

Juvenile Crime and Its Governance: From Theoretical Insights to Systematic Implementation Measures

WU Xingmin

Guangdong Police College, Guangzhou, PRC

Juvenile delinquency and crimes are core issues concerning social stability and future development. In recent years, juvenile crime in China has exhibited the characteristics of “three tendencies and one weakness”: younger age of offenders, adult-like and organized criminal methods, coexistence of simplistic motives and serious consequences, and weak effectiveness of correction and intervention. These characteristics pose challenges to the traditional governance system. Based on multi-dimensional criminological theories (biological, psychological, sociological, and legal perspectives), this paper analyzes the causes from four dimensions: individual physical and mental imbalance, lack of family guardianship, gaps in social systems, and difficulties in legal balance. Combining the practical application of laws such as the *Minors Protection Law* and the *Law on the Prevention of Juvenile Delinquency*, the paper proposes an integrated systematic governance framework of “prevention-intervention-correction”. It aims to provide theoretical support and practical paths for addressing the dilemma of juvenile crime and realizing the legislative goal of “prioritizing education over punishment”.

Keywords: juvenile crime, criminological theories, systematic governance, hierarchical intervention

The Realistic Landscape of Juvenile Crime: Deconstruction of Characteristics and Governance Challenges

In recent years, with the transformation of social structure and the popularization of internet technology, juvenile crime in China has undergone significant structural changes. Its core characteristics can be summarized as “three tendencies and one weakness”, which not only break through the experience of traditional crime governance but also put forward new requirements for balancing the protection of minors’ rights and interests and the maintenance of social order.

Younger Age of Offenders: Practical Impact on the Age System of Criminal Responsibility

The combination of early physical development and the complexity of the social environment has led to a continuous decrease in the initial age of juvenile crime. According to the *White Paper on Juvenile Crime Trial Work (2023)* issued by the Supreme People’s Court, the number of cases involving minors aged 10-12 who committed delinquent acts such as truancy and fighting increased by 32% compared with 2018. The number of cases involving minors aged 13-14 who engaged in illegal and criminal acts such as theft and intentional injury increased at an average annual rate of 18%. Moreover, the proportion of extremely malicious cases (e.g.,

WU Xingmin, Ph.D., professor, director, executive director, School of Public Administration, Guangdong Police College, Guangzhou, PRC.

intentional homicide, intentional injury resulting in serious injury) rose from 5.2% in 2018 to 9.7% in 2023. In such cases, there is a serious mismatch between minors' cognitive ability of behavioral consequences and the social harm of their acts, which directly challenges the traditional legal principle that "the age of criminal responsibility is based on mental maturity". It also forces the legislative sector to lower the minimum age of criminal responsibility for specific serious crimes (Amendment (XI) to the *Criminal Law* sets 12 years old as the starting point for prosecuting serious crimes such as intentional homicide and intentional injury).

Adult-Like and Organized Criminal Methods: Intergenerational Penetration of Criminal Patterns

The popularization of internet technology enables minors to easily access adult criminal patterns, promoting the transformation of their criminal methods from "impulsive" to "premeditated and professional". Judicial practice shows that from 2021 to 2023, the number of cases involving minors in telecom and online fraud, illegal domestic transactions (e.g., illegal trading of e-cigarettes and controlled knives) increased by 120% compared with 2018-2020. In some cases, minors have mastered the criminal chain of "division of labor and cooperation, technical disguise". For example, in a cross-provincial juvenile fraud gang, members aged 15-17 were responsible for building fake shopping websites, members aged 13-14 for diverting traffic for fraud, and adult accomplices for cashing out and distributing profits, forming a criminal structure of "execution by younger minors and control by adults". In addition, the number of cases involving minors in "peripheral assistance" for gangster forces has increased year by year. Minors are mainly engaged in auxiliary activities such as surveillance and information transmission, becoming tools for gangster forces to "evade legal sanctions".

