Prevention of offenses from being made by Minors

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Abstract

The extremely large number of criminal offenses committed by juveniles and the imposition of sanctions on them, prompted us to make a special analysis of juvenile delinquency and to prevent the commission of these criminal offenses by minors, analyzing factors and causes the filing of criminal offenses by minors, also contributing to preventive measures and their factorization to reduce penal sanctions imposed by courts against minors.
Also in this paper we discussed some ideas how can we prevent crime made by minors, sectors which need to be factored and to have attention to the prevention of crime above crime prevention as three crucial factors in reducing the number of offenses criminal by minors and they are: The role of the police, the judiciary and the role of the mass media.
The term prevention (prohibition) , is borrowed pragmatically by vocabulary and vocabulary of medical practice. In the broadest sense, two basic contents of this notion have been profiled, the first of which has to do with intervention as a primary form, while the second form has to do with reaction and reaction before the unwanted criminal phenomenon is manifested for society. In Latin, praeventio (prae-venio, ventim paraeventus, praevenire) marks the definition and the term pass, reach forward, overcome a certain phenomenon, or as it might be said on the basis of common sense prevention, precaution, obstruction, avoidance in advance.
The notion of prevention contains in itself all the measures taken in a planned, premeditated and organized manner with which an attempt will be made to eliminate or reduce the direct causes and of criminal and punishable behaviors (V. Latifi, 2013, p. 179).

Keywords: *Juvenile delinquency, Forms of criminal offenses committed by juveniles, Juvenile Justice Code, Preventive measures*

INTRODUCTION

The purpose of crime prevention is to prevent a whole range of different criminal acts such as property offenses, drug offenses, violent offenses, organized crime offenses, which are very prevalent nowadays.
In all stages of criminal activity, the institute of prevention is successfully applied, the main purpose of which is to prevent the arrival of criminal consequences, as well as to identify by tracing and investigating the intentions, motives and connections of criminal contingents wherever they are. , regardless of the status they have, successfully organizing again the prevention, which should be present in all the coordinated activity of specialized state institutions, cooperating with NGOs, communities, Mass media, etc. (V. Latifi, 2013, p. 183).

Emergency in today's conditions is to prevent criminal activity of teenagers and young people.
First of all, we must start the analysis from the "pre-criminal activity" of these young people, carefully looking at their individual and collective issues, related to the environment where they live, work or study, and we will certainly derive the role and function of factors that determine their involvement in criminal activities, starting from: family, school, social environment, workplace, leisure, role and function, especially electronic media, etc.
And later to go to the role and function of specialized institutions, NGOs, etc., in preventing the criminal activity of these young people, making it possible to remove as many of their ranks from the path of ordinary and organized crime .
In fact, this is currently a problem not only of transition countries such as the Republic of Kosovo, but also of many other countries, which are constantly facing, looking for ways and opportunities to overcome these problems.
And whenever they are faced with difficult problems to solve, they turn to communities to help them, who are more up to date with the "pre-criminal" activities of many young people in the environments where they live, work, or where they provide the means. The diverse information that will come out of these groups, as well as from the confidential interviews, will definitely be an important tool for an organized start of the preventive activity of the contingents coming from the ranks of teenagers and young people.
The prevention of crime in the practice of contemporary criminal policy is dealt with by many state bodies, various institutions, NGOs as well as the media and international organizations. In the process of fighting crime, it is extremely important to clearly and concretely define the roles, tasks and goals of certain subjects of crime prevention activity (V. Latifi, 2013, p. 186).

Types of social crime prevention

In the literature we have different divisions such as the division into primary, secondary, tertiary.
Primary prevention is related to the creation of conditions in the microenvironment which acts resiliently in relation to crime and diversion.
Secondary prevention is about applying social measures to potential perpetrators, while tertiary prevention is about prosecuting individuals, in order to prevent them from committing incriminating acts again and becoming recidivists.
The meaningful definition of general social prevention requires the taking of various measures, with the help of which the social conditions of life change, the internal power of the society develops and its cultural, social and ethical level rises, the awareness for the engagement of associations and institutions develops social (V. Latifi, 2013, p. 186).
Due to their character, the measures of general social prevention are different. They are distinguished by content as well as by impact. As such, they are numerous as economic, social, political, cultural, educational, etc.
Some authors, addressing the general criminal and social prevention, have divided the measures of this prevention into six main special groups, such as: economic, socio-political, legal-state, socio-psychological, cultural-educational, social (V .Latifi, 2013, p. 188).
The Republic of Kosovo as a preventive measure for juvenile delinquency and in general has drafted the State Strategy of the Republic of Kosovo for Crime Prevention, and has drafted the Action Plan 2009-2012.
The strategic objectives of this strategy aim to provide adequate responses to crime prevention and include:

