight increase or decrease. When it comes to crimes committed by minors, their role in total crime in the average ranged from 14.7% to 21.7% per year. It must be pointed out that in spite of the fact that in 2010 the number of crimes is the greatest, participation of minors in the commission of crime is at its lowest level - 14.7%. See Table No.2

Table No. 2 Review of adult and juvenile crimes, solved cases, coefficient of efficiency for the period 2001-2010

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Total offences	17.139	18.308	22.547	22.663	22.634	22.024	26.224	28.327	27.330	28.489
Solved cases	10.410	10.696	14.123	13.148	13.870	12.881	14.700	15.690	15.128	14.540
Coefficient of efficiency	60,7	58,40	62,63	58,00	61,27	58,48	56,05	55,38	55,35	51,03
Crimes committed by minors	2.255	2.116	2.393	2.624	2.399	2.360	2.242	2.326	2.382	2.136
Proportion juvenile crime in the overall number of committed crime	13,1%	11,5%	10,6%	11,6%	10,6%	10,7%	8,5%	8,2%	8,7%	7,5%

Source: Ministry of Internal Affairs, moi.gov.mk, <http://moi.mk/DesktopDefault.aspx?tabindex=0&tabid=392>, visited on 19th of April, 2017)

In terms of relation between adult and juvenile offenders in the research period, it can be noticed that their number is not negligible; since 2003, 2004 and 2005 there is a trend of increasing of the juvenile offenders percentage when also, an increased number of crimes committed by them is noticed.

Table No. 3 Crime perpetrators in the period from 2001-2010

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Total reported perpetrators	15.76 0	15.65 1	20.31 3	19.27 7	19.75 5	18.85 8	21.16 7	22.69 0	21.22 6	21.09 3
Minors	3.791	3.423	4.032	4.746	4.447	4.143	3.377	3.888	4.015	3.415
Adults	11.96 9	12.22 8	16.28 1	14.53 1	15.30 8	14.71 5	17.79 0	18.80 2	17.21 1	17.67 8
Percentage of juveniles in the total number of reported perpetrators	32%	28%	25%	33%	29%	28%	19%	21%	23%	19%

Source: Ministry of Internal Affairs, moi.gov.mk, <http://moi.mk/DesktopDefault.aspx?tabindex=0&tabid=392>, (visited on 19th of April, 2017)

Juvenile crime in recent years in the country shows great diversity. If we talk about types of criminality, the classic crime dominates - 98% in 2013 with a total of 1,531 offender; within this crime, property offenses are often carried out (1.337 in 2013). These crimes are performed by juveniles in organized manner, i.e. group of juveniles and adults. They would use physical force and suitable items and would get in passenger and freight cars, houses, buildings under construction, holiday homes, garages, basements etc. Usually, they steal: batteries, fuel, mobile

phones, copper and iron objects, technical goods, smaller amounts of cash, and rarely, jewelry. The purpose of doing these works is acquiring material benefit unlawfully. Stolen items are sold to others who give less money than it really costs. Juveniles, also, are doers of crimes involving violence, primarily robbery (62 in 2013 and 59 in 2012).

A continuous slight decrease in juvenile crime number is noticed in 2013 compared to 2012. Namely, in 2013, 12,984 solved crimes out of 1558 were committed by minors; compared to 2012 when a total of 12,384 solved cases in 1582 were committed by juveniles. Thus the input of juvenile crime in the total number of solved cases was 12% in 2013 and 12.8% in 2012. Most crimes committed by minors or 45%, were registered on the territory of the Department of Internal Affairs, where in 2013 there is an increase of juvenile criminals (30%).

One of the basic characteristics of juvenile crime is recidivism. Moreover, in 2013 were reported 1184 (723 in 2012) juvenile offenders. But, bearing in mind that they did several crimes (some of them 30 crimes), they are registered as 2,485 (2,018 in 2012) perpetrators. Out of all juvenile perpetrators, 1,126 or 95% are male, while 58 people are female. Usually, they were reported for property offenses. Mostly, they performed in groups of adults and well known criminals. Very rarely they acted individually or together with other minors. In cases of offenses involving violence, concerning is the frequent use of firearms and cold weapons. They often performed their criminal acts in public places such as schools, buses, etc. injuring his peers. This conduct caused a sense of fear and anxiety among the citizens. The purpose of these crimes is unlawful acquisition of property.

Although the participation of minors in other areas of crime is hardly noticeable, bodily harm is also noticed (47 in 2013 and 46 in 2012). In 2013, there have been five attempted murders by six minors.

Crimes against sexual freedom and morality grew. For example, in 2013 there have been 26 crimes in this area (11 in 2012). Out of these, in 18 of them the description is "sexual assault over a minor under 14". It is interesting that the total number of sexual assaults in 2013, about 36% were committed by minors (some of them were 14 years old). Juveniles take advantage of

the absence of older family members. By use of physical restraint threat performed sexual acts against children (two of them were only four years old), older women and minors.