Simplistic Motives and Serious Consequences: Imbalance Between Mental Characteristics and Behavioral Risks

Studies have shown that due to the physiological limitation of immature development of the prefrontal cortex (responsible for emotional control and risk assessment), the motives of juvenile crime are mostly derived from immediate needs. According to a 2024 survey by the Supreme People's Procuratorate, 68% of juvenile offenders committed crimes out of "obtaining pocket money" (theft, robbery), "showing off courage" (gang fighting), or "emotional revenge" (intentional injury), lacking long-term prediction of behavioral consequences. However, such simplistic motives often lead to irreversible serious consequences. For instance, some minors stabbed others and caused serious injuries due to a quarrel with classmates; some stole family property due to addiction to online games and ran away from home, triggering cross-regional search and rescue and consuming a large amount of public resources. This imbalance between "low motivation intensity and high harmful consequences" highlights the urgency of behavioral control and risk prevention for minors.

Weak Effectiveness of Correction and Intervention: Difficulty in Blocking the Recidivism Chain

The lack of coordination among families, schools, and society has led some delinquent minors to fall into a vicious cycle of "illegality-correction-recidivism". On the one hand, the absence of family supervision makes it difficult to consolidate the effect of correction; on the other hand, the scarcity of correction resources limits the effectiveness of intervention. For example, by the end of 2023, there were only about 110 specialized schools nationwide, which is far from meeting the correction needs of minors aged 14-16 who have committed serious misdeeds. In some regions, minors involved in crimes that are not serious are still either "let go without proper treatment" or "punished without education", failing to achieve the core goal of "education and rescue".

Multi-dimensional Attribution of Juvenile Crime: In-depth Analysis From Individual Psychology to Social Structure

Juvenile crime is not the result of a single factor but the product of the interweaving of multi-dimensional factors including individual, family, society, and law. With the help of classic criminological theories and empirical data, the mechanism and influence path of each factor can be clearly sorted out.

Individual Dimension: “Internal Drive” of Physical and Mental Imbalance

From the interdisciplinary perspective of biology and psychology, the physical development characteristics and psychological state of minors directly affect their behavioral choices. Biological studies show that the neural connections in the prefrontal cortex of minors aged 12-16 are not yet fully mature, resulting in weak emotional inhibition ability and significant defects in risk decision-making ability. They are prone to engage in deviant behaviors driven by immediate emotions (e.g., anger, excitement). Freud’s “Personality Structure Theory” (from the psychoanalytic school) further points out that the balance between the “id” (primitive desires) and “superego” (moral norms) of minors is easily disturbed by the external environment. If minors experience trauma such as family abuse or school bullying in early life, their “ego” (reality adjustment) function may be weakened, and aggressive behavior may become an external manifestation of psychological trauma (see Freud, 2011). Studies by Ma Shutao, Chen Shaohua, and Ma Yankun (2020) also show that the degree of childhood abuse has a positive predictive effect on the aggressive behavior of juvenile offenders.

Family Dimension: “Butterfly Effect” of Lack of Guardianship and Education

As the primary place for minors’ socialization, the lack of family functions is a core inducement of juvenile crime. According to a recent survey conducted by the author, 70% of juvenile offenders have long-term problems of lack of guardianship or improper family education, which are manifested in three aspects:

First, the absence of family guardianship. The problem of “grandparenting” or “no guardianship” for left-behind children in rural areas and migrant children in cities is prominent. A considerable proportion of juvenile offenders are left-behind children, some of whom meet their parents less than twice a year and lack basic behavioral guidance and emotional communication.

Second, improper family education. Some families have a tendency of “extreme education”, such as “violent discipline” (beating, corporal punishment) by parents or “excessive indulgence” (unprincipled satisfaction of material needs). The former easily leads minors to imitate violent behavior, while the latter tends to make them form a “self-centered” values and disregard rules and the rights of others.

Third, broken family structure. Minors in single-parent, left-behind, or divorced families usually face higher crime risks. This is mainly because minors cannot meet their emotional needs due to the breakdown or absence of parental relations, and are more likely to seek emotional substitution by indulging in the internet or making friends with bad companions. The Chicago School emphasizes environmental determinism, arguing that a broken family ecosystem cannot cultivate healthy social bonds, which weakens social control and makes minors lose behavioral constraints and emotional support, thus leaning towards bad groups.