1. Crime prevention through the development of an early intervention-response system,
2. Further development of legal infrastructure,
3. Advancing institutional capacities in order to prevent crime,
4. Further development of cooperation and coordination,
5. Development and implementation of social measures / services in order to prevent crime (State Strategy of the Republic of Kosovo for Crime Prevention, and Action Plan 2009-2012. 2009).

The strategic objectives mentioned above are further detailed below:

1. Crime prevention through the development of early intervention-response system Crime prevention is a concept that should be developed in local institutions, initially at a low level, where crime mainly targets the community. Municipalities and local police stations are the first entities to deal with the problem, so the focus on institutional development should be placed on them. To prevent crime it is very important to have a system of data collection not only quantitative but also qualitative, to identify potential cases of crime and that will serve in the analysis of law enforcement institutions about taking measures that will affect crime prevention. In this context, it is very important for Kosovo to advance the quality data system to contribute to: 1.1 strengthening the school safety strategy; 1.2 Development of an efficient and current crime prevention system / program.(Identifying causes, setting priorities, raising awareness, evaluation, SARA model); 1.3 Assessment of crime trends and tendencies according to the approved methodology; 1.4. Raising the awareness of local institutions for possible interventions / reactions for crime prevention, through their involvement in the crime prevention system / program; 1.5 Involvement of civil society through their involvement in the crime prevention system / program (State Strategy of the Republic of Kosovo for Crime Prevention, and Action Plan 2009-2012., 2009).

1. The role of the Court in preventing minors delinquency

The courts are independent state bodies to which the judiciary belongs. The courts protect the rights and freedoms of citizens, the rights defined by law and the interests of legal entities and ensure constitutionality and legality. On the one hand, the courts protect the role according to the rights guaranteed by law, the interests and freedoms of the citizens, on the other hand, they fulfill the role of guaranteeing legality and constitutionality as the foundation of the rule of law. In a large number of countries the basic legal norms according to the provisions on which the courts operate are criminal / punitive law (material) and the law on criminal / punitive procedure. The judgment by which to a certain extent the defendant is suspended from one of the guaranteed rights and freedoms, expresses the repressive function performed by the court. However, this repressive measure also has its preventive character because any criminal sanction imposed must be in accordance with the intended purpose both against the perpetrator and against the close and wide circle (I. Zejneli, 2017, p. 68).

Phenomena that reduce the effects and participation of the courts in the fight against crime. The sensitivity of the issue decided by the courts is thought primarily in the restriction or suspension of some human rights guaranteed by the constitution, should be of interest to the wider community in which it functions (I.Zejneli, 2017, p. 68).

The efficiency or inefficiency of the work of the courts is influenced by a number of factors and circumstances, among which we are mentioning overburdening, length of court proceedings,

independence in the exercise of judicial power and the effects resulting from light or heavy sentences imposed.

Overcrowding is a negative phenomenon that significantly reduces the effects and participation of courts in the fight against crime. The solution to this problem can hardly be seen in cases of continuous increase in the number of judges and other staff, it should be sought in the selection of criminal cases (which should be achieved by reducing the number of incriminations,; I e narrowing the criminal area which include them as well as regulating the legal criteria for the selection and application of criminal law) as well as in the better organization of the courts.

The prolongation of the court procedure, ie the long continuation of the first instance procedure is one of the basic shortcomings in the work of the courts.

Independence in the exercise of judicial power autonomy. The court must be completely independent and autonomous, free from the "directives of daily politics and pragmatism" as well as from the pressures which may call into question the good exercise of judicial function and destroy the authority of the court in the people (V .Latifi &. H., 2019, p. 95).

