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The Influential Factors of Young Offender's Delinquencies

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Abstract

This study is to explore young offender's perceptions of the role of community service order programs. This study used a qualitative approach. To explore the issues, the researcher chose a case study design. A total of 6 study respondents underwent PKM (Community Service Order) and during that period they were known as trainees. Through this study, the researcher used the interview method to collect data and the method was chosen because it coincided with this study. Overall, the six trainees in this study were involved in various criminal behaviors as described above due to personal negligence, family conflict, loss of self-control, failure to obey the law, differences in affection and peer influence. The six trainees have been convicted criminal offenses and sentenced to PKM by the Court but no imprisonment. However, they are re-socialized through PKM in the formation of behavior throughout the PKM period.

Keywords: Delinquencies, Influential Factors, Young Offenders

Introduction,

The Ministry of Women, Family and Community Development (KPWK) is one of the ministries or institutions that have the role of formulating policies to reduce youth engaging in criminal behavior in residential areas, public areas, government agencies including the PKMD. Indeed, many policies, circulars, regulations and programs have been implemented since the establishment of KPWK until today with the aim of reducing criminal behavior among teenagers. Awang (2018) has found that in the past, only a small number of teenagers were involved in serious criminal cases. However, criminal behavior involving teenagers has not shown a decrease in the number of cases as desired by various parties but still continues to this day and it creates an alarming crime tragedy. The issue of sexual crimes has been reported to occur among teenagers (Nurzatil et al., 2015). What is even more worrying is the issue of sexual crimes involving the moral collapse of teenagers such as rape, adultery, dumping babies and the birth of children out of wedlock. The statement can be supported through statistics released by the Royal Malaysian Police (PDRM) in 2013 as many as 7,816 cases were recorded compared to only 3,700 cases in 2012 which involved an increase of 4,116 cases including sexual crimes such as rape and sodomy (Haja et al., 2016). If in residential areas, public areas, government agencies including the concerned PKMD should

be a place for re-socialization of PMs of various ethnicities and the most important location to avoid crime, showing suspicion and insecurity. Therefore, the situation is of great concern to various parties such as mothers, fathers, community leaders, local and national leaders. If teenagers can't behave well, how can the issue of sexual crimes involving moral decay be curbed or reduced by local and national leaders.

Following the issues mentioned above, the government has allocated a lot of expenditure through the Management Budget (ABM) to implement programs to shape the behavior of trainees at the level of JKM Malaysia, Putrajaya, State JKM and PKMD. One of them is PKM which was introduced in 2007 through the amendment of Section 293 (1)(e)(i) of the Criminal Procedure Code Act (Amendment 2006). Therefore, PKM was implemented in Malaysia on January 1, 2008 (Norazla et al., 2015). In the context of the State of Malaysia, PKM is implemented specifically for teenagers involved in criminal behavior as a substitute punishment and to reduce the number of prisoners in prison. The statement was previously voiced by Samuri and Noor (2009) that the implementation of PKM in a country can reduce the number of prisoners in prison and reduce ABM every year borne by the government. However, the efforts of the KPWKM did not produce the desired results, in fact the criminal issues as discussed above continue to be rampant from time to time until today.

The fact that should be accepted is that every offender of various ethnicities and criminal behavior will also have different views on the PKM program that has been followed. Study by Samuri (2012) found and opined that PKM is important because it can contribute to the construction of the legal framework of PKM against offenders who are in conflict with the law in Malaysia. The difference in views causes frequent misunderstandings among trainees, especially when asked what the meaning of PKM is (Cywinska, 2010). Accordingly, PKMD as a social institution acts as an agent of re-socialization of trainees. Therefore, PKM through PKM programs at PKMD should be seen as a way of re-socializing trainees by educating them on social values in the process of shaping their behavior. For example, rehabilitating offenders by depriving them of their free time to perform community work at the concerned PKMD. Rahman et al (2021) have previously argued that PMs carrying out community works are expected to restore them.

Based on the issue of criminal behavior involving teenagers, it should be studied and the location of the study should be focused on the PKMD because trainees have been involved in criminal behavior, convicted by the Court and sentenced to PKM. Although there are previous studies on PKM or criminal behavior involving teenagers or PMs, these studies used different research approaches, different respondents, locations that did not involve PKMD and the causes of crime are different. As a result, the following are the study's objectives:

- to explore young offender's perceptions of the role of community service order programs.

Literature Review

Norazla et al (2015) had produced an article entitled 'Determination of Credit Hours as an Alternative Punishment for Young Offenders in Malaysia'. The article is to analyze one of the issues related to the implementation of PKM, which is the determination of credit hours when PKM punishment is imposed on the PM as an alternative punishment. Norazla et al (2015) found that based on the rules, the Court is the party responsible for determining the duration

and aggregate number of hours for the PM. Therefore, according to Section 293(1)(e)(i) of the Criminal Procedure Code Act (Amendment, 1999) has allocated the time period for PM to undergo PKM is up to 240 credit hours. According to Norazla et al (2014), The maximum number of credit hours for PKM implementation is 240 hours but the minimum number of implementation hours is not specified in the provision. Norazla et al (2014) found, it is significant in drafting a complete guideline related to the implementation of PKM to the PM to be used as a reference by agencies implementing PKM orders in all Courts, JKM Malaysia, Putrajaya, all State JKM and all PKMD in Malaysia.

