

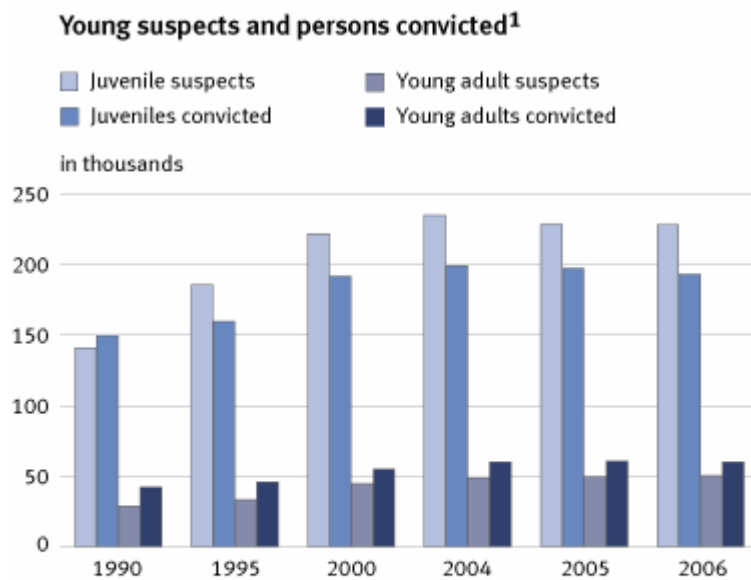
Juvenile delinquency in Germany

Destatis, 24 January 2008

Juvenile delinquency in general refers to criminal offences committed by young people aged 14 to under 21 years. The currently applied definition is based on the age range specified by the Juvenile Criminal Law, which applies to juveniles from 14 to under 18 years and – upon certain conditions – to young adults aged 18 to less than 21 years.

Since the introduction of crime statistics, delinquent behaviour by young people has frequently been observed at all levels of society and in all western countries. From a statistical point of view, it can thus be regarded as a "normal" phenomenon. There is solid scientific evidence that this behaviour is usually confined to the phase of growing up. As outlined by the Federal Government's First Periodical Report on Crime and Crime Control (only in German), there are very few cases of juvenile offenders who embark on long-term criminal careers and repeatedly commit serious crimes. The public discussion about juvenile delinquency is often focused on young habitual offenders and perpetrators of violence, because they most strongly affect the population's perception of security.

More juvenile offences reported to the police



¹ Criminal offences excl. road traffic offences.

Sources:

Suspects: Federal Criminal Police Office; persons convicted: Federal Statistical Office.

1990: former territory of the Federal Republic; from 1995: former territory of the Federal Republic incl. Berlin as a whole.

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In the reference year 2006, the police crime statistics (PCS) recorded a total of 520,300 young suspects aged from 14 to under 21 years, which was just under a quarter (24%) of the total of 2,182,600 suspects above the age of criminal responsibility.

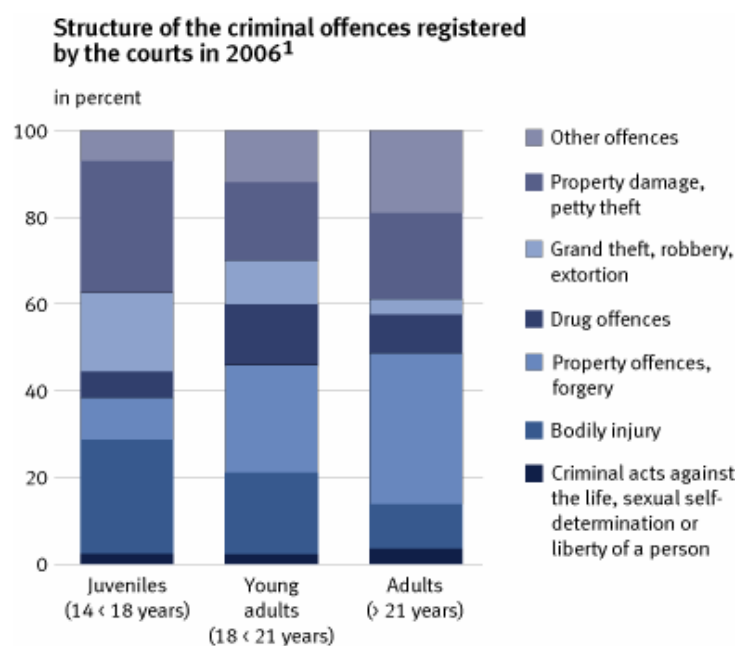
From the beginning of the 1990s, the numbers of suspects aged 14 to under 21 years showed a significant and, at first, continuous rise. Since 2004, the numbers have dropped slightly again. On the whole, 30% more suspects were registered in the former territory of the Federal Republic in 2006 as compared to 1990, with juveniles and young adults accounting for an increase of 45%.