The treatment of delinquents by the prosecution and the court, since the receipt of the criminal report in the prosecution, is done in accordance with the provisions of the Criminal Law on Juveniles in Kosovo and the Code of Criminal Procedure, which require that special attention be paid to juveniles, in order not to negatively affect their dignity and personality due to their delicate age and mental state. When the statement is received from the minor, he / she is offered the opportunity to express himself / herself freely and to exercise his / her right to immediate legal assistance, including the presence of the parent and guardian. In the case when the sentence of deprivation of liberty is imposed due to the committed crime, the juvenile is offered education, psychological assistance and, if necessary, medical assistance to facilitate his rehabilitation (Code No. 06L-006 of Minors Justice).

2. The role of the police in the prevention of minor's delinquency

Government systems to respond to the needs of children in conflict with the law vary in name and approach, depending on the circumstances of the country. Children can be treated through formal justice or the court system, by the social protection system, or for minor offenses by an administrative system. Such systems may operate within the adult criminal justice system, or they may operate primarily outside the judicial system through committees, commissions or administrative panels.

In all cases where the system contains a degree of specialization for children, whether the system is court-based, social protection system or administrative system, it is often known as a juvenile justice system. In countries that do not have any degree of specialization in juvenile justice, children in conflict with the law are treated in much the same way as adults.

Among the state institutions in Kosovo, which deal with the phenomenon of juvenile delinquency, identification, treatment and service for its prevention is the Kosovo Police. The contribution of this service has marked significant results in working with minors against antisocial behavior and against the violation of the law. The work of Kosovo Police employees in this phenomenon, finds in contact with juveniles, their detention, conversation, obtaining information to get to know them better. In general, juveniles involved in delinquent activities are individuals in very difficult family, social, age, cultural, etc. positions. and as a result their actions go as far as theft, use of cold steel in quarrels up to deadlock situations for their age,

murder, attempted murder, trafficking, narcotics consumption, etc. (Law No. 04 / L- 076, For the Police, 2012).
They therefore require a high level of professionalism on the part of the police officers dealing with their initial treatment.
Until 2008, not all units from UNMIK Police to the Kosovo Police had been fully transferred, so there were many difficulties in finding and collecting these data. The statistics show that the number of minors detained by the Kosovo Police during the period 2005-2010 is 40,330 minors, a figure that is very high compared to the total population of Kosovo. Of these minors, most are of Albanian nationality (31,505 minors), but there are also many other minors of Serbian, Romanian, Bosnian nationality, etc. (Kosovo Agency of Statistics (KAS), Kosovo Police, 2005 2010).
After the detention / arrest of minors who commit criminal offenses, the cases are handled by the justice authorities.
Kosovo Police, after receiving information about the commission of a criminal offense, investigates to find out if there is a reasonable suspicion that the committed crime is prosecuted ex officio. To achieve this goal according to the legal provisions of the Code of Criminal Procedure of the Republic of Kosovo, the police conduct preliminary investigations and take all necessary measures based on legal authorizations such as; gathering information, conducting audits, providing evidence, etc. As soon as there is a reasonable suspicion that a criminal offense has been committed, which is prosecuted ex officio within twenty-four hours, the police compile a report and address it to the competent state prosecutor who decides whether to open criminal proceedings or not (I. Zeneli, 2017, p. . 94).
Whereas according to the Law on Criminal Procedure of the Republic of Northern Macedonia (LPP), it is provided that articles (46, 48-52, 272, 279, 280, 282-284 etc.) of the LPP refer to the articles on the jurisprudence police, where Article 284, paragraph one states that: The public prosecutor himself or through the jurisprudence policy, respectively other persons employed in the investigative centers of the public prosecution, collect the necessary notices for decision-making on criminal charges, and if necessary do it through other policies or bodies powers of detection (Law on Criminal Procedure of the Republic of Northern Macedonia, Articles 272-284).
The duties of the jurisprudence policy are that ex officio or by order of the public prosecutor to undertake measures and activities in order to detect and criminalize criminal offenses, apprehend and denounce their perpetrators, provide evidence and measures and other activities which can be used for the unimpeded realization of the criminal procedure.

