

4-30-2022

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### Recommended Citation

Trang, Nguyen Thu (2022) "Juvenile delinquency: theory, reality, and reasons in Vietnam," *Indonesia Law Review*. Vol. 11: No. 2, Article 7.

DOI: 10.15742/ilrev.v11n2.6

Available at: <https://scholarhub.ui.ac.id/ilrev/vol11/iss2/7>

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# JUVENILE DELINQUENCY: THEORY, REALITY, AND REASONS IN VIETNAM

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## Article Info

Received : 12 March 2021 | Received In Revised Form : 15 June 2021 | Accepted : 19 August 2021

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## Abstract

*The article studies one of the socio-legal phenomena that are always concerned by the Vietnamese government, which is juvenile delinquency. Since the birth of criminal law, especially in the modern era, this particular subject has always been a special concern for countries. First of all, the article delves into the research community in Vietnam to understand the term and definition of crime. Since then, the author has laid out a theoretical basis for the phenomenon of juvenile delinquency in Vietnamese criminology. Like most other types of crime, juvenile crimes also have their origins in society, but they also have their characteristics, requiring appropriate policies and preventive measures. The mainly used methods are analysis and comparison of data to clarify the trend and structure of juvenile delinquency in Vietnam in recent years. Finally, to explain the movement of juvenile delinquency, the author has focused on analyzing sociological causes related to the social environment around the child. Research results show that juvenile crime in Vietnam is showing positive signs. That is primarily thanks to the State of Vietnam always focusing on developing policies, as well as updating the legal document system to regulate this issue well.*

**Keywords:** juvenile, crime, family, age, law.

## Abstrak

*Tulisan ini mempelajari salah satu fenomena sosiolegal yang selalu diperhatikan oleh Pemerintah Vietnam, yakni kenakalan remaja. Sejak lahirnya hukum pidana, khususnya di era modern, topik ini menjadi perhatian khusus bagi negara-negara. Pertama, tulisan ini mendalami komunitas penelitian di Vietnam untuk memahami istilah dan definisi dari tindak pidana. Dari situ penulis telah meletakkan dasar teoretis yang menjelaskan fenomena kenakalan remaja di kriminologi Vietnam. Seperti jenis kejahatan lain, kejahatan kenakalan remaja juga bersumber dari masyarakat, tetapi hal tersebut memiliki karakteristiknya tersendiri, yang membutuhkan kebijakan pencegahan yang tepat. Metode yang digunakan adalah analisis dan komparasi data untuk mengklarifikasi tren dan struktur dari kenakalan remaja di Vietnam belakangan ini. Akhirnya untuk menjelaskan pergerakan kenakalan remaja, penulis memfokuskan untuk menganalisis penyebab sosiologis yang berhubungan dengan lingkungan sosial dari anak. Studi menunjukkan bahwa kejahatan kenakalan remaja di Vietnam menunjukkan tanda-tanda positif. Hal ini berkat dari Pemerintah Vietnam yang berfokus dan mengembangkan kebijakan, dan selalu memperbarui sistem instrumen hukum untuk mengatur permasalahan ini.*

**Kata kunci:** kejahatan, keluarga, kenakalan remaja, usia.

## I. INTRODUCTION

Juvenile crime has always been one of the top concerns in Vietnam. This is because it is one of the special topics of criminal law in terms of age. On the other hand, young people are the future owners of the country, so their healthy physical and mental development is always something that is focused on by the whole society. Therefore,

the State of Vietnam always actively directs the completion of legal documents regulating education, prevention, and handling of juvenile offenders. In recent years, especially from 2013 to the present, Vietnam has made significant progress in perfecting legal documents related to prevention, handling, rehabilitation, and community reintegration for people under 18. Combining these new provisions of the law has shown a clear trend of reform aimed at building a comprehensive, practical, friendly under 18 justice system that can better meet the needs of under 18 years old who violate the law.

In addition to the program of activities to prevent crime among minors, the fundamental laws of Vietnam are also constantly updated and revised in the section on principles and regulations related to juveniles. Specifically, the Children's Law, the Criminal Code, the Criminal Procedure Code, and the Law on Handling of Administrative Violations have provisions for prevention, handling principles, education, and community reintegration for people under 18 years old.

