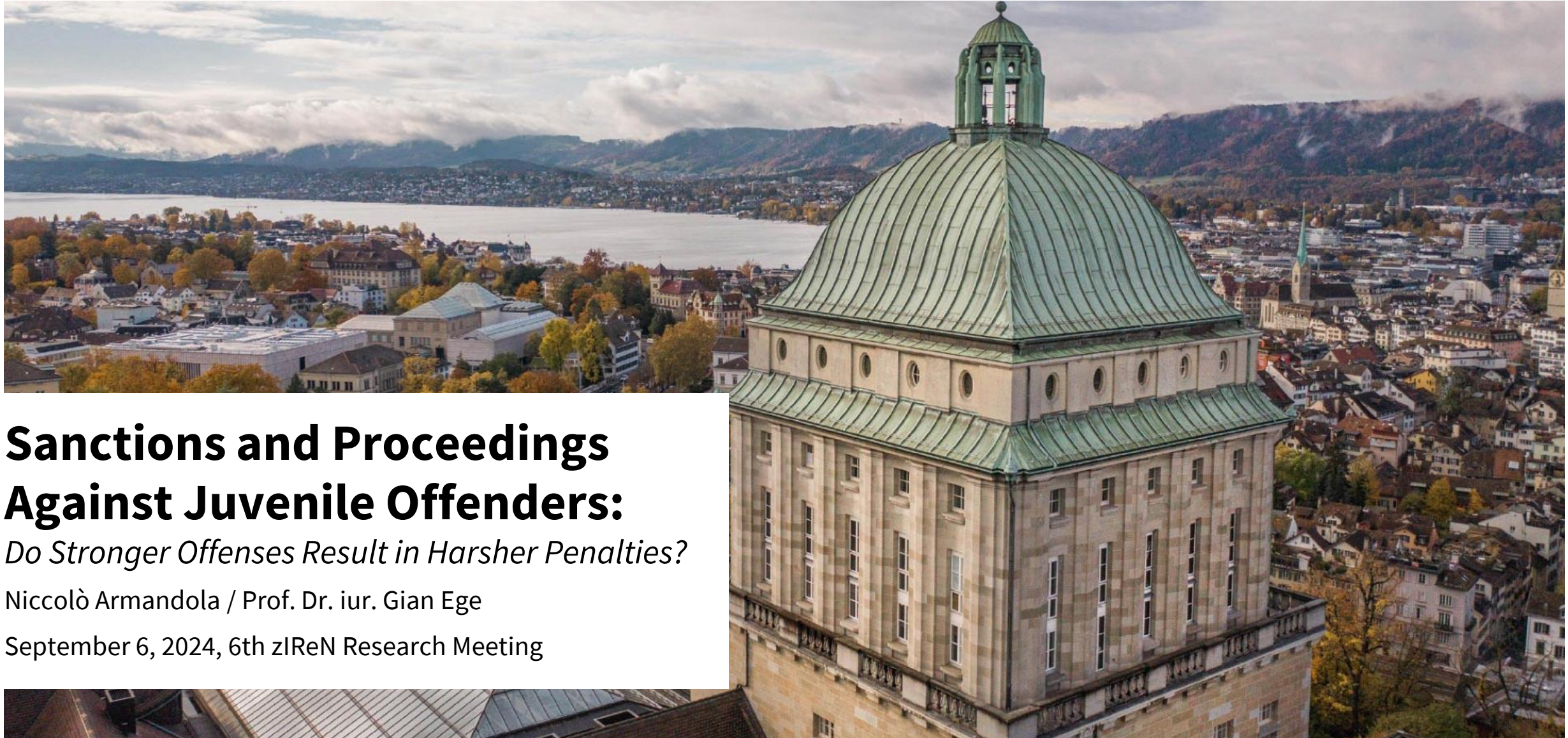




Universität
Zürich ^{UZH}

Rechtswissenschaftliche Fakultät



Sanctions and Proceedings Against Juvenile Offenders:

Do Stronger Offenses Result in Harsher Penalties?

Niccolò Armandola / Prof. Dr. iur. Gian Ege

September 6, 2024, 6th zIReN Research Meeting

Juvenile Justice in Switzerland (I)

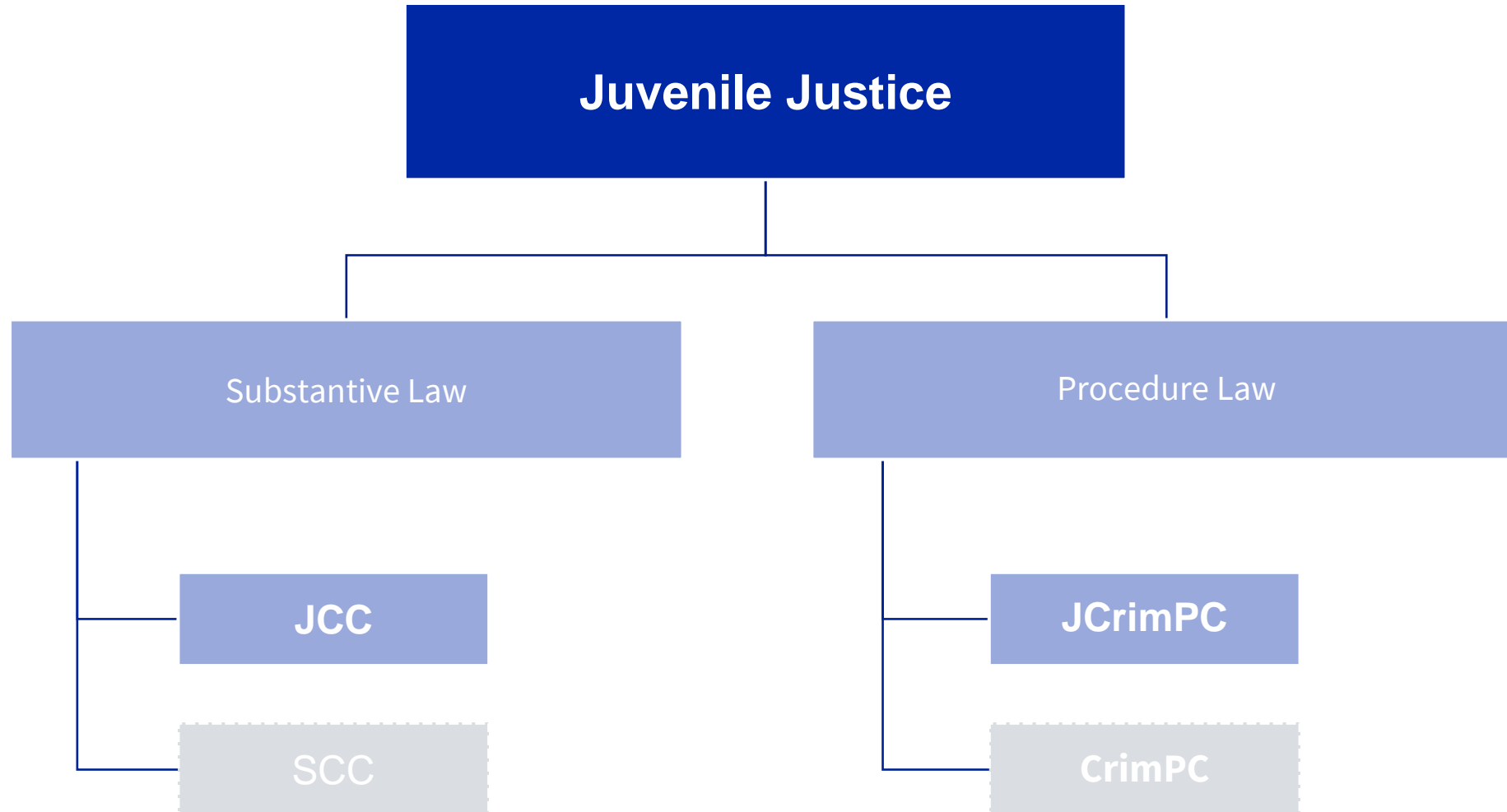
Minimum age of criminal responsibility: 10

Aim: protection and education of juveniles (Art. 2 JCC)
→ specific deterrence (“Spezialprävention”)