Social Dimension: “Superimposed Impact” of Cultural Conflicts and System Gaps

From a sociological perspective, juvenile crime is often a concentrated manifestation of multiple social contradictions. Currently, it is mainly reflected in the following three aspects:

Warning from labeling theory. Becker's "labeling theory" points out that the "negative labels" imposed by society on individuals will strengthen their bad self-identity and further promote them to "move towards the label". However, such label effects are still widespread in society. In the educational context, the exclusion of "underachieving students" by schools (e.g., separate classes, public criticism) and the "negative expectations" of teachers towards problem students easily make minors form a self-perception of "I am a bad child". In the community context, discrimination against "problem families" (e.g., isolation by neighbors, refusal to provide help) also exacerbates minors' sense of exclusion, making them more likely to accept the "sense of belonging" from bad groups. If we think further, these are all consequences of severe social differentiation.

Enlightenment from social control theory. Hirsch's "social control theory" holds that the strength of the connection between individuals and society determines the possibility of their committing crimes. It emphasizes four dimensions: attachment, commitment, involvement, and belief, which can be called the four "social bonds". If these bonds are weakened or even broken—such as dropping out of school due to weariness of study leading to disconnection from schools, or indulging in the internet leading to alienation from real social interactions—the risk of deviance will increase significantly. Currently, the breakage of social bonds among juvenile offenders is relatively common: weariness of study and dropping out of school occur from time to time, leading to the breakage of the "commitment" and "involvement" bonds between minors and schools (the mainstream social system); internet addiction leads to the breakage of the "attachment" bond between minors and real society, significantly reducing their "sense of attachment" to real interpersonal relationships, making them more vulnerable to the inducement of bad online groups to commit crimes.

New challenges in the internet era. The cultural environment in the internet era has a profound impact on the cognitive model of minors. Violent and pornographic content on short video platforms and the "killing reward mechanism" in online games are weakening minors' moral rejection of "violent behavior". A considerable number of juvenile offenders "once imitated online content to commit crimes". Bad online information is reshaping the cognitive model of minors, distorting their values, and becoming an important inducement of crime.

Legal Dimension: "Balance Dilemma" Between Protection and Punishment

In recent years, China has revised the *Minors Protection Law*, the *Law on the Prevention of Juvenile Delinquency*, and Amendment (XI) to the *Criminal Law*, forming a judicial age framework for juveniles featuring "hierarchical intervention and combination of leniency and strictness". For example, the *Criminal Law of the People's Republic of China (Amended in 2023)* stipulates:

- A person who has reached the age of 16 shall bear criminal responsibility.
- A person who has reached the age of 14 but not 16 shall bear criminal responsibility for committing intentional homicide, intentional injury causing serious injury or death, rape, robbery, drug trafficking, arson, explosion, or poisoning.
- A person who has reached the age of 12 but not 14 shall bear criminal responsibility for committing intentional homicide or intentional injury that causes death or causes serious disability by especially cruel means, if the circumstances are flagrant and the prosecution is approved by the Supreme People's Procuratorate.
- A person under the age of 18 who shall bear criminal responsibility in accordance with the provisions of the preceding three paragraphs shall be given a lighter or mitigated punishment.

At the same time, it also stipulates that the death penalty shall not be applied to a person who was under the age of 18 at the time of committing the crime.

These provisions constitute a hierarchical intervention judicial framework based on the ages of “12-14-16-18”. However, practical difficulties remain:

On the one hand, the age provisions originally designed to prevent minors from entering the judicial process during their physically and psychologically immature period often evolve into a “protective amulet” for some minors in reality. In particular, juvenile offenders aged 14-16 involved in non-serious crime cases can avoid criminal liability due to legal provisions, and many juvenile offenders aged around 17 cannot be sentenced to death for any crime—these have become “criminal advantages” that they can exploit. Therefore, in practice, there is often a “dilemma”: Overemphasizing the protection of minors may damage the rights and interests of victims (e.g., a 15-year-old minor committed theft multiple times but was not punished because he did not reach the age of criminal responsibility, and the victim could not obtain compensation); overemphasizing punishment may violate the original intention of “education and rescue”.

On the other hand, for minors who are not subject to criminal punishment because they have not reached the age of 16, the law stipulates that “their parents or other guardians shall be ordered to discipline them; when necessary, special corrective education shall be carried out in accordance with the law”. Accordingly, many localities have begun to establish special corrective education systems and related institutions. However, due to the scarcity of corrective education resources in reality, it is difficult to carry out special corrective education in accordance with the law. Therefore, the phenomena of “letting go without proper treatment” and “punishing without education” still exist, failing to realize the legislative original intention of “prioritizing education over punishment”.