3. The role of the social institution in preventing juvenile delinquency

In cases of minor delinquency and other antisocial behavior, CSWs in Kosovo are usually notified by the prosecution and the police, either in writing or by telephone. Rare are the cases when parents refer the delinquent behaviors of their children to the center. Exceptions are schools, when problematic and deviant students are referred to the CSW for re-socialization treatment through a register.
The first job that social services officers do regarding the treatment of juvenile delinquents is to identify the case and appoint a clerk to direct its treatment. The second step is to contact the family and the minor himself, the school he attends, as well as the social circle, in order to better

know the personality of the minor. The juvenile and his family are advised by the clerk on the behavior of minors, the risk and consequences for the future are explained and the need for increased parental care is noted (Law No. 02 / L-17, On Social and Family Services, 2007).
Depending on the case and the need, the CSW, ex officio, can refer the juvenile for treatment to another social entity, e.g. in the health institution etc. If the case has been submitted by the court, in addition to the notification, it also requests the social investigative report, the data on the juvenile and the opinion of the custodial body for the development of further procedure. The social services officer, charged as the case manager, has the duty, together with another assistant worker, to prepare the social investigative report for the juvenile within the set deadline and send it to the competent court. If necessary, and at the invitation of the court, the employee participates in the court hearings until the end of the procedure. In cases when educational measures are assigned to the minor, the CSW officer does not complete the work with the minor. If the educational measure of increased supervision is given by the custodial body, the employee is charged even more with work with the minor. If the minors is sent to an educational-correctional center, the CSW officer visits and contacts the staff of the institution in order to follow the process of re-socialization of minors and requests a written report (Law No. 02 / L-17, On Social and Family Services, 2007).
After the execution of the measure given by the court, the custodial body at the CSW is obliged to follow further how the process of re-socialization is going in the school, at work and everywhere else in order for it to be fully rehabilitated and 'change previous worldviews and attitudes. Then the difficulty continues in the process of re-socialization of delinquent minors.

4. The role of mass media in preventing minor delinquency

For the fight against crime and its preventive measures, the mass media have an extremely important role as positive and negative, for the fight against crime and social anti-crime development, a special role is played by the right information of citizens about delinquent and criminal phenomena. .
The mass media in the contemporary world have become powerful tools of influencing and orienting the public within a country or international opinion.
As means of mass communication, in the criminological literature are considered: illustrated press, entertainment press, literature, television, radio, film, portals, etc.
Selective presentation, fights, robberies, rapes of a category of people, especially young people promote low motives, emotional and unbridled lust, psychosis of fear and insecurity (I. Zejneli, Delikuenca e të Miturve, 2018, p. 134) .
The daily press, various illustrated magazines, literature, films with dubious content and messages, unfortunately in many countries often dominate and are very present.
In the content of newspapers, movies in most cases is present and dominated by violence, delinquent behavior, pornography, prostitution and other suspicious content.
The mass media should be aware of their power which is present in all pores of society, and should use their power to prevent crime and not to increase it (I. Zejneli, Delikuenca e të Miturve, 2018, p. 134).
The mass media in most cases display in their media content that is not suitable for juveniles such as: various crimes, online gambling, various pornography and other delinquent behavior, where in juveniles it has an extremely negative effect and affects in increasing crime.

Most media do this only for benefits, but this is only one part of the coin, the other part is that the media, especially television media, influences juveniles to prevent various advertisements against crimes with the presentation of various documentaries, etc.

I can say that the general concern has been and still remains especially the role of electronic media, which have emerged in some cases more as factors of negative impact on the long and difficult process of educating young people and adolescents on the basis of traditional ethics and sound morality, cutting off negative influences on their upbringing with unacceptable morals broadcast by foreign TV shows, which give almost every day pornographic films, terror, horror, violence, murder, spectacular theft , various crimes, which although some are fantastic, imaginary and unreal, greatly affect our young people, even more so when there are no realistic explanations for them, or even worse when they are not banned, or when are not censored (I.Zejneli, Delikuenca e të Miturve, 2018, p. 138).

Some European countries have banned television broadcasts that they consider outside their ethical and moral standards, and put announcements about their non-observance, especially by teenagers and young people.

Watching movies with provocative content for juveniles has a detrimental effect.).

The Internet today in the world is the most important tool of man, at work and his most efficient development. Today the Internet is used not only by adults but also by minors and children, it offers many opportunities for work, for civilized acquaintance with him. All the positive sides they have, but also the antisocial behaviors that are forbidden in our country (I. Zejneli, Delikuenca e të Miturve, 2018, p. 139).