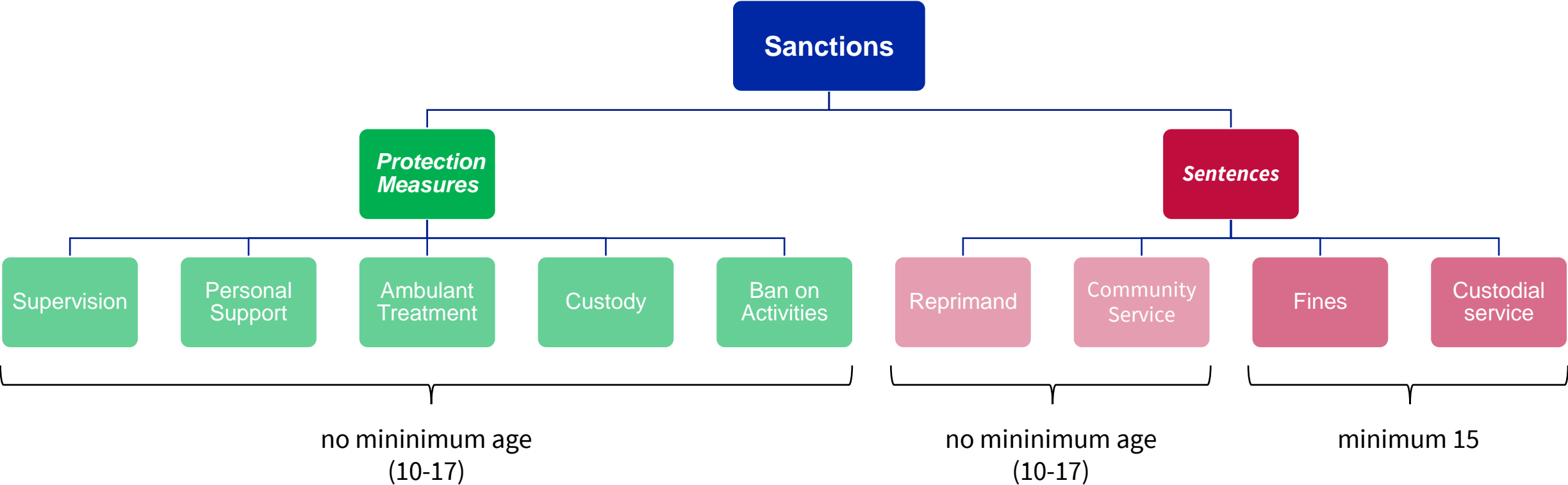
Different types of sanctions: sentences and measures
Dispensation of penalty (Art. 21 JCC)



Juvenile Justice in Switzerland (II)



Juvenile Justice in Switzerland (III)



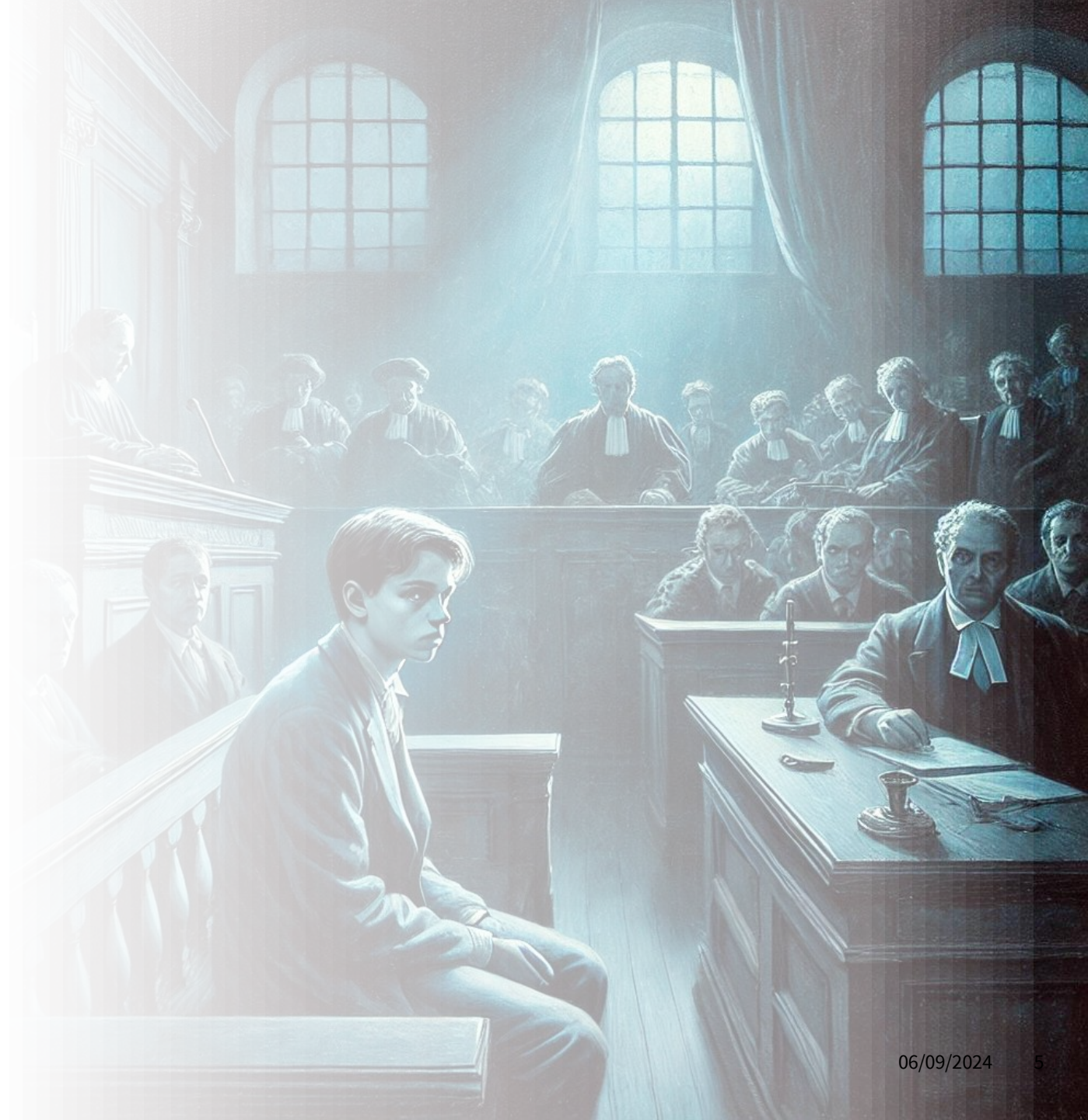
Juvenile Justice in Switzerland (IV)

Separate procedural law: JCrimPC

Aim: protection and education of juveniles (Art. 4 JCrimPC)

Special rules:

- Specialised authorities (Art. 6-8 JCrimPC)
- Participation of Parents (Art. 12 JCrimPC)
- Mediation (Art. 17 JCrimPC)
- Pretrial Detention / Measures (Art. 5 JCC; Art. 27 JCrimPC)



