Youth Justice System: Routine Activity Theory (RAT) And General Strain Theory (GST)

The youth justice system aims to uphold the rights of children, keep them safe and promote their physical and mental wellbeing. However, it is through youth justice services and case management that supervision, rehabilitation and reintegration into the community of delinquent youth is accomplished. Specifically, micro theories such as Routine Activity theory (RAT) and General Strain Theory (GST) closely examine the rationale behind both youth's delinquent behaviour in the case study.

Juvenile crime is the involvement in illegal behaviour by minors (Oxford 2020). It is argued that a range of factors, including juveniles' lack of maturity, inclination to take risks and susceptibility to peer influence, as well as intellectual disability, mental illness and victimisation, increase juveniles' risks of contact with the criminal justice system (Australian Institute of Criminology 2011). The Youth Justice Act 1992 governs how children who commit offences, or who are alleged to have committed offences will be dealt with by the courts and the legal system in order to be held accountable for their actions (Queensland Government 2020).

Cohen and Felson the creators of RAT focused on changes in structural patterns of people's daily activity and how it provided greater criminal opportunities and, can influence certain types of crime, in particular crimes against persons or property (Miro 2014). Based on this notion, even the most motivated offender cannot commit a crime unless he sees an opportunity to do so (Micro 2014). The concept of opportunity is therefore important in explaining why crime incidents occur across persons and their property. RAT explains the criminal event through three essential elements that converge in space and time in the course of daily activities including, a potential offender with the capacity to commit a crime, a suitable target or victim and the absence of a guardian capable of protecting targets and victims.

Firstly, the likely offender may be anyone with a motive to commit a crime and with the capacity to do so (Miro 2014). The majority of research studies conducted concluded that the main motivation for burglary is the need for money, thus, the predominant principal offence committed by youth offenders was theft from July 2015 to June 2016 (Australian Bureau of Statistics 2017). However, the motives of the two teenagers in this case study were due to numerous reasons, including Substance abuse, the two teenagers were caught with possession of drugs and had taken drugs, thus, this had further motivated them; Excitement and status, these offences were committed together, therefore, one or both youth found it was exhilarating to burgle a home; Solidarity, the two youth had bonded over the same interests which was possessing drugs and robbery, thus, this further motivated them to commit the offences; and finally, money, the two teenagers were motivated by the viewpoint of needs, means and opportunities and believed this was the best way to achieve that.

Secondly, the suitable target is a person or property that may be threatened by an offender (Miro 2014). The probability that a target will be more or less suitable is influenced by four attributes, known as the acronym VIVA. Which translates to value, inertia, visibility, and access, VIVA defines the suitableness of a target and its level of risk (Miro 2014). The perceived value by both youths was to analyse their personal benefits from committing burglary and the extent

they would travel to, to achieve that, for example, stabbing the elderly man in order to gain money and any items of high value. Inertia is used when the offenders focused on specific physical aspects of their victim by targeting the elderly. Elderly people typically have a slower reaction time, are more vulnerable and easier to manage if there was an altercation, furthermore, they made a suitable target. The crime also occurred on a Thursday at 11 pm, which meant the visibility was dark and people are usually asleep, this meant easier access for a home invasion to occur.

The final element described in the theory is the absence of a capable guardian, someone who can intervene to stop or impede a crime (Miro 2014). A guardian capable of preventing crime is one in whose presence the crime is not committed (Miro 2014). In this instance, both youth were not in the presence or monitored by a capable guardian which gave greater opportunity.

Robert Agnew the creator of GST builds on previous strain theories in numerous ways: most notably, by pointing to new categories of strain, including the loss of positive stimuli, the presentation of negative stimuli, and new categories of goal blockage (Agnew 2001). Recent research demonstrates that many of the specific strains falling under these categories are related to crime and delinquency (Agnew 2001). For the youth in the case study crime was a method for reducing strain and pressure, seeking reprisal, or alleviating negative emotions.

Agnew further proposed that there are three types of coping mechanisms to strain: cognitive, behavioural, and emotional (Agnew, 2001). Cognitive coping occurs when an individual's attempt to minimize or deny their negative feelings. Behavioural coping takes place when an individual takes action to permanently solve the perceived cause of their negative feelings (Agnew, 2001). Lastly emotional coping occurs when an individual does not seek to deny or solve their negative feelings, but only reduce their negative emotions (Agnew 2001).

The case study mentions that the youth were wandering the streets from early hours of the night until late. Already it is observed that these youth come from a displaced household, as a typical fifteen-year-old would be at home supervised by a legal guardian or family member but these youth were not. The loss of a positive stimulus in the offending youth's life is a parent and this would have had a significant impact to the teenagers.

However, cognitive coping failed when the youth were faced with a negative stimulus, such as subsiding financial income or suffering abuse from their foster home. Agnew suggested that youth not only pursue positively valued goals but also try to escape from painful situations (Yilmaz & Gokhan 2015). Youth, such as those abused by their parents or guardian similar to the youth in the case study, may not be able to avoid harmful situations. As positively valued goals are blocked, escaping from a negative stimulus can also be blocked. This blockage may cause frustration; thus, individual adaptation to the new situation may lead to behavioural coping such as burglary, serious assault and drug possession. Agnew tested his revised strain theory using data from the Youth in Transition Survey of 1966. He tested the impact of environmental aversion on delinquency. Findings supported his assumption that the behaviours geared towards avoiding or removing the negative stimulus has an impact on delinquency (Yilmaz & Gokhan 2015). This is evidence that the parental strain caused to the youth in the case study resulted in delinquent crimes.

The treatment of delinquents has often provoked ethical debate regarding the questions of lawfulness, appropriateness, fairness and applicability. The Youth Justice Act 1992 and Criminal

Code Act governs the offence and consequences that the youth will face for serious assault, drug possession and burglary (Queensland Government 2020). Research demonstrates the four common ethical problems that occur in juvenile justice include problem definition, overidentification, informed consent, and confidentiality (Mulvey & Phelps 1998).

Section 8 of the Youth Justice Act administers the penalty for serious assault with the youth-serving a period of detention limited to 5 years, probation up to 3 years or serve a conditional release order anywhere from 7 to 10 years (Austlii 2010). Evidently, researchers estimate that as many as 65 to 75% of youthful offenders have one or more diagnosable psychiatric disorders. Thus, an ethical issue is that the youth offenders are likely to enter detention programs with clear and present mental health needs and may require further services while navigating the correctional environment during detention or commitment (Hoffman 2017). Furthermore, if the youth go into the detention facility their mental health needs will not be met. Consequently, their approval to integrate back into society will be unsuccessful and their likelihood of reoffending will be greater (Hoffman 2017).

The consequence for both youths committing burglary involves the court ordering the youth to pay restitution to the victims, attend counselling, or complete a probation period of several months or more. Additionally, if the drug offence is a minor within the meaning of the Police Powers and Responsibilities Act 2000 both youth may be offered an opportunity to attend a drug diversion assessment program under section 379, or be offered a cautioning, or a referral for restorative justice conferencing if the youth confesses to taking drugs (Austlii 2010). An ethical issue is that the conference can be unsafe for both youth’s mental health as they may face verbal attacks from the victim or venting.

GST assists to discover the strain occurring in the youth’s life that prompted them to commit delinquent crimes, for example, living in an abusive or unsafe environment and because of this strain both youth were left unsupervised. An ethical issue would be to return both youth to their home environment. Potentially, the youth going back to an unstable home can worsen or continue deviant behaviour. A recommendation is to contact child services to investigate the residential environment and find an alternative solution for the youth to live.