Systematic Governance of Juvenile Crime: Constructing an Integrated “Prevention-Intervention-Correction” System

Facing the complex problem of juvenile crime, we need to break out of the single perspective and construct an integrated governance framework of “strengthening the defense line through front-end prevention, implementing hierarchical measures through mid-term intervention, and promoting reintegration through back-end correction” to achieve “addressing both the symptoms and the root causes”.

Front-End Prevention: Consolidating the “Social Protection Network”

The core of front-end prevention is to repair the “social bonds” of minors and reduce the “soil” for deviant and criminal behaviors through the coordination of families, schools, and society.

Return of Family Responsibility

Based on the *Family Education Promotion Law of the People’s Republic of China*, a targeted intervention mechanism for “problem families” should be established, including:

(1) Establishing a “family guardianship assessment team” composed of civil affairs departments, women’s federations, and townships (subdistricts) to conduct annual guardianship capacity assessments for key families such as left-behind children and single-parent families. For families with “lack of guardianship”, the guardianship gap should be filled through methods such as “entrusted guardianship” and “temporary guardianship”; for families with “improper education”, targeted training should be provided relying on “parent schools” and “parental education guidance centers”.

(2) For left-behind children and migrant children, promoting an emotional support mechanism of “family-school-society coordination”, such as schools regularly organizing “family video calls”, communities organizing

“proxy parent” pairing assistance, and enterprises providing “home visit leave subsidies” for the parents of left-behind children, to reduce the time of parent-child separation.

(3) Incorporating rural “problem families” into the key work of rural revitalization, and providing “on-site guidance” for rural parents through carriers such as “village social workers” and “family education service stations” to solve their dilemma of “lack of educational methods”.

Expansion of School Functions

As an important place for minors’ socialization, schools need to break through the limitations of “exam-oriented education” and strengthen the function of “cultivating people”:

(1) Strengthening the role of schools as the “second family” and establishing a “critical prevention” mechanism. Hierarchical early warnings should be implemented for “critical behaviors” such as truancy, playing truant, and fighting, and corresponding intervention measures such as “psychological counseling”, “home-school communication”, and “social worker intervention” should be initiated to prevent the deterioration of behaviors.

(2) Eliminating labeled management, gradually canceling classifications such as “underachiever classes” and “key classes”, and promoting “individualized education plans”; providing support such as “after-school tutoring” and “vocational experience” for students with learning difficulties to help them rebuild their confidence in learning.

(3) Strengthening the school psychological support system, equipping full-time psychological teachers in proportion, offering courses such as “emotional management” and “interpersonal communication”, and establishing a “green channel for psychological crisis intervention” to timely intervene in students who have experienced school bullying or family changes, reducing the accumulation of psychological trauma.

Purification of Social Environment

Social-level prevention should focus on “purifying the cultural environment” and “constructing a social support network”:

(1) Implementing the *Provisions on the Governance of the Online Information Content Ecosystem*, promoting short video and online game platforms to establish a “minors’ content classification mechanism”, and implementing “algorithm blocking” and “time restrictions” on bad content such as violence and pornography; strengthening the crackdown on content that “induces minors to commit crimes”.

(2) Establishing “youth activity centers” in communities to provide services such as “after-school care”, “hobby development”, and “skill training” to reduce the “idle time” of minors; organizing “community volunteers” to pair with minors with bad behaviors, and helping them rebuild positive social bonds through “peer education” and “social practice”.

(3) Strengthening the guidance of cultural values; through activities such as the “Selection of Outstanding Youths in the New Era” and “Legal Education Entering Campuses”, spreading mainstream values of “respecting rules” and “caring for others” to weaken the negative impact of online subcultures.

Mid-Term Intervention: Improving the “Toolbox” of Hierarchical Treatment

The core of mid-term intervention is to adopt “step-by-step” hierarchical intervention measures according to the severity of minors’ behaviors, avoiding both “excessive intervention” that harms minors and “insufficient intervention” that indulges illegal acts.