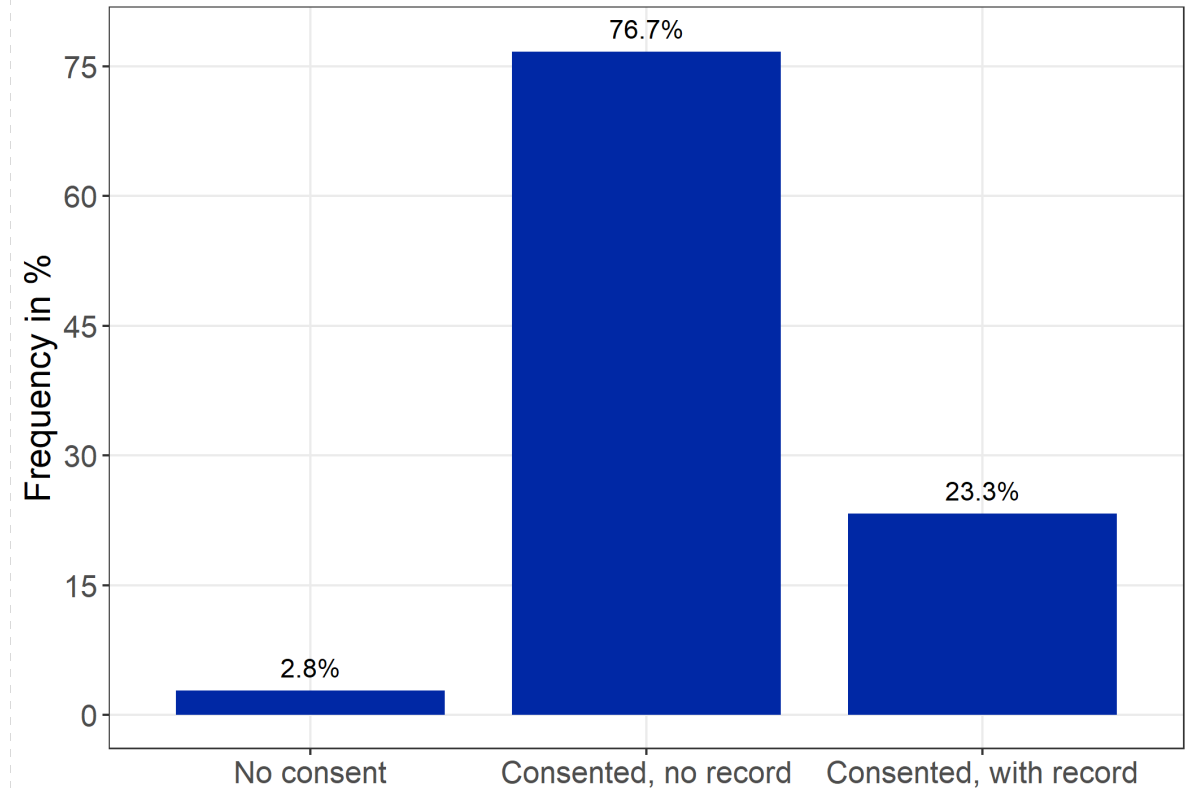
Z-proso data from official Juvenile Prosecution Office records (I)

Informed consent in 7th z-proso wave: Data collection May/June 2017

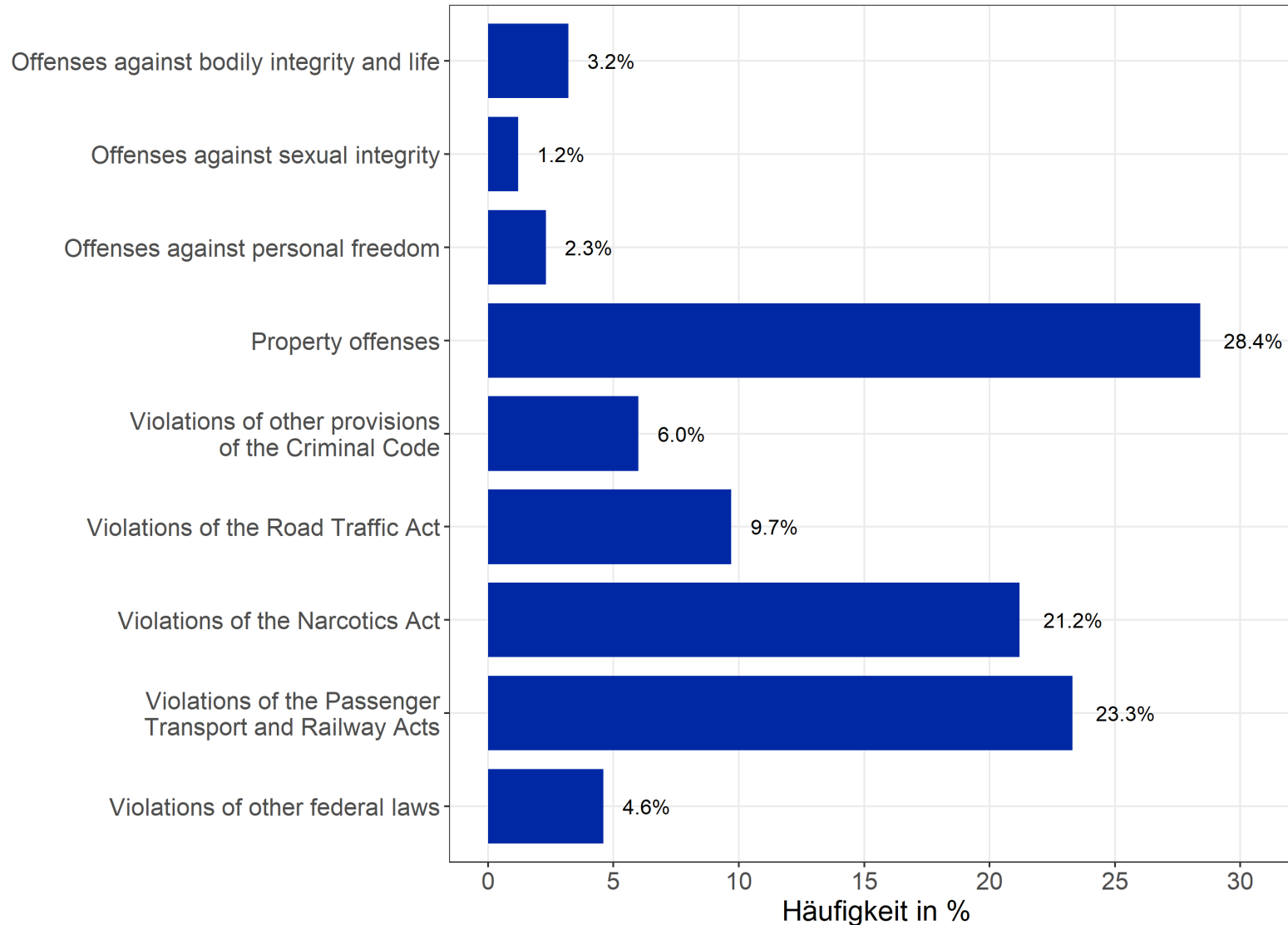
Overview of the data:

- 1,145 participants (97.3%) provided their consent
- 267 participants (22.7%) have entries JPO records

- A total of 356 official records (some participants have multiple offenses)



Z-proso data from official Juvenile Prosecution Office records (II)



Most frequent offenses:

- Fare dodging
- Minor drug possession and use
- Minor theft

Most serious offenses:

- Sexual coercion (1x)
- Extortion (2x)
- Bodily harm or physical assault (5x)

→ Most charges involve minor offenses

→ Only a few cases involve severe or multiple offenses

Geographical distribution of criminal offences (I)

In the canton of Zurich:

- Strong concentration of offenses in the city of Zurich
- Data-driven result? Most participants live in Zurich