The figures in the article are mainly cited from the Legal Research Report on prevention, handling, recovery, and reintegration into the community for minors who violate the law in Vietnam (2019). This is an elaborately prepared report to evaluate the legal document system related to children who violate the law, the situation of minors who violate the law, and juvenile justice practices in the period 2006-2018.

In criminology, many theories have been put forward to explain the formation and development of crime. In particular, two theories are recognized and used, and the most extensive research is psychophysiological and sociological theories. Suppose psychophysiology focuses on explaining crime by personal causes derived from the person who commits the crime itself. In that case, sociology interprets crime as a consequence of the influence of the surrounding social environment.<sup>1</sup> In this paper, the author focuses on the analysis in the direction of the second theory because the author argues that the reasons according to this theory have a more significant impact on the criminal tendencies of minors.<sup>2</sup>

## II. CONCEPT OF CRIME IN VIETNAM

There are still general views on using the terms crime and offense among law science researchers in Vietnam because, in Vietnamese, these two terms can be denoted by the word “.” Legal researchers in Vietnam have examined these two concepts in different countries.

It is possible to divide the two important expressions regarding the concept of “tội phạm” in Vietnamese criminology science. The first is that in Vietnamese, the word “tội phạm” refers to the critical concept of the whole science of criminal law and criminology. However, it is the same word, but the connotation and concept of this term in the two sciences are different.

Specifically, according to Vietnamese Professor Nguyen Ngoc Hoa, the distinction between the concept of “tội phạm” used in criminal law science and “tội phạm” used

<sup>1</sup> Andrzej Siemaszko, *Granica Tolerancji: O teoriach zachowan dewiacyjnych* [The Limit of Tolerance: On theories of deviant behavior] (Warsaw, Poland: PWN, 1993), 181-194; Paul Rock, “Sociological theories of crime,” in *The Oxford Handbook of Criminology*, Maguire, Mike, Morgan, Rod and Reiner, Robert, eds. (Oxford, United Kingdom: Oxford University Press, 2007): 3-42.

<sup>2</sup> David Zembroski, “Sociological theories of crime and delinquency,” *Journal of Human Behavior in the Social Environment* 21, no. 3 (2011): 240-254.

in criminology are needed to be understood clearly. Both of these fields of science study crime from different angles. Prof. Dr. Nguyen Ngoc Hoa also pointed out that in the languages of some countries, the same term means “tội phạm,” but in criminal law science and criminology, researchers have used different words. For example, in German, the term “Straftat” or “Delikt” is used in criminal law science to refer to a crime (criminal act), while the word “Kriminalität” is used in criminology. In French, the terms “Infraction” or “Délit” are often used in criminal law science, while the term “Criminalité” is used in criminology.<sup>3</sup>

Le Thi Son believes that “tội phạm” is both an object of research in criminal law science and a research object of criminology. However, the concept of “tội phạm” in these two scientific fields is different. While criminal law science studies “tội phạm” based on analyzing the signs (characteristics) of criminal acts (criminal legal signs of crimes), criminology studies the “tội phạm” has occurred. Furthermore, criminology studies crime as the social phenomenon of a large number of criminal acts and a large number of people committing a crime within a particular time and territory. Thus, the concept of “tội phạm” from the perspective of criminology must be understood as a social phenomenon for many people.<sup>4</sup>

Nguyen Tat Vien believes that the concept of “tội phạm” must be considered the core concept of criminology, not the concept of “tình hình tội phạm.” In all resolutions, legal documents, or national programs to prevent crime, we use the term “tội phạm” and not the term “tình hình tội phạm.” For example, Resolution No. 09/1998/NQ-CP “về tăng cường công tác phòng, chống tội phạm trong tình hình mới” (on strengthening crime prevention and combat in the new situation).<sup>5</sup> Thus, it is possible that to some extent, some people have used the two concepts “tội phạm” and “tình hình tội phạm” with the same content.

According to this first view, the word “tội phạm” is used in two sciences simultaneously, leading to two interpretations of the concept of crime in criminology. First, the “tội phạm” used in criminology is equivalent to the concept of “tội phạm” used in criminal law. Second, the “tội phạm” used in criminology is roughly defined with “tội phạm” in criminal law science and is used to refer to the state and trend of movement of the criminal phenomenon over a while and the territory. However, most researchers agree that the term “tội phạm” is used with different meanings in the two sciences mentioned above.