Among public order offences prevails violence (42 in 2013 and 23 in 2012). These crimes are specific because they were performed by minors organized in groups (in 2013 reported 133 juvenile offenders who behaved violently towards their juvenile- offenders colleagues). Bullying is more common in public transport buses and bus stations.

In the area of trafficking, the following crimes are listed – drug trafficking, illegal production and sale of narcotic drugs, psychotropic substances and precursors, illegal manufacturing, possession or sale of weapons and explosives. When we talk about other cases of organized crime, juveniles are committing forgery, smuggling of migrants (involving minors, and it is about Smuggling from countries of Africa). Also, they were providing illegally personal information, then, with fraudulent payment cards made illegal bank transactions.

Police statistics also covers public order offenses committed by minors. It is evident from the data Table No 4.minors in the period 2000-2004 in the Republic of Macedonia show growing trend of offenses, including special place given to those with elements of violence (participation, causing or initiation fight, assault, etc.).

Table 4: Overview of registered juvenile perpetrators of offenses in the area of public order in the period 2000-2004 in the Republic of Macedonia

Type of assault	2000	2001	2002	2003	2004
Participation, causing or initiation a fight	698	437	388	550	731
Assault	654	357	330	434	587
harassing neighbors	23	-	44	30	60
Enjoying narcotic drugs and psychotropic substances	95	49	95	50	51
Total number of juvenile offenders	1762	1018	1046	1318	1875

Source: Ministry of Internal Affairs, [moi.gov.mk, http://62.162.77.57/ShowAnnouncements.aspx?ItemID=13221&mid=1094&tabld=201&tabindex=0](http://62.162.77.57/ShowAnnouncements.aspx?ItemID=13221&mid=1094&tabld=201&tabindex=0), (visited on 28th of March, 2017)

2. Juvenile Crime Between Normative and Actual (reported, accused and convicted juveniles versus official police statistics)

It is undisputed that juvenile crime is part of reality in our society. Its phenomenology and etiology are undeniable. The dilemma appears when we start analyzing the relationship between reported, accused and convicted juveniles. A significant difference between these data is evident, which arises, furthermore the question of confidentiality of the police efficiency embedded in police statistics. Judicial statistics are based on data gathered by regular statistical surveys on perpetrators of criminal acts. Data presented in this paper are gathered by individual statistical questionnaires filled in by public prosecution offices and courts of the first instance, while data processing is done at the State Statistical Office of the Republic of Macedonia. Data on indicted adult perpetrators refer to all persons against whom, after an indictment, charges were brought and the criminal proceedings were effectively completed in the course of the respective year. Data on indicted child perpetrators refer only to children against whom criminal proceedings initiated in the court are effectively completed in the course of the respective year. The data on criminal convicts refer to adults and children who are convicted by an effective decision of the courts of general jurisdiction.

Child perpetrators of crime:

- "Child perpetrator of crime" is a perpetrator of a crime who at the time of the execution of the crime had reached the age of 14, but not yet the age of 18, and has performed the crime as: executor, accomplice, initiator or assistant.
- "Reported child" is a child against whom the legal procedure after the filed charges was not raised (the charge was rejected), against whom the proceeding has been stopped or a proposal has been applied for pronouncing a penalty or educational measure.
- "Accused child" is a child against whom the proceeding in front of the Council has been stopped or no legal sanctions have been pronounced, as well as a criminally insane child against whom a decision for security measures has been pronounced.

- "Convicted child" is a child perpetrator of crime against whom with a Court decision a legal sanction has been pronounced - child imprisonment or educational measures.
- A child who committed a crime with completed 14 but not yet 16 years of age can not be punished, but educational measures can be pronounced. A child who committed a crime with completed 16 but not yet 18 years of age can get a penalty of child imprisonment.

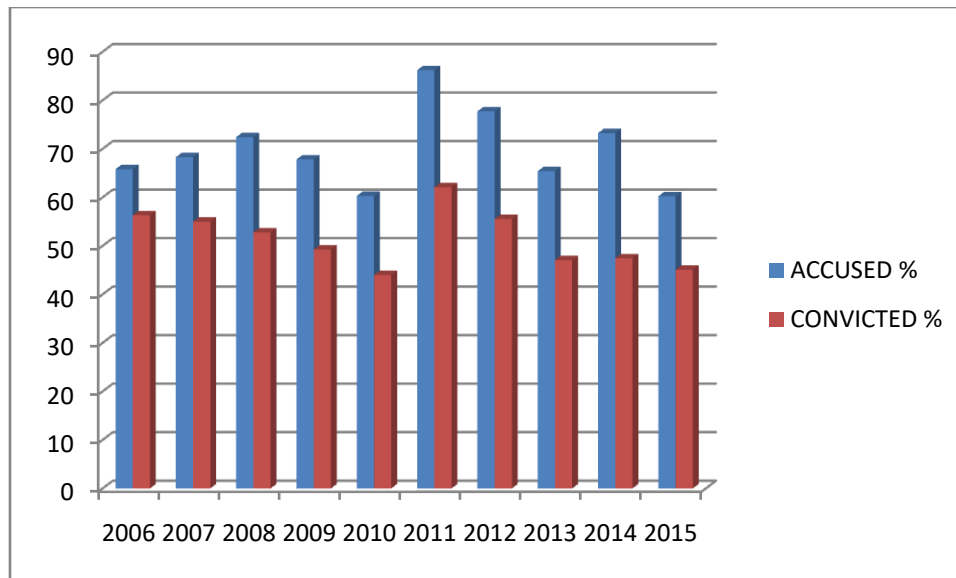
The application of the comparative method shows the following: in 2006, 1,500 juveniles are reported, 844 or 56.2% are convicted; in 2007, 676 or 55% are convicted out of 1,229 reported juveniles; in 2008, 715 or 52.7% are convicted out of 1,355 reported juveniles ; in 2009, 748 or 49.2% are convicted out of 1,519 reported juveniles ; in 2010, 547 or 43.9% are convicted out of 1,244 reported juveniles; in 2011, 722 or 62% were convicted out of 1,163 reported juveniles ; in 2012, 556 or 55.5% were convicted out of 1,001 reported juveniles ; in 2013, 473 or 47% were convicted out of 1,005 reported juveniles ; in 2014, out of reported 972 juveniles, 461 or 47.4% juveniles were convicted; in 2015, 348 convicted or 48.1% out of 722 reported juveniles.