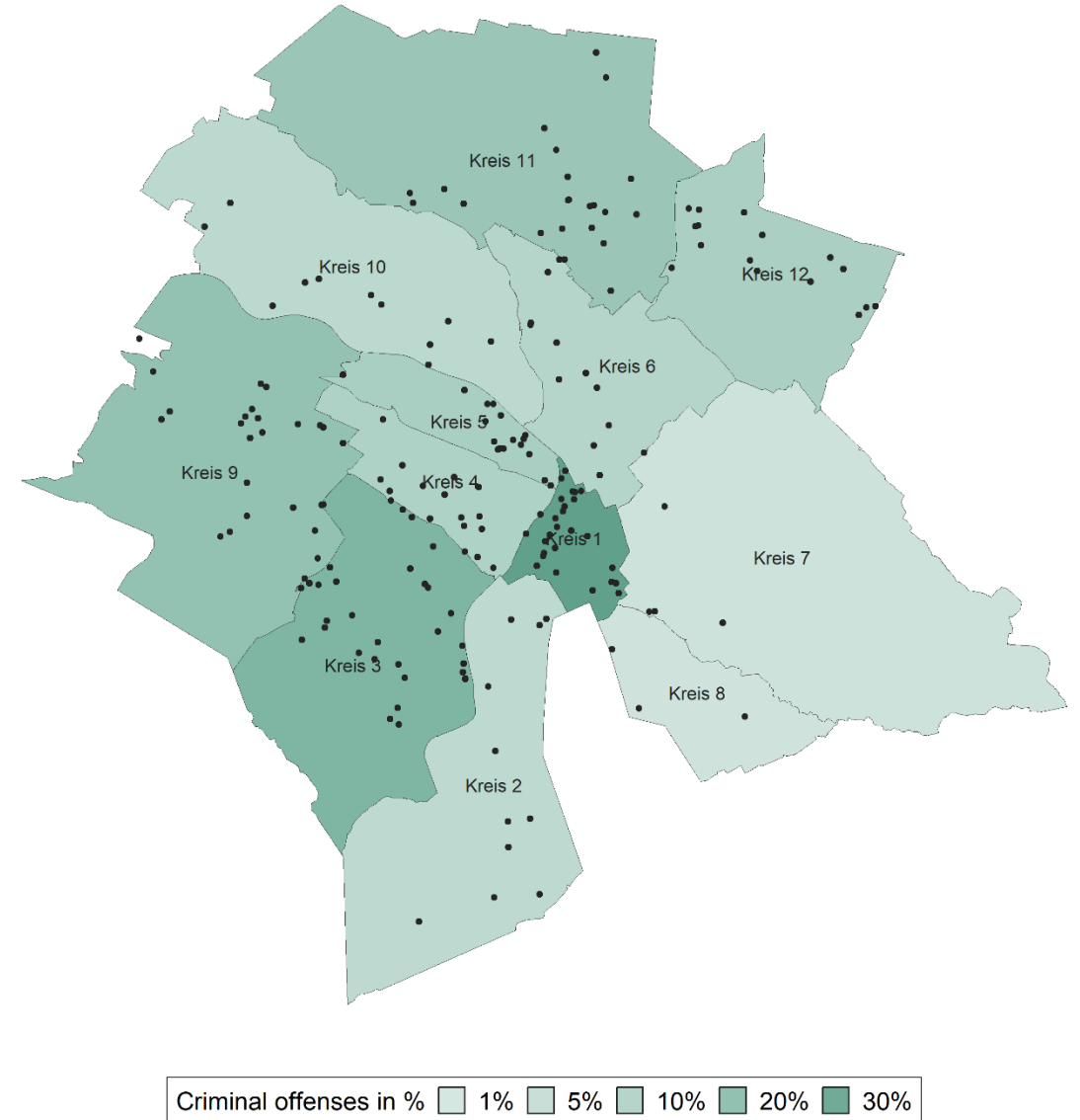
Geographical distribution of criminal offences (II)

In the canton of Zurich:

- Strong concentration of offenses in the city of Zurich
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In the city of Zurich:

- Offenses are mostly evenly distributed across the city
- "Coldspots" rather than hotspots (districts with few to no offenses)



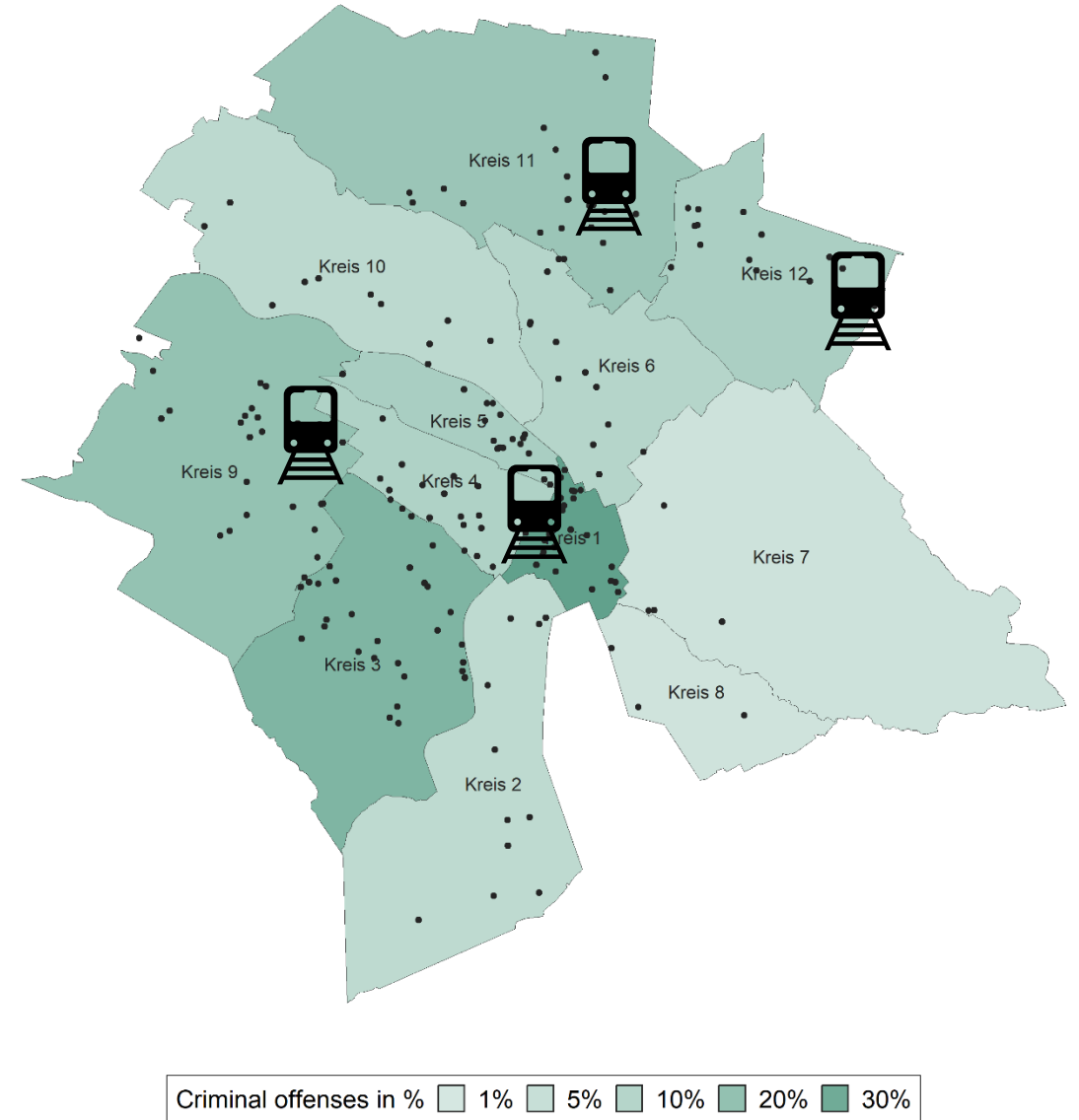
Geographical distribution of criminal offences (II)

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In the city of Zurich:

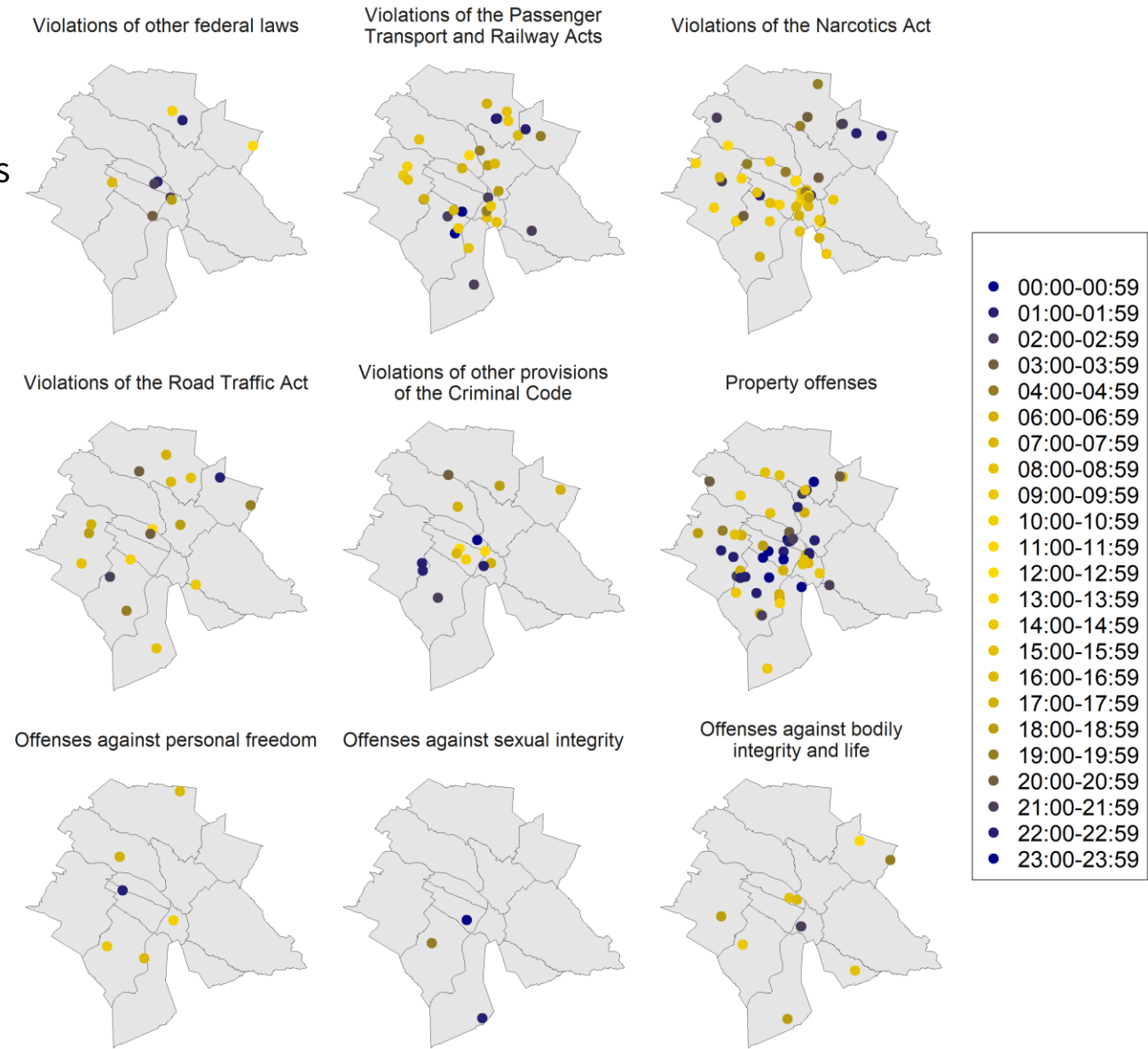
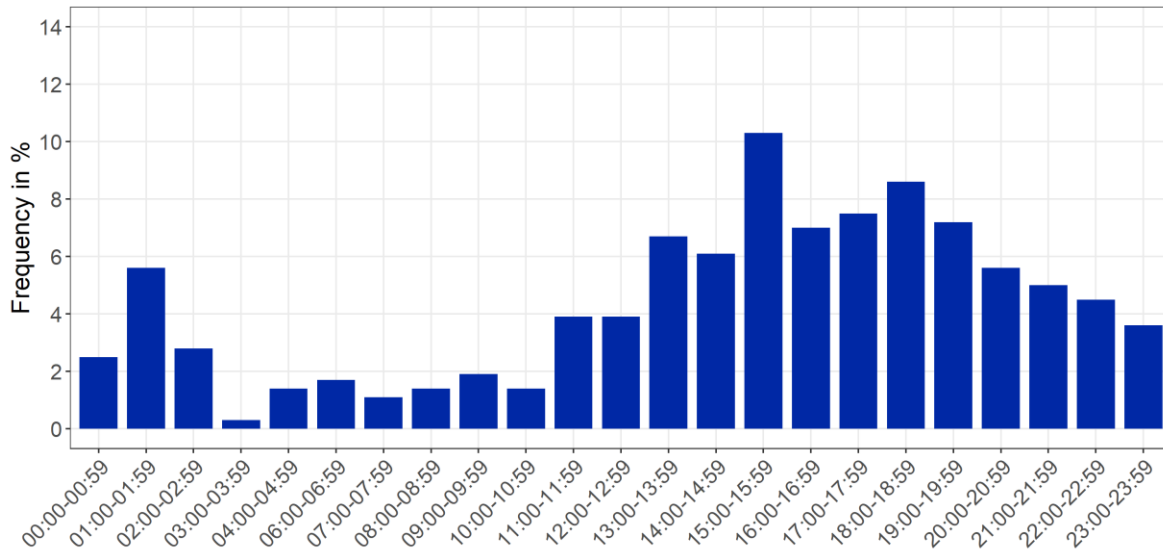
- Offenses are mostly evenly distributed across the city
- "Coldspots" rather than hotspots (districts with few to no offenses)
- Higher concentration of offenses near train stations



Geographical distribution of criminal offences (III)

Opportunity structures in Zurich:

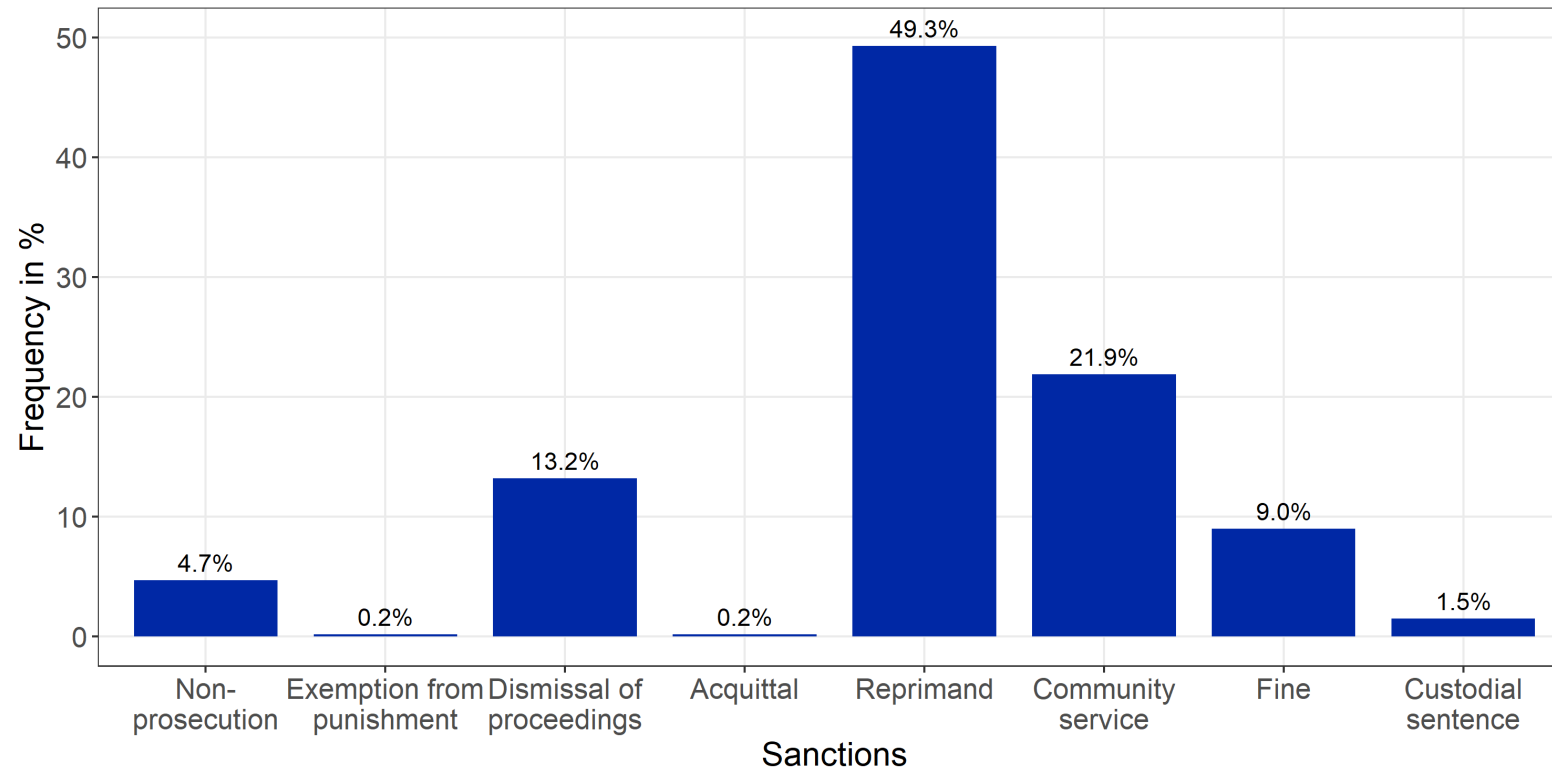
- Concentration of transport-related violations near train stations
- Mostly even distribution of other types of offenses across the city
- Most offenses occur in the afternoon (after school)
- Certain offenses are more likely to happen at night