According to the second school, in criminology, researchers often use the phrase “tình hình tội phạm,” while the term “tội phạm” is used in criminal law science. This view is reflected in the textbooks used to teach in higher education institutions. Specifically, in the criminology textbook commonly used in Vietnam, authors such as Ly Van Quyen<sup>6</sup> and Le Nguyen Thanh<sup>7</sup> all use the term “tình hình tội phạm.”

Thus, although the use of terms in Vietnamese is not entirely uniform, in terms of content, most scientists agree that the concept of «tội phạm» in criminology has

<sup>3</sup> Tran Huu Trang, “Toạ đàm về một số thuật ngữ tội phạm học [Discussion on some criminological terms],” *Jurisprudence Journal* 7 (2009): 75-84.

<sup>4</sup> Bernd-Dieter Meier, *Kriminologie [Criminology]* (München, Germany: C.H.BECK, 2005), 5.

<sup>5</sup> Nghị quyết 09/1998/NQ-CP Về tăng cường công tác phòng chống tội phạm trong tình hình mới. [Resolution 09/1998/NQ-CP On strengthening crime prevention in the new situation.]

<sup>6</sup> Giáo trình tội phạm học. Nhà xuất bản “Công an nhân dân” [Textbook “Criminology”] (Hanoi, Vietnam: Publisher People’s Public Security, 2008), 8.

<sup>7</sup> Giáo trình tội phạm học. Nhà xuất bản “Hồng Đức-Hội luật gia Việt Nam” [Criminology Curriculum] (Ho Chi Minh, Vietnam: Publisher Hong Duc-Vietnam Lawyers Association, 2013), 15.

different connotations from the idea of “tội phạm” in criminal law science. In the criminal law science of Vietnam, the concept of “tội phạm” is understood as the signs (characteristics) of the crime described in Article 8 of the Penal Code. In criminology in Vietnam, the concept of “tội phạm” must be understood as a social phenomenon of many offenders in a specific period and location.

According to the commonly used definition in Vietnam, crime is a negative social phenomenon, contrary to criminal law, of class character and changing throughout history; it is expressed in a collection of specific crimes that have occurred in society and a certain period. Thus, the concept of a criminal situation has been defined by listing its attributes. In particular, the remarkable difference in the idea of crime used in Vietnamese criminology is the class nature of the crime situation as a social phenomenon. The class character of the criminal situation is reflected in its origin and content.<sup>8 9</sup> Vietnamese criminologists perceive crime as a class phenomenon because Marxism is the most influential ideology in Vietnam. Vietnamese criminologists believe that crime is not a phenomenon present in all human societies. Nevertheless, it was born with the emergence of private property, the division of society into antagonistic classes, with the advent of the state and the law. At that time, acts that infringed upon the ruling class's interests and infringed upon the guaranteed conditions for social domination of the ruling class were banned by the state and the criminal law of the ruling class. Considered a crime and punished. In other words, this social phenomenon only appears and exists in society and states with class division. The class nature of the crime is also reflected in its content. Each ruling class stipulates a system of measures to control such acts in the criminal law, based on the nature and degree of danger of such actions to the material and spiritual interests of their class.<sup>10</sup> Thus, determining which behavior is an offense depends on the ruling class's will in the community. Therefore, according to one ruling class of one society, the same criminal behavior may not be illegal according to another ruling class of another society.

### III. JUVENILE DELINQUENCY IN VIETNAM

First, it is necessary to understand the concept of “minor” under the Vietnamese legal system. In recent years, the term juvenile has been widely used in Vietnamese legal documents to refer to people who have not yet thoroughly enjoyed the rights and obligations of a citizen, such as The Labor Code stipulates that “A minor employee is an employee under the age of 18...”<sup>11</sup>,

Although there is no specific concept of a minor in the Vietnamese legal system, based on the provisions of the above laws, it can be understood as follows: A minor is a person under the age of 18 who has not yet fully developed physically and mentally.<sup>12</sup> According to the 2015 Penal Code, revised and supplemented in 2017, the phrase “Người chưa thành niên” (minor) is replaced by “Người dưới 18 tuổi” (person under 18 years of age).