Non-judicial Intervention for Minors With Bad Behaviors

For minors with bad behaviors, non-judicial intervention should be carried out relying on communities, mainly including:

- (1) Admonition and education. Community police and social workers should jointly conduct admonitions, clearly informing minors of the harm of their behaviors and requiring them to make “behavioral commitments”.
- (2) Corrective public welfare services. Arranging minors to participate in community public welfare services (e.g., helping in nursing homes, environmental cleaning), with the duration determined according to the severity of their behaviors, to cultivate a sense of responsibility through “labor experience”.
- (3) Family guardianship orders. For minors whose bad behaviors are caused by lack of guardianship, the court should issue “family guardianship orders”, requiring parents to receive regular parental education and perform guardianship responsibilities, and communities should regularly track the implementation of the guardianship orders.

Corrective Education in Specialized Schools for Minors With Serious Bad Behaviors

For minors who have committed serious bad behaviors such as repeated theft, gang fighting, and drug use, education and correction in specialized schools should be strengthened, including:

- (1) Constructing a trinity curriculum system of “psychological counseling + legal education + vocational skills”. Psychological counseling should be provided at least twice a week, legal education should be integrated into daily teaching, and vocational skills training (e.g., computer operation, auto repair, beauty) should be determined according to minors’ interests to help them master survival skills.
- (2) Establishing a “correction file” for each object of corrective education and formulating an individualized correction plan. Psychological teachers, social workers, and instructors should jointly formulate individualized plans, such as increasing “emotional management training” for minors with violent tendencies and “property right awareness education” for minors who have committed theft.
- (3) Establishing a family participation mechanism, regularly organizing “family open days”, inviting parents to participate in the correction process of minors, repairing parent-child relationships, and preparing for their return to families.

Judicial-Led “Dual Protection” for Minors Who Have Committed Crimes

For minors who have committed crimes, the principle of “combining legal punishment with education and rescue” should be adhered to, mainly including:

- (1) Application of conditional non-prosecution. For minors who are first-time offenders, occasional offenders, or have committed minor crimes, conditional non-prosecution should be prioritized, with a probation period of 6-12 months. The procuratorate and social workers should jointly conduct supervision and inspection, and if the minor performs well during the probation period, a non-prosecution decision should be made in accordance with the law.
- (2) Strict implementation of the criminal record sealing system. Implementing the provisions of the *Criminal Procedure Law* on the sealing of juvenile criminal records; no unit or individual shall inquire about the sealed records except for the needs of judicial organs in handling cases, so as to ensure that minors are not discriminated against in further education and employment.
- (3) Strengthening the protection of victims’ rights and interests. Through mechanisms such as “criminal reconciliation” and “compensation and understanding”, urging juvenile offenders to apologize and

compensate to victims, which not only repairs social relations but also helps minors recognize the harm of their behaviors.

Back-End Correction: Strengthening the “Reintegration Mechanism” Through Judicial and Social Coordination

The core of back-end correction is to help juvenile offenders reintegrate into society smoothly and reduce the risk of recidivism. It is necessary to break through the limitation of “judicial organs acting alone” and construct a multi-subject collaborative support network.

Judicial Organs Breaking Through the Limitation of “Handling Cases in Isolation” and Constructing an Integrated “Punishment-Education” Model

(1) In case handling, laws should be applied accurately. For younger minors who have committed malicious crimes, the procuratorate-approved prosecution system should be strictly implemented, and criminal responsibility should be pursued in accordance with the law to demonstrate the deterrence of the law; for first-time offenders and occasional offenders, “non-custodial penalties” (e.g., controlled release, probation) should be applied to the maximum extent to avoid the negative impact of “prisonization” on minors.

(2) In correction, the evaluation of correction effects should be strengthened. A “juvenile correction effect evaluation system” should be introduced in the case handling process, evaluating correction needs from dimensions such as “psychological state”, “social adaptability”, and “family support”, so as to provide a basis for subsequent intervention.

(3) In education, a follow-up visit mechanism should be established. For minors who have been sentenced to non-custodial penalties or conditional non-prosecution, prosecutors and social workers should jointly conduct follow-up visits for 1-2 years, regularly understanding their study and living conditions, and promptly solving problems encountered in the reintegration process (e.g., school discrimination, employment difficulties).