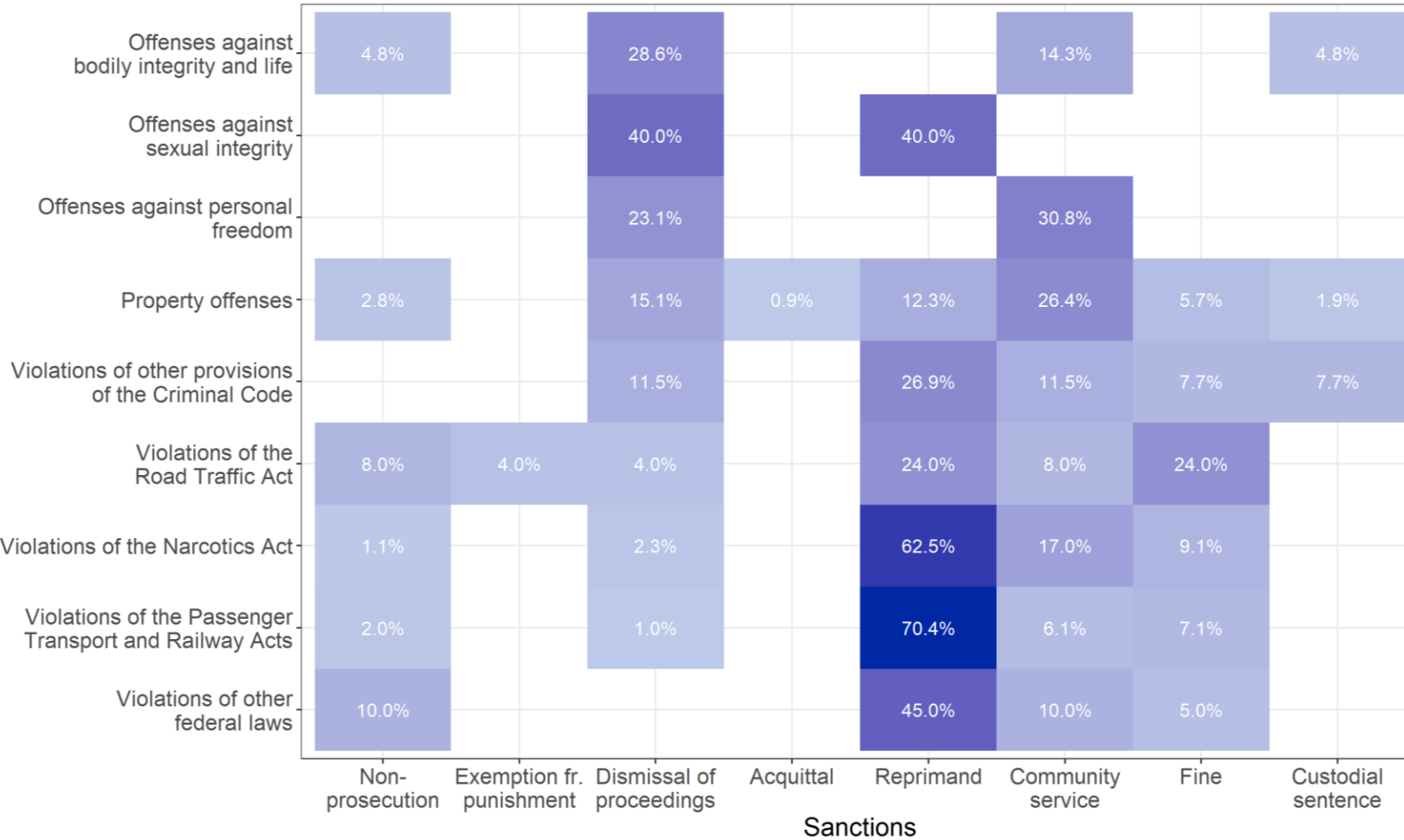
Sanctions and their determinants (I)

Distribution of sanctions:

- Reprimands are the most common sanctions
- Community service is more frequently assigned than fines



Sanctions and their determinants (II)



Distribution of sanctions:

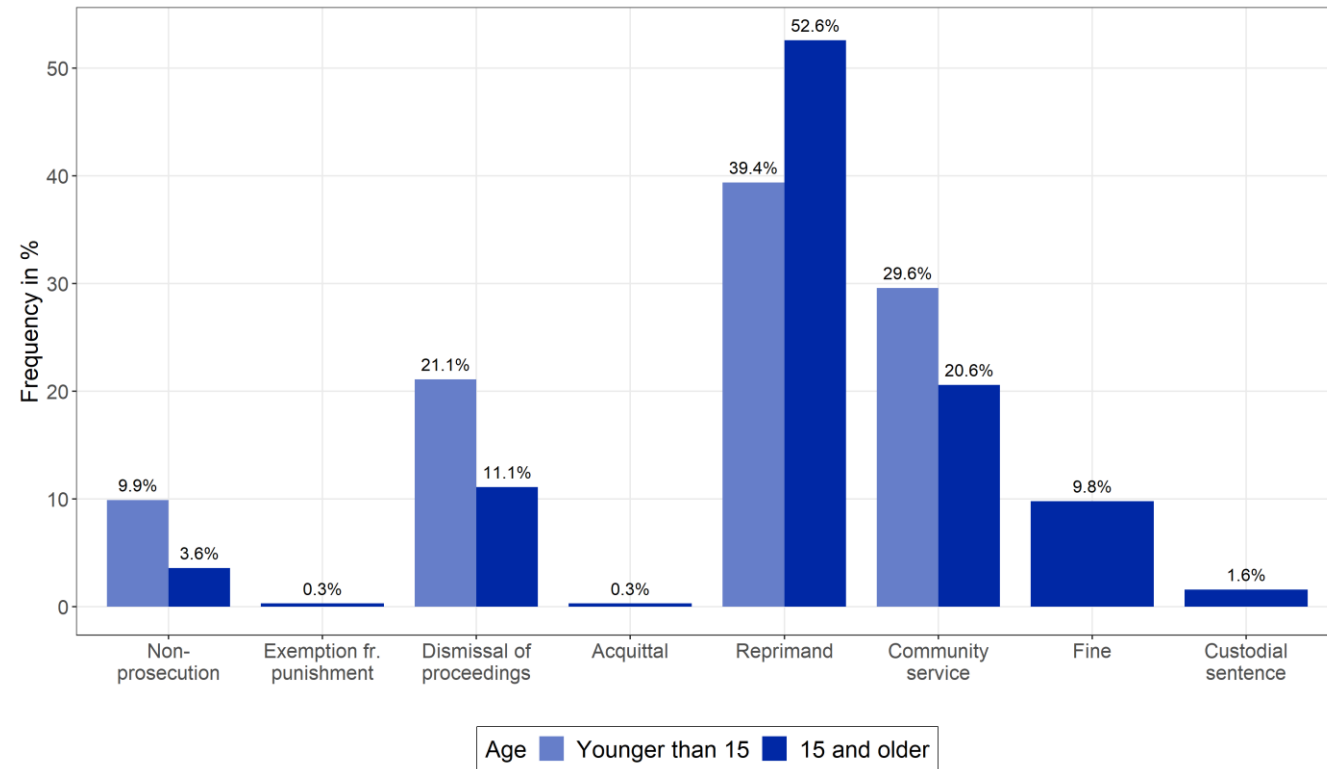
- Reprimands are the most common sanctions
- Community service is more frequently assigned than fines
- Stronger sanctions are not always more common for severe offense
- Dismissals of proceedings are frequent even in cases of serious offenses

→ What factors determine the severity of the sanction?