Article 12 of the Criminal Code of the Socialist Republic of Vietnam stipulates the

<sup>8</sup> *Giáo trình tội phạm học. Nhà xuất bản “Công an nhân dân” [Textbook “Criminology”], 8.*

<sup>9</sup> *Giáo trình tội phạm học. Nhà xuất bản “Hồng Đức-Hội luật gia Việt Nam” [Criminology Curriculum], 15.*

<sup>10</sup> *Giáo trình tội phạm học. Nhà xuất bản “Công an nhân dân” [Textbook “Criminology”], 92-93.*

<sup>11</sup> Vietnam, Labor Code of 2019, art. 143.

<sup>12</sup> Pham Thi Thanh Nga and Nguyen Xuan Tinh, “Children and Minor Persons in Vietnamese Law: From The Obligation to Implement The United Nations Convention on The Rights of The Child and The Unity of The Legal System Law,” *Journal of Legislative Studies* 15 (2017).

age of criminal responsibility as follows:<sup>13</sup>

- “1. A person from 16 years of age and above shall bear criminal responsibility for every crime, except for those otherwise prescribed by this document.
2. A person from 14 years of age to below 16 years of age shall bear criminal responsibility for the murder, deliberate infliction of bodily harm upon other people, raping, raping people under 16 years of age, sexual abuse of people from 13 to under 16 years of age, robbery, kidnapping for ransom; very serious crimes and extremely serious crimes defined in the following Articles:
  - a) Article 143 (Sexual abuse); Article 150 (Human trafficking); Article 151 (Trafficking of people under 16 years of age);
  - b) Article 170 (Extortion); Article 171 (Snatching); Article 173 (Theft of property); Article 178 (Vandalism or deliberate destruction of property);
  - c) Article 248 (Illegal production of narcotic substances); Article 249 (Illegal possession of narcotic substances); Article 250 (Illegal trafficking of a narcotic substance); Article 251 (Illegal trading of narcotic substances); Article 252 (Appropriation of narcotic substances);
  - d) Article 265 (Organization of illegal racing); Article 266 (Illegal racing);
  - dd) Article 285 (Producing, dealing in tools, equipment, software programs serving illegal purposes); Article 286 (Spreading software programs harmful to computer networks, telecommunications networks, or electronic devices); Article 287 (Obstruction or disruption of computer network, telecommunications network or electronic devices); Article 289 (Illegal access to others' computer network, telecommunications network or electronic devices); Article 290 (Appropriation of property by a computer network, telecommunications network or electronic devices);
  - e) Article 299 (Terrorism); Article 303 (Destruction of works, facilities or vehicles important to national security); Article 304 (Illegal fabrication, possession, trafficking, use, trading or appropriation of military weapons or military equipment).”

Thus, juveniles who commit crimes and are subject to criminal responsibility can be:

- Persons between 14 years old and under 16 years old commit deliberate, very serious crimes, extremely serious crimes.
- Persons aged between 16 and 18 years old commit an offense specified in the Penal Code.

According to Vietnamese legal scientists, the concept of crime committed by minors can be understood in a narrow and broad sense. In a narrow sense, the term juvenile crime only includes a juvenile who has committed an offense and has been formally tried and found guilty by a Court. In a broad sense, this term refers to the juvenile's criminal situation, which is manifested through all the illegal acts that are

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<sup>13</sup> Vietnam, Criminal Code of 2015, art. 12,

dangerous to society by children committed in an area and within a certain period.<sup>14</sup>

Crimes in general and crimes committed by juveniles, in particular, are social phenomena and are affected by other social phenomena and processes. Therefore, the crime situation constantly changes from place to place and time to time.