Promoting Coordination Among the Government, Schools, Enterprises, and Social Organizations to Construct a “Full-Chain” Social Support Network

(1) Strengthening educational support. For juvenile offenders who have dropped out of school, coordinating with schools to enable them to “return to school”, or providing them with continuing education opportunities through “vocational and technical schools” and “adult education”.

(2) Strengthening employment assistance. Establishing “employment assistance bases for juvenile offenders”, encouraging enterprises to employ juvenile offenders, and the government providing preferential policies such as “tax reduction” and “social security subsidies” for enterprises; providing “entrepreneurship training” and “small loans” for minors with entrepreneurial intentions.

(3) Strengthening psychological support. Social organizations should help juvenile offenders rebuild positive self-identity through methods such as “social support groups” and “individual counseling”. For example, a social work institution launched a “label elimination” group, which helps minors get rid of the negative impact of the “offender” label through “successful experience sharing” and “peer encouragement”.

Taking Families as the Core Carrier of Reintegration Support and Repairing Family Functions Through “Family Therapy” and “Parental Education”

(1) Introducing professional psychotherapists to conduct “family system therapy” for juvenile offenders and their families, solving communication barriers and emotional conflicts within families.

(2) Providing training for parents on “parent-child communication skills” and “behavioral guidance methods” to help them master scientific educational methods and avoid the recurrence of guardianship negligence.

(3) For families with financial difficulties, coordinating with civil affairs departments to provide “subsistence allowances” and “temporary assistance” to reduce the risk of minors reoffending due to financial pressure.

Mutual Learning Between Theory and Practice: The Future Direction of Juvenile Crime Governance

The evolution of criminological theories over a century has provided rich ideological resources for juvenile crime governance. From Lombroso’s early hypothesis of “born criminals” (warning us to avoid discrimination based on “genetic determinism”) to the “environmental determinism” of the positivist criminology school (emphasizing the impact of family and social environment), and then to the “social bond reconstruction” of modern social control theory (focusing on prevention rather than punishment), each theoretical breakthrough has promoted the upgrading of governance concepts. China’s juvenile crime governance needs to combine local practice on the basis of learning from theories to realize the two-way interaction of “theoretical localization” and “practical innovation”.

From the perspective of comparative law, the “education priority” principle in Germany’s *Juvenile Court Act*, the “diversion programs” in the United States (diverting juvenile offenders from the judicial system to community intervention), and Japan’s “Juvenile Protection Division” system (specialized social workers participating in intervention) provide useful references for China. However, China’s juvenile crime governance must be based on the national conditions of “large population size and significant urban-rural differences”, and avoid “simple transplantation” when learning from foreign experiences.

In the future, juvenile crime governance also needs to pay attention to new challenges in the digital age:

On the one hand, big data and artificial intelligence should be used to construct a “juvenile crime risk early warning system”. By analyzing data such as minors’ online behavior, social relationships, and study conditions, high-risk individuals should be identified in advance to achieve “targeted prevention”.

On the other hand, we should be alert to the infringement of minors’ rights and interests by “algorithmic discrimination” and “data abuse”, and adhere to the principle of “the best interests of the child” in the application of technology.

In addition, it is necessary to strengthen “theoretical research and practical evaluation” of juvenile crime governance:

On the one hand, encouraging interdisciplinary research in criminology, psychology, sociology, and other disciplines to deeply explore the new characteristics and new causes of juvenile crime in the internet era.

On the other hand, establishing a “governance effect evaluation system” to conduct quantitative evaluation of the effects of each link of “prevention-intervention-correction”, and timely adjusting governance strategies to avoid “policy inaction”.

Conclusion

Juvenile crime governance is a systematic project. It is necessary to face up to the practical challenges of “three tendencies and one weakness” and break out of the limitation of “single-factor attribution” to analyze the causes from the multi-dimensional perspectives of individual, family, society, and law. The core of constructing

an integrated “prevention-intervention-correction” system lies in repairing the “social bonds” of minors—consolidating the “first line of defense” through the return of family responsibility, building the “second barrier” through the expansion of school functions, improving the “third guarantee” through social collaborative support, and balancing “protection and punishment” through accurate legal regulation. Only in this way can we achieve the goal of “educating, reforming, and saving” minors, enabling every minor to grow up healthily under the sunshine of the rule of law, and laying a solid foundation for the future stability of society.

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