Likewise, the rise in the number of recorded juvenile offences is reflected by the data available from criminal prosecution statistics (only in German) on juveniles convicted, that is, on those suspects who have been charged with a criminal offence by public prosecutors and found guilty by a criminal court. However, the rate of convictions, i.e. the proportion of persons convicted in relation to the total number of suspects, has largely remained unchanged.

What is particularly noticeable in the police crime statistics and the criminal prosecution statistics is that the recorded number of bodily injury offences has risen. Between 1990 and 2006, more than three times as many young people under 21 years were convicted of such offences, while the respective number of convicted adults doubled.

Scientific findings from offender-victim studies and figures released by accident insurance companies (only in German) however suggest that the increase in the number of recorded crimes of violence is only due to a shift from unrecorded crimes to criminal offences that become known to the police. Overall, the number of violent offences, including those committed by young people, is reported to have remained almost unchanged over time. The rise in the recorded number of violent crimes is assumed to be due to a – socially desirable – decrease of tolerance for violence and to changes in the reporting behaviour.

Theft and bodily injury offences predominate



¹ Persons convicted excl. road traffic offences.

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Juvenile delinquency is mostly a male phenomenon: As recorded by the police crime statistics for 2006, 76% of the suspects aged from 14 to under 21 years were young men. Since the offences committed by women are, on average, less serious and their social prognoses are usually better, the share of male offenders even increases with each stage of criminal prosecution. According to statistics on the execution of sentences, men accounted for 95% of the total number of convicted prisoners in 2006.

As regards the recorded criminal offences committed by young people, their structure differs considerably from that of adult crime. Young people mainly come to the attention of the judicial authorities because of theft or bodily injury offences. Property offences resulting in high financial damage and particularly serious crimes of violence are normally committed by adults. Overall, it can be noted that the seriousness of the criminal offences committed increases with each age group.

Penalties imposed

In the case of young adults who are 18 but not yet 21 years old when committing an offence, the criminal court will examine whether the offender's degree of maturity and the type of offence are typical for a juvenile stage of development so that Juvenile Criminal Law should be applied instead of the general Penal Code. Juvenile Criminal Law focuses on educational reactions and the prevention of recidivism and therefore offers – in contrast to the general Penal Code – a more differentiated system of sanctions ranging from educational measures to disciplinary measures all the way to youth custody.

In general practice, Juvenile Criminal Law is applied to the majority of young adult offenders. In 2006, 64% (48,400) of the young adult offenders between 18 and 21 years were convicted under Juvenile Criminal Law. The general Penal Code is mainly applied where young adults have committed traffic offences or easy-to-prove minor offences. In these cases, a penal order is often imposed on the young offenders.

An educational measure is the most lenient sanction that can be imposed under Juvenile Criminal Law. Educational measures include, for example, instructions on how to live a normal and law-abiding life (e.g. participation in a social training course). A juvenile offender will be punished by disciplinary measures (e.g. community service work, payment of a fine, youth detention for up to 4 weeks) if educational measures are not sufficient. Disciplinary measures are the sanctions most frequently imposed under Juvenile Criminal Law.

In a few cases, a judge will pass a sentence of youth custody if disciplinary measures are not sufficient or if the offence is particularly serious. In 2006, 16% (16,900) of the young offenders were sentenced to youth custody as their principal sentence. In 60% of these cases, the prison sentence was suspended, for example, to enable the offender to complete vocational training or to continue working and to move on to a life free of crime.

Penalties or other measures imposed und Juvenile Criminal Law						
Type of penalty or measure*	1990	1995	2000	2004	2005	2006
Youth custody	12,103	13,880	17,753	17,419	16,641	16,886
Disciplinary measures (e.g. youth detention, payment of a fine, warn- ing)	50,193	56,357	69,892	80,553	82,516	82,233
Educational measures (e.g. instructions on how to live)	14,978	6,494	6,195	7,551	7,498	6,783
Persons convicted, total	77,274	76,731	93,840	105,523	106,655	105,902
<p>* Under Juvenile Criminal Law, penalties and measures can be imposed at the same time; the table, however, shows only the most severe sanction imposed on a person convicted. Territory: until 1995 former territory of the Federal Republic including Berlin-West; since 1995 former territory of the Federal Republic including Berlin as a whole.</p>						