

## Observations about Preventive Measures for Juvenile Delinquency in Macao (China's Special Zone)

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In recent years, with the rocketing incidence of juvenile delinquency and the ever-growing gravity of the situation in preventing minors' crimes, experts on youth problems, professionals in the field of legal practice as well as the Chinese government at the high level have begun to pay close attention to how work can be effectively carried out by way of system construction, renovation of the mechanism and implementation of measures.

Two major research moves have been organized in a timely fashion, one being *the Prevention of Juvenile Delinquency, the other the Security in the vicinity of campuses*.

The Ministry of Public Security, the Ministry of Culture and the Bureau of Broadcasting subsequently issued measures designed to clean up to the Internet, net bars and TV programs. These moves and papers have served not only as the efficient guidelines for the prevention of juvenile delinquency but as the guarantee of the public opinions.

Here the writer, drawing on the observation of the work done in Macao to prevent minors' commission of crimes, will briefly talk about the related preventive measures towards the juvenile delinquency in the hope that some useful information and thoughts are provided to help the relevant research and the formation of specific measures.

### A. Supplementary Endeavors for the Prevention of Juvenile Delinquency in Macao

Macao carries out very concrete work on the prevention of juvenile delinquency. This job is attributed to the Social Rehabilitation Division which is attached to Bureau of Legal Affairs (the equivalent of Bureau of Justice in Mainland China).

In Macao, the courts, as judicial organs, provide that the following educational measures are taken when dealing with juvenile delinquents: a, Admonishment b, Orders to fulfill some voluntary work c, Follow-up with education d, Semi-custody e, Custody.

The Social Rehabilitation Division will follow up with consistent education their work on the problem youth who are leniently punished and thus released until they are stably settled into society. The professional people from the Social Rehabilitation Division are responsible for the guiding work. Their responsibilities include: how to correct the

wrongful conduct; how to successfully communicate with family members and friends; how to get through schooling

and studies; the placement of employment and schooling for them to go back to society; understanding the significance and functions of law for citizens; help rendered to seek financial relief.

To further prevent the juvenile delinquency, the Police Station of Justice in Macao (the equivalent of the Criminal Department of Police) established in Feb. 2001 Care for the Youth Group where the police began their guiding work on the youth.

### B. "Breaking out of the Cocoon" Scheme---a comprehensive help model in the community

The one-year-long "Breaking out of the Cocoon" Scheme, based on years of investigative work by the Macao Research Society of Juvenile Delinquency and effective experience from other countries, was born on Oct. 1, 1999.

The recipients of the "Breaking out of the Cocoon" Scheme were the youth who had a record of breach of law or those who were on the brink of committing crimes. They were largely the minors whom judges had sentenced to mandatory education, custody or semi-custody.

Comparing the scheme with the conventional model where the judiciary was in charge of mandating education, Macao saw the following obvious features and efficiency by carrying on the "Breaking out of the Cocoon" Scheme to prevent minors' crimes. a, saving limited judicial resources, thus enabling judicial organs to focus on the more

serous crimes with more time and more ample resources. b, the youth who were on the receiving end of help could have access to diverse types of help, including help from friends and their elders, help with their study, help from the family, and the help from the participation of community activities. Meanwhile, they benefited from the attention and healthy guidance from different people in the community. c, it proved that there was lower incidence of recommitting juvenile delinquency in the youth who participated in the community help model than in those who joined the schemes belonging to the judicial system. The reason was that these youth enjoyed more dignity and encouragement in their study and life. Like every other child of their own age, they didn't leave their families, schools and communities, nor did they have to wear distinctly marked clothes, bearing with disdainful look from others. d. the problem youth who received help had a real role model that were not from books or from mere talking, thus relieving the likelihood of their straying and sliding into subcultures.

### **C. Formulating law---the prevention and punishment of juvenile delinquency in accordance with law**

Macao has had the following codes in force which are all aimed at the conduct and protection of young people's activities.

a, the Essentials of Family policy ,issued on Aug. 1, 1994 (No. 6/94/m)

b, The Tendency to Make Free Education Universal, issued on June.26, 1995, (No. 29/95/M)

c. Statute of Popularizing the Tendency to Make Free Educat\_n, issued on Aug. 18, 1997, (No. 34/97/M)

d, the U. N Convention of Children's Rights, issued on Sept. 14, 1998

e, the Issuing Administrative Licenses System, issued on Oct. 26, 1998 (No. 47/98/M)

f, Educational System and Social Protection Mechanism for Minors which are under the jurisprudence of justice, issued on Oct. 25, 1999 (No. 65/99/M)

### **D. Concluding Remarks --- some observations and thoughts**

Young people are the future of a country. Whether they can grow up healthy make quite a difference. Therefore youth problems have always been the significant social problems to which governments across the world pay much attention. Juvenile delinquency which is by no means the business of one individual, one country and one school, covers a wide complex field. Concerted efforts from all walks of life, coupled with diverse modes of education and legislative measures, are needed to get this comprehensive project effectively done. Drawing on the preventive measures and countermeasures against juvenile delinquency in Macro, we are led to some thoughts as follows:

#### **a. the urgency of optimizing the social climate**

Illegal internet bars, pornographic and violent internet messages, obscene publications, adults' recreational places, environment in the vicinity of school campus and the like which all have a lot of negative effect on the youth, must be standardized and cleaned up. Accordingly, there should be corresponding efforts to construct and open places for young people to go to, which is meant to alter the situation where high school students favor net bars and video game places instead of children's palaces, youth palaces and culture and science centers.

#### **b. the importance of understanding and tolerating the wrong-doing youth and the young people who are idle and on the streets and the young people who come from rural areas to work in cities**

These people are at a disadvantage and are lacking in overall healthy qualities. The thing is they cannot afford to be reduced to the "borderline" people, who will eventually give up in despair, thus defying the society. We should make sincere attempts to accept them rather than discriminate them, help them to solve their actual problems, raise their overall qualities so that they can become part of the mainstream of the society and make contributions.

#### **c. the necessity of diversity of community educational models**

Across the world, work on preventing and handling juvenile delinquency is no longer exclusively the business of judicial and educational departments. Rather, it is also the business of different organizations in the community as well, including police departments, governmental service departments, departments for administering juvenile delinquency, educational departments, universities and colleges and high schools, social service organs, families and so forth. because a large number of cases have demonstrated that there are various reasons for juvenile delinquency and that various aspects of society are involved. That is why all walks of life need to work together to prevent young people from committing juvenile delinquency. The comprehensive help-and-education mode is not just a worthwhile measure to be put to use and be spread, but also a trend which will be used to prevent juvenile delinquency.

**d. the practicality of lifting the professional level of youth problem workers and creating incentive conditions to get more high-level people (college graduates) into the team working on youth problems**

Human resources are the first element of productivity. Even the best law, strategies, or measures will eventually be formulated and executed by people, who will be the decisive factor. Experience from Macro has apparently told us that there must be a youth problem team that is made up of multi-disciplinary professionals. The reason is that the work on preventing and educating young wrong-doers is not merely to reason and teach. Instead, it is a job which needs to have professional knowledge either be in the background or sustain. It is not a job for lay people.

On the whole, the current youth problem workers don't feature professional distinctions. They are not adequate to the professional knowledge level required and are not evenly spread out in terms of age. Most of them are working parttime. as youth problem workers. Therefore it is necessary to lift their professional level in accordance with new situations and new problems. At the same time good conditions are to be created to attract more college graduates in related majors to work and to turn them into professional people. This practice will practically needed for work on preventing juvenile delinquency to be effectively implemented.