Table No.5 Reported, accused and convicted juveniles year 2006-2015

Year	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Reported	1.500	1.229	1.355	1.519	1.244	1.163	1.001	1.005	972	772
Accused	987	839	981	1.030	750	1.002	778	657	712	465
Convicted	844	676	715	748	547	722	556	473	461	348

Source: <http://www.stat.gov.mk/PrikaziPoslednaPublikacija.aspx?id=43> (visited on 19th of April, 2017)

Chart. 1 Percentage respect of Comparison between accused and convicted juvenile offenders from 2006-2015



Source: <http://www.stat.gov.mk/PrikaziPoslednaPublikacija.aspx?id=43> (visited on 19th of April 2017)

3. Conclusion

The survey of juvenile crime compared to every other criminal phenomenon reveals a great interest in the academic community (scientific, technical and practical). Past research shows that this phenomenon is concentrated in major cities which is also, the case in Republic of Macedonia (for example, in 2013 over 45% of juvenile crime occurred in Skopje). A high percentage (60%) of juvenile crime goes to property offenses (theft). Recidivism remains one of the most important characteristics of juvenile crime. In criminal cases involving violence, the victims are often minors.

The major dilemma that was placed in the labor was the quality of the monitoring methodology of juvenile crime by police, prosecutors and courts in terms of police efficiency in resolving these crimes. The fact that this dilemma is grounded can be confirmed by the analysis of the Ministry of Internal Affairs data in terms of total crimes committed and the coefficient of efficiency and their comparison with solved cases of minors-offenders. Police regularly displayed a high degree of efficiency (from 51.03 to 62.63%). For example, in 2006, the coefficient of efficiency was 58,48%), out of out of 22,547 crimes, and according to the police statistics, the total number of offenders was 18,858 . But in 2006, according the accusers

investigation, defendants were only 11,317, or according to court statistics, 9280 were convicted. This comparison reveals a serious problem that puts a dilemma over police data performance that are based on indicators for solved crimes and found the perpetrators of such crimes. Worrying is the difference between reported and convicted offenders expressed in percents, which for example, in the year presented is 49.2%. This dilemma implies the need for a serious approach to the use of police statistics data on the one hand, and the application of research about the causes of these comparative differences on the other hand (whether the model of proof has no quality; the threat of illegal police work in the police investigations!).

However, the requirements of science must be met in full, and it is necessary to establish uniform methodologies for monitoring crime in general. If the previously mentioned is not fulfilled, a quality scientific phenomenological and morphological study and introduction of juvenile crime is not possible. That study, however, in turn, is the basis for building a scientific concept or other preventive and repressive strategy.

References

- (1) Heuer G., *La Dèlinquance juvènile, Etudie psychiatrique*, Paris, 1969.
- (2) Arnaudovski Lj., *Criminal law and juvenile offender embeded in criminal law*, Proceedings of the Faculty of Law “Justinian I”, Skopje, 2007.
- (3) Hasanbegović H., *Basis of scientific research*, IZHR, Tuzla, 2015.
- (4) Mužić V., *Methodology of pedagogical research*, IGKRO, Sarajevo, 1977.
- (5) KraleV T., *Vagabont, criminals and the wretched*, Skopje, 2005.
- (6) Stevković Lj., *Recording and data display about violent juvenile crime: foreign experiences and Serbia in “Crime evidence- experiences from Serbia and around the world”*, Prometej, Beograd, 2014.

Websites visited in March&April 2017:

<http://62.162.77.57/ShowAnnouncements.aspx?ItemID=13221&mid=1094&tabld=201&tabindex=0>

<http://moi.mk/DesktopDefault.aspx?tabindex=0&tabid=392>

<http://www.stat.gov.mk/PrikaziPoslednaPublikacija.aspx?id=43>