According to data sources provided by the Supreme People's Procuracy of Vietnam, data on juveniles prosecuted are collected in six regions of Vietnam: Red River Delta, Northern Midlands, Mountainous North Central Coast and South Central Coast, Central Highlands, Southeast, and Mekong River Delta. Accordingly, in 2018, the North Central Coast and the South East Coast were the two regions with the highest number of juveniles prosecuted (with 1052 and 777 juveniles, respectively, being charged). These two regions alone account for nearly half of all juvenile prosecutions nationwide. In addition, juveniles are least likely to be prosecuted in the Northern Midlands and Mountainous, where their economic and living conditions are poorer than in the rest of the region, and poverty is considered a factor influencing the incidence of juvenile delinquency.<sup>15</sup>

In general, the cases of juveniles breaking the law have decreased gradually over the years. From 2011 to 2018, the total number of juveniles prosecuted nationwide decreased from 6785 to 4110, a decrease of 39% after seven years. This is a good sign showing progress in society and the effectiveness of changes in state policies.<sup>16</sup>

In particular, the Law on Legal Aid has extended the scope of legal aid to all children and persons under 18 years old who commit crimes from full 16 years old to under 18 years old. The Government Decree No. 37/2018/ND-CP dated March 10, 2018, detailing the implementation of measures to supervise and educate people under the age of 18 who commit crimes to be exempt from criminal liability, clearly defines the role of semiprofessional child justice officers in providing management services for persons under 18 years of age who are exempt from penal liability for education and rehabilitation in the community. The reporting and data management system for people under 18 years of age has also been strengthened by issuing Joint Circular No. 02/2013/TTLT/BLDTBXH-BC. VKSNDTC-TANDTC guides the collection, management, provision, and use of data on people under 18 years of age VPPL and Circular No. 16/2018/TT-BTP dated December 14, 2018, stipulating the reporting regime in management manage the law enforcement on the handling of administrative violations and monitor the law enforcement situation.

#### IV. STRUCTURE OF JUVENILE DELINQUENCY

The structure of crimes committed by juveniles has specific characteristics suitable to the features of the age group and the position and social role of the juvenile.

Approximately 96% of people under the age of 18 who break the law are men and first-time offenders. From 2013 to 2019, the number of people under the age of 18 who violated the law twice or more decreased. Many people under 18 commit illegal acts as accomplices with people over 18, including their parents. Nearly 21% of

<sup>14</sup> *Giáo trình tội phạm học. Nhà xuất bản "Công an nhân dân" [Textbook "Criminology"], 243.*

<sup>15</sup> Vietnam Ministry of Justice and UNICEF, Analysis Report: The Child Justice Legal Framework and Situation of Minors in Conflict with the Law in Vietnam, 2019, 40.

<sup>16</sup> *Ibid.*

people under 18 years of age prosecuted have unfavorable family circumstances such as having a parent who has been imprisoned or is incarcerated, re-educated, divorced parents, or even having no parent.<sup>17</sup>

Regarding the structure of crimes, there are four types of offenses committed by juveniles in the period 2011-2015 according to statistics of the Supreme People's Procuracy of Vietnam, which are: theft (always 30-40%), intentionally causing injury (15-19%), robbery (10-15%), and snatching (5-9%). These four crimes alone accounted for approximately 70% of crimes committed by juveniles during this period. Thus, it can be seen that the majority of crimes committed by minors under Vietnam's criminal law are crimes of property infringement with appropriation nature with self-seeking motives.<sup>18</sup>

According to the gender structure and the situation of most countries in the world, the high proportion of juvenile offenders is always boys. Vietnam has the same situation, from 2009 to 2018, the number of boys breaking the law ranged from 6,500 to approximately 14,000, and always accounted for 95% of the total number of juveniles breaking the law. The number of girls who violate the law always accounts for a small proportion, only approximately 500 children per year or even less.<sup>19</sup>

When collecting data on juveniles who violate the law, the Ministry of Public Security divided this group into three age groups: under 14 years old, from 14 to under 16 years old, and from 16 to under 18 years old. Such a division has several bases as follows: (1) Persons under the age of 14 are not yet criminally responsible, but only administratively responsible, (2) Juveniles aged 14-16 are only liable for certain crimes as prescribed in article 12 of the 2015 Vietnam Penal Code, (3) A person from 16 years of age and above shall bear criminal responsibility for every crime, except for those otherwise prescribed by Criminal code 2015 of Vietnam. In particular, children under the age of 14 rarely violate the law. The most common age of violation is between 16-18 years old. This is because they have had a much better physical development at this age, but they are at an age with complex psychological processes. From 2006 to 2018, the percentage of children of this age who broke the law always accounted for over 50%. Therefore, in the total number of cases where the decision to prosecute has been made, the defendants are minors, and most of the defendants are between the ages of 16 and under 18 years old.<sup>20</sup>