Sanctions and their determinants (III)

Age:

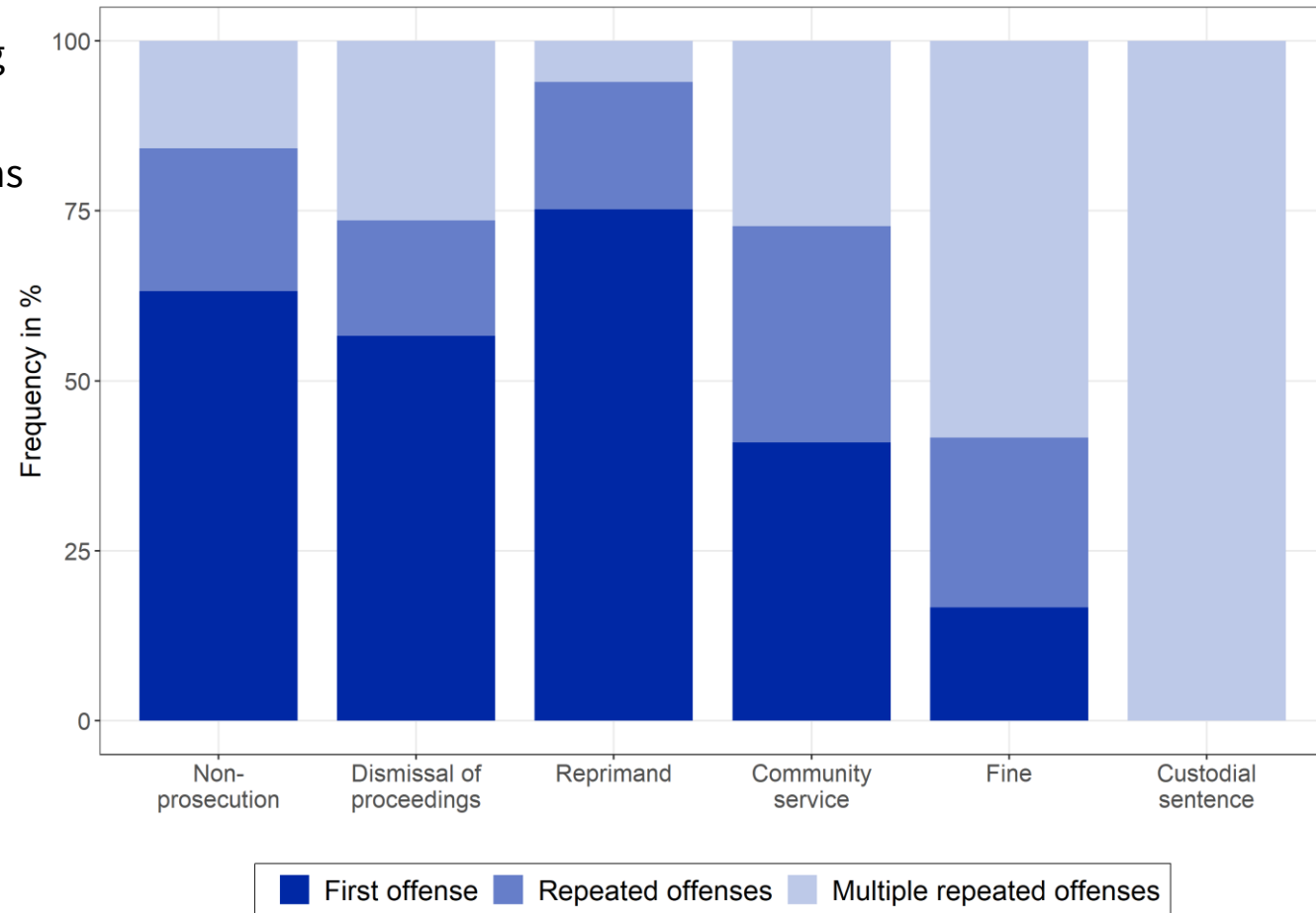
- Fines and custodial sentences are permitted only for participants aged 15 and older
- Community service and dismissals are more common among younger participants



Sanctions and their determinants (IV)

Age:

- Fines and custodial sentences are permitted only for participants aged 15 and older
 - Community service and dismissals are more common among younger participants
 - Beyond age, repeat offenses tend to receive harsher sanctions
- What other factors might influence sanctions?



Sanctions and their determinants (V)

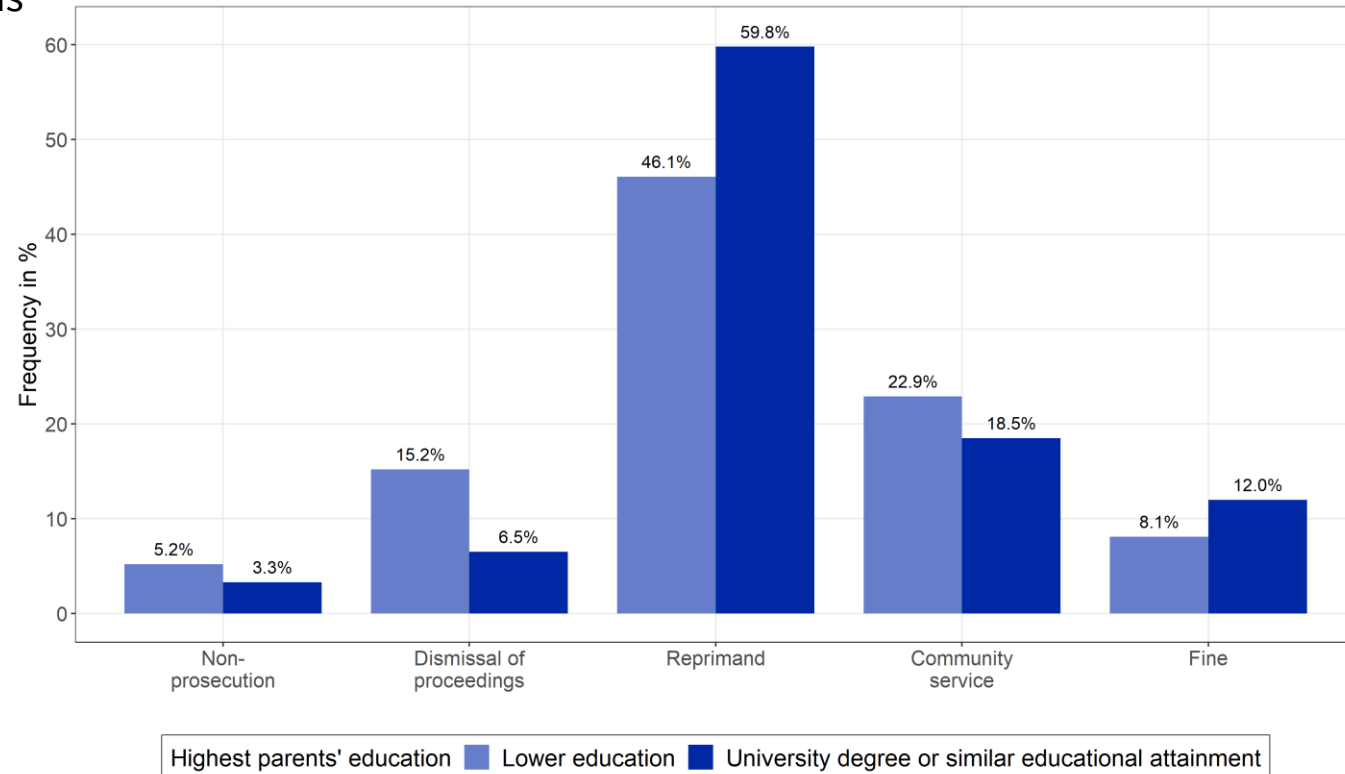
Age:

- Fines and custodial sentences are permitted only for participants aged 15 and older
- Community service and dismissals are more common among younger participants
- Beyond age, repeat offenses tend to receive harsher sanctions

→ What other factors might influence sanctions?

- Preliminary evidence suggests that sanctions may differ for children of parents with higher SES
- More reprimands, less dismissals

→ Do they simply commit less serious offenses?