The Criminal Code of the Republic of Kosovo has provided for the criminal offense that is in Article 264-Access to the computer system, which states: anyone who in an unauthorized manner and intentionally for himself or another person to bring illegal property gain, or cause harm the other person alters, publishes, deletes, destroys or destroys computer data, computer programs or in any other way enters the computer system is punished with a fine or imprisonment of up to three years (Code No. 06 / L-074, Criminal Code of the Republic of Kosovo, 2019, Article 264).

The most common forms of computer crime are: information theft, software theft, the introduction of viruses otherwise known as logic bombs, software or computer system. Other forms of cybercrime include cyber fraud, unauthorized acquisition of records and information, unauthorized enrichment, destruction of information and programs, obstruction of computer work and certain programs.

The data show that the Internet inflicts extraordinary damage and incitement on antisocial and criminal behavior in minors.

According to the data, we see that in 2018, the data presented show that the average age of people who have watched pornographic movies on the Internet for the first time is 12 to 17 years old (I. Zeyneli, Delikuenca e të Miturve, 2018 , p. 138).

The internet pornography industry is that 20-30% of the traffic on the sites is realized by minors.

As a precaution against children being exposed to pornography and other antisocial behaviors appearing on the Internet, parents should place the computer in a central location, in the room or in the classroom, so that parents can check from time to time what are watching children on the computer. This is very important to note if children accidentally encounter or visit programs with inappropriate content for them and for their age which they have (I. Zejneli, Delikuenca e të Miturve, 2018, p. 143).

Parents should always have their children under control while using the computer and other devices, parents should always give their children advice on using, storing personal data, using photos, avoiding unpleasant situations, etc. .

Literatures such as the press and the Internet are important factors and have a positive impact on the upbringing and education of new generations, literature in most cases has an extremely good and positive impact on minors.

Unfortunately, recently literature has started to negatively affect a certain group of minors, literature which has entertaining and adventurous content, especially literature related to crime novels, pornographic novels, which have no value and give no message to the reader.

According to many studies in juveniles, these types of literature show unrealistic feelings and emotions, low motives, create habits and passions which often send and are the cause of criminal behavior (I. Zeyneli, Delikuenca e të Miturve, 2018, p. 145).

The main and strong influence of this type of literature has on juveniles who are not spiritually and emotionally stable, and other juveniles who have previously committed antisocial and criminal behavior as well as a special group of juveniles who very easily is subject to the negative influences they receive from various literatures and present and manifest them in practice and in everyday life.

But as a main measure of how to act so that minors cannot be provided with this type of literature, they should have restrictions where if they do not have the appropriate age should not be equipped and should not buy these forensic novels, magazines pornography and other literature, after a negative impact on them (R. Halili, 2016, p. 266).

We cannot say that the literature and mass media in general are to blame for the appearance of juvenile delinquency and they are the main influencers and factors in the presentation of antisocial behavior.

These factors mainly affect juveniles who have some other predisposing factors such as: emotional instability, poverty or inadequate living conditions, disordered family relationships and conflicts, and other predisposing factors that contribute to this phenomenon in juveniles (I .Zejneli, Delikuenca e të Miturve , 2018, p. 145).

CONCLUSION

In this scientific paper, the main goal was to reach a conclusion on the factors and causes of juvenile delinquency by analyzing from what age juveniles begin to exhibit antisocial and deviant behavior, we have elaborated which nationalities commit the most many criminal offenses by juveniles, we have also analyzed why juveniles are pushed to commit criminal offenses, and we have given the main contribution to the preventive factor of criminal offenses committed by minors.

During the study we noticed that we need to contribute to preventive measures for juveniles in order to have a smaller number of criminal offenses, and we have identified some of the main factors such as the influence of some institutions such as the judiciary, police and institutions. social issues for juveniles, so they are the main links which are interrelated and the factorization of these bodies and their efficiency leads to the prevention of criminal offenses committed by juveniles, we have also analyzed the factors of mass media which include some micro factors of what are the internet, televisions where movies, serials, various documentaries are part of, etc.,

the elaboration of various literature, where we have contributed to where the mass media should pay attention in the prevention of juvenile delinquency, as well as the other side of the coin where juveniles should be careful of the mass media as we have seen from the paper that many cases of juveniles have been incited to commit criminal offenses by factors t such as the internet and television and their shows.

As a conclusion in the prevention of criminal offenses committed by juveniles requires the taking of various measures, with the help of which change the social conditions of life, develop the internal power of society and raise its cultural, social and ethical level, develop awareness of engagement of social associations and institutions.

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