About 96% of people under the age of 18 who break the law are boys and first-time offenders. From 2013 to 2019, the number of people under the age of 18 who broke the law twice or more decreased. Many people under the age of 18 commit illegal acts as accomplices with people over 18, including their parents. Nearly 21% of people under 18 years of age who are prosecuted have unfavorable family circumstances, such as having a parent who has been imprisoned or is incarcerated, re-education, divorced parents, no parent, or homeless.<sup>21</sup>

<sup>17</sup> Nguyen Thanh Binh and Hoang Manh Thang, "Situation of people under 18 years old breaking the law in the current period and some advanced solutions," *People's Police Journal* (2020). <http://csnd.vn/Home/Nghien-cuu-Trao-doi/6685/Tinh-hinh-nguoi-duoi-18-tuoi-vi-pham-phap-luat-trong-giai-doan-hien-nay-va-mot-so-giai-phap-nang-cao>

<sup>18</sup> Vietnam Ministry of Justice and UNICEF, Analysis Report: The Child Justice Legal Framework, 65.

<sup>19</sup> Ibid., p. 69

<sup>20</sup> Ibid., p. 71

<sup>21</sup> Nguyễn Thanh Bình, Hoàng Mạnh Thắng, Khoa Cảnh sát hình sự - Học viện CSND. Tình hình người dưới 18 tuổi vi phạm pháp luật trong giai đoạn hiện nay và một số giải pháp nâng cao, Tạp chí Cảnh sát nhân dân, 2020 <http://csnd.vn/Home/Nghien-cuu-Trao-doi/6685/Tinh-hinh-nguoi-duoi-18-tuoi-vi-pham-phap-luat-trong-giai-doan-hien-nay-va-mot-so-giai-phap-nang-cao>



The above data show that most crimes committed by juveniles are simple, opportunistic crimes that do not have specific and detailed plans before taking action. Juvenile criminal motives are mainly self-interest or hatred, sometimes hyperactivity. After committing the crime, the subject of the crime often has no sense of concealment or tricks to distract the investigative agency.

However, in recent years, the nature of crimes committed by juveniles has become more dangerous, primarily reflected in the rapidly increasing trend of the rapid increase in the number of children who commit crimes that use violence and are open to the public, causing great harm to society. Crimes are committed not from the impulsiveness of youth but with preparation, using more sophisticated tricks, with a clear motive and purpose.

Another striking feature of the crime situation among juveniles is the group nature. Juveniles commit crimes in groups, even in organized gangs. The fact that juveniles gather in gangs to commit crimes is entirely consistent with this age group's physical and psychological characteristics. Children often unite to create strength, especially with the help of weapons, to commit crimes easily and achieve criminal results. However, most juvenile crime groups and gangs are simple accomplices, i.e., all members are practitioners. Only a tiny percentage is an organized crime; in these cases, the leader, leader, and organization are usually adults. The majority of juvenile accomplices are in large cities, especially in Hanoi and Ho Chi Minh City.<sup>22</sup>

In the past, juvenile crime was concentrated mainly in the afternoon and evening, especially on Saturdays, Sundays, New Year's Day, and summer holidays (when they don't have to go to school). It is worth noting that in recent years, the timing of juvenile delinquency has no longer been focused on one time of day but can happen at any time of the day. The reason is that juvenile delinquents are becoming more and more daring.

## V. CAUSES OF JUVENILE DELINQUENCY IN VIETNAM

People between the ages of 14 and under 18 are particular subjects of criminal offenses. Because of that, the causes of the crime of this group of subjects are somewhat different from other subjects, especially regarding their identity. The most mentioned reason is family circumstances. Many studies in the world show a close correlation between family structure and juvenile crime, and Vietnam is not an exception.<sup>23</sup> Specifically, children who grow up in families with difficult economic circumstances, broken families, only raised by one parent, often witness parents quarreling, or having family members who commit crimes are more likely to commit crimes than their peers. Under the age of 18 is the generation that is shaping the personality and is easily influenced, so the caregivers and family members are the people who have the most significant influence on the children at this age. The deviant lifestyle