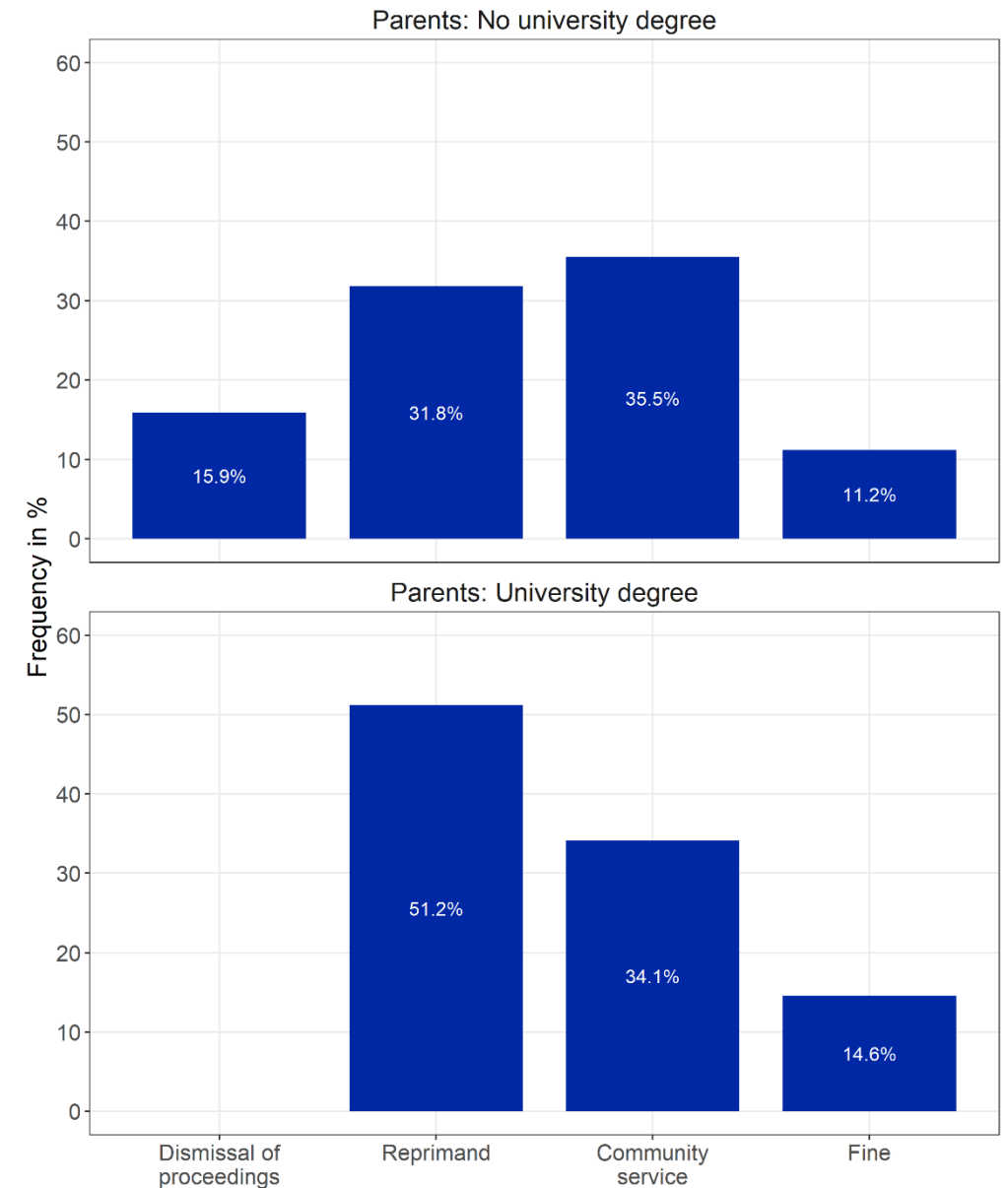
Sanctions and their determinants (VI)

Age:

- Fines and custodial sentences are permitted only for participants aged 15 and older
- Community service and dismissals are more common among younger participants
- Beyond age, repeat offenses tend to receive harsher sanctions

→ What other factors might influence sanctions?

- Preliminary evidence suggests that sanctions may differ for children of parents with higher SES
 - More reprimands, less dismissals
-
- ## → Do they simply commit less serious offenses?
- When controlling for offenses requiring hearings, reprimands are more frequent for children of high-SES parents.
 - No significant differences are observed in the frequency of community service or fines



Final remarks

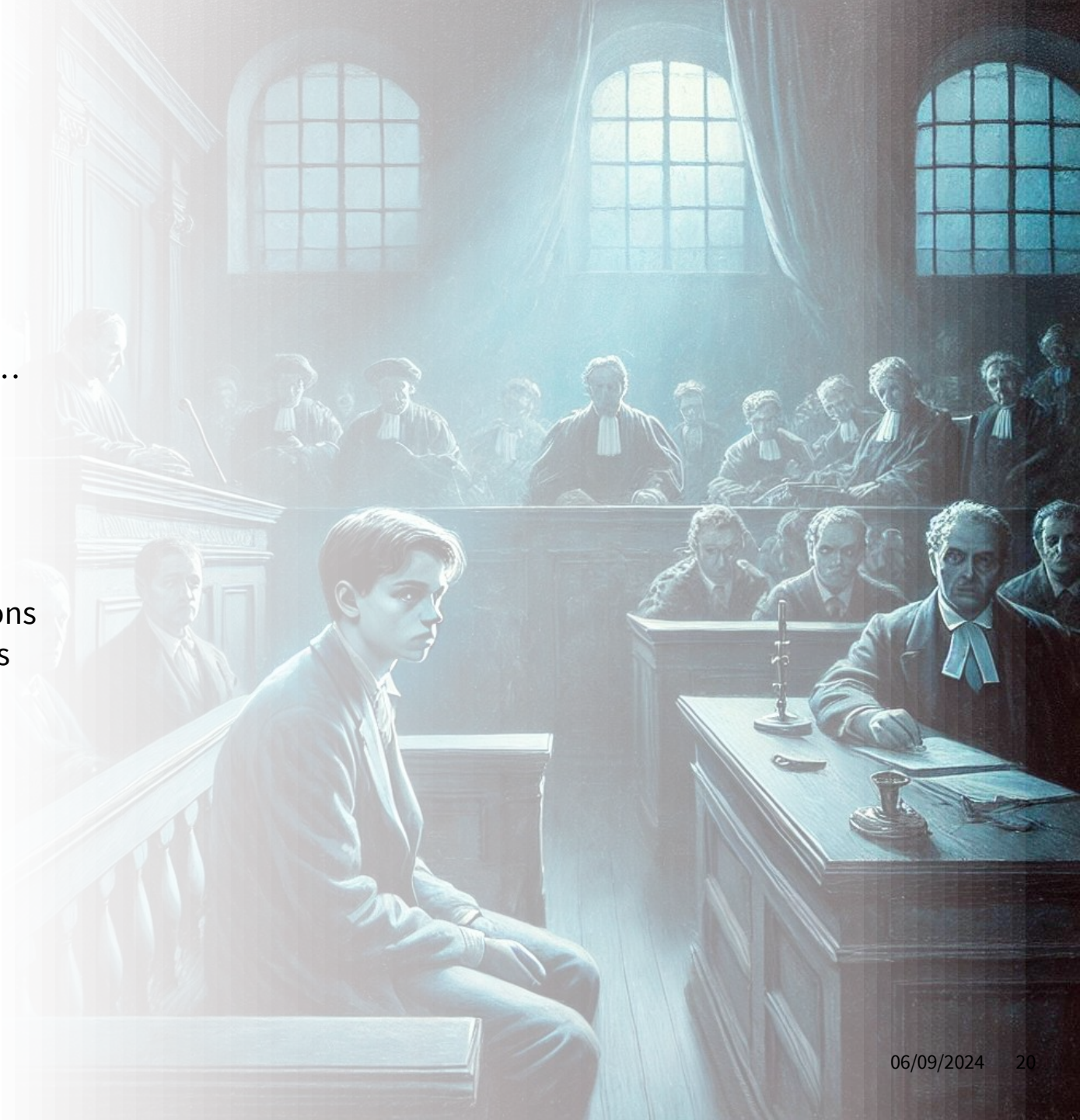
Preliminary findings:

- No clear "hotspots" for offenses in Zurich
- Minor offenses and mild sanctions are the most common
- Sanctions are influenced by the recurrence of offenses and...
- ... may also be influenced by the SES of parents

Future steps:

- Relationship between living places and offense location
- Relationship between parent's presence, status and sanctions
- Relationship between parent's presence, status and process length

Feedback / ideas?





Contact

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