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<sup>22</sup> Dang Thanh Nga and Truong Quang Vinh, *Người chưa thành niên phạm tội – Đặc điểm tâm lý và chính sách xử lý, Nhà xuất bản Tư Pháp [Juvenile offenders – Psychological characteristics and handling policies]* (Hanoi, Vietnam: Judiciary, 2011)

<sup>23</sup> Wendy D. Manning and Kathleen A. Lamb, "Adolescent Well-Being in Cohabiting, Married, and Single-Parent Families," *Journal of Marriage and Family* 65 (2003): 876–893; Robert M. O'Brien and Jean Stockard, "The Cohort-Size Sample-Size Conundrum: An Empirical Analysis and Assessment Using Homicide Arrest Data from 1960 to 1999," *Journal of Quantitative Criminology* (2003); Stephen Demuth and Susan L. Brown, "Family Structure, Family Processes, and Adolescent Delinquency: The Significance of Parental Absence versus Parental Gender," *Journal of Research in Crime and Delinquency* (2004).

of parents, brothers and sisters, and family members will obviously become a bad example for young children. In recent years, the trend of divorce and single parents in Vietnamese society is becoming increasingly popular, which also has a significant impact on children's psychology.

In many cases, minors violate the law because they have not received adequate attention from their families. This lack of interest may stem from objective reasons. Parents often have to go to work, under much pressure from work, so they do not have time to care for their children. However, many parents are irresponsible to the family, and indifferent to their children. Because they do not pay due attention to their children, parents have not been able to grasp the children's psychology, as well as not recognize bad expressions to correct them in time.

In addition, the parenting method of children also has a significant impact on their behavior. Because the level and awareness of parents in different families are not the same, their parenting methods are also different. Some parents choose overly rigorous education methods, which in general create psychological pressure that makes it difficult for children to open up to their parents and easily seduced by other adults outside of society. In many cases, the excessive strictness of parents is the psychological lever that causes children to commit crimes. In contrast, there are parents who, because they love and pamper their children too much, tend to defend and tolerate their children's mistakes. Nevertheless, they also inadvertently create an environment for the development of juvenile criminals. Therefore, it can be said that parents not only need to care about their children's health but are also the ones who have the most significant impact on their children's behavior.

The second group of causes that Vietnamese criminologists often refer to when talking about juvenile delinquency belongs to the school environment. Along with the family environment, the school is the second most important factor in shaping a child's personality and perception.<sup>24</sup> Currently, there are still students dropping out of school and joining criminal groups and gangs, which is caused by some teachers with limited qualifications. In addition, teaching methods that are not accessible to students also make them uninterested in learning.<sup>25</sup> In addition, sometimes the organization and management of students in some schools are still not good. This work requires close coordination between the family and the school to understand the family situation and the students' psycho-physiological characteristics, from which to take appropriate and timely measures to apply to the student.<sup>26</sup> The loose management of the school makes it easy for students to be dragged by negative individuals and phenomena outside of society.

## VI. CONCLUSION

Research and data analysis show that although juvenile crime is still a socio-legal phenomenon that needs special attention in recent years, the number of juvenile offenders has a downward trend. Reforms in policies and legal documents have partly

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<sup>24</sup> Peter E. Leone, Christine A. Christle, C. Michael Nelson, et.al., *School Failure, Race, And Disability: Promoting Positive Outcomes, Decreasing Vulnerability For Involvement With The Juvenile Delinquency System* The National Center on Education, Disability and Juvenile Justice, United States, 2003.

<sup>25</sup> Kristin C. Thompson and Richard J. Morris, *Juvenile Delinquency and Disability* (Switzerland: Springer, 2016), 31-39.

<sup>26</sup> Christopher A. Mallett and Miyuki Fukushima Tedor, *Juvenile delinquency: Pathways and prevention* (Thousand Oaks, United States: Sage Publications, 2018).

effectively prevented and dealt with juvenile offenders. In Vietnam, legal awareness education for young people is increasingly strongly promoted with the cooperation of organizations and agencies. However, in practice, there are still some limitations; for example, juvenile adjudication still has shortcomings, and some provisions in legal documents are still unclear, causing difficulties in the application process.

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