Samuri (2012), found that PKM is subject to the PM implementing and attending PKM programs according to the period and aggregate hours set. Samuri (2012) found that the Court imposes a specific period for each PM to implement PKM by stating the frequency in a week until the end of the PKM period. However, the framework in determining the period of PKM (hours or days) varies according to the jurisdiction of the Court. The court determines the sentence of PMC, usually has flexibility in terms of its discretion in determining the period according to the form and type of criminal offense that the PM committed. However, Samuri (2012) emphasizes the legal framework in transferring PKM as a process of re-socialization of PM through PKM in the formation of behavior in the concerned PKMD.

Research Objective

This study is to review the level of analysis of the needs to design and develop an Active Teaching and Learning Activity Manual (MaPdPA) for the application of elements of students' soft skills in the sixth form curriculum.

Research Methodology

This study used a qualitative approach. According to Lebar (2015: 73), researchers use a qualitative approach "to explore the behavior, perspective, feelings and experiences of people and what is found in their lives". For the purposes of this study, the researcher himself acted as a data collector and is the main instrument to conduct in-depth research on each data obtained using a qualitative approach.

To explore the issues of this study, the researcher chose a case study design. Indeed, the case study design is a research design that is considered more appropriate to be used by the researcher in this study. This is because, as stated by sociological figures, case studies are able to help researchers understand the issue of this study in depth. According to Yin (2003), case studies are one of the qualitative research designs that investigate current phenomena in "the context of real life in depth and comprehensively" (Cubukcu, 2012: 1,529).

This study used a qualitative approach, where the data collection method employed by the researcher was an interview with six trainees in the state of Perak. The researcher used the content analysis method to analyze the data and the method was chosen because it coincided with this study where documents such as verbal or recording were used for analysis.

Findings

A cause is something that triggers an event, whether good or bad. In this context of study, the cause of crime among trainees is due to loose social bonds with each other. Based on the analysis of the data, the study can be categorized into aspects of personal negligence, family

conflict, personal factors, failure to comply with the law, loss of self-control and the influence of friends until being arrested by the police, remanded and convicted by the Court. Here are the details of the findings.

Self Negligence

Indeed, there is a cause of crime among the trainees at PKMD 2. The cause occurred regardless of time and place due to personal negligence when the trainee made the purchase of the motorcycle he owned. The following are detailed findings of the study of criminal incidents caused by the negligence of the trainees themselves. In addition, trainees with low self-esteem are influenced by motorcycle sellers who offered reasonable motorcycle prices. Abu stated.

"I have a Yamaha Legenda 115 ZR motorcycle with a fake registration number, AHG 6096, which was purchased through the previous owner, Mr. Hisyam. The motorcycle was purchased worth RM1,200.00 to be used during Hari Raya Aidil Fitri 2016 but did not know that the registration number was fake. This incident happened because of my own negligence without further discussion with my parents".

(Abu, interviewed on 23 February 2017, (Abu p. 26-32))

Abu was confused about owning a motorcycle and taking a simple attitude in dealing with buying and selling motorcycles without examining the purchase and sale documents such as grants and road tax of the motorcycle. A vehicle grant is an important document that contains complete details of each motorcycle purchased or sold and the legal owner of the motorcycle.

Family Conflict

It was also found that the results of the study resulted from the trainees engaging in criminal behavior due to family conflicts. Trainees are not allowed to borrow the family's motorbike even if it was bought by their father. The respondent's brother, on the other hand, failed to play a role as a role model and was not tolerant. According to Bakar.

"There was a fight between the brothers. On July 21st, 2016, I wanted to borrow a Honda EX5 motorcycle (bought by my father for the use of my siblings) because I wanted to go to the store to buy a mobile phone top-up. The incident happened at our house at around 10.00 pm. My brother did not allow me to borrow the motorcycle".

(Bakar, interviewed on 22 February 2017, (Bakar p. 32-37))

The results of the interview explained how there was an argument between the respondent and his brother. According to Bakar.

"I have made threats to cause injuries and damage property using fire by uttering the words 'you bako moto deme, mampuih deme you work deme'. I addressed those words to Mohammad Yusri bin Mohd Yusoff who is my own eldest brother. I tried to pry into the motorcycle's headlight to disconnect the wire in order to start

the motorcycle's engine. Suddenly my brother came out of his room towards me and an argument erupted".

(Bakar, interviewed on 22 February 2017, (Bakar p. 23-31))

Bakar and his brother lost their mother a few years ago and have an elderly father. The researcher made a comment regarding the siblings fight between Bakar and his brother that took place in their own home without regard for the next-door neighbors and other siblings. Fights occurred as a result of family conflicts and loose family ties in Bakar's family.

Losing Self Control

Another respondent also stated that the reason he was sentenced to PKM was due to the factor of losing self-control. Earlier, there was a verbal war between the respondent and the victim and also the victim's mother (respondent's sister) while waiting for the time to break the fast with family and relatives. Trainees have family spirit and love for each other and it can be emulated. For example, eating together as a family is a good practice in a family institution and should be used as a practice in everyday life. The following is the experience of the trainee, namely Comel, who was told during the interview.

"I have threatened to hit a cousin named Syhadah Binti Harun located at my grandfather's house, Kampung Plang Krunai, District 6. The incident happened at night at approximately 7.00 pm when I was about to break my fast in July 2016. It was caused by the factor of losing control because I made a rebuke to Syhadah because she did not want to break her fast with his family. There was a war of words involving my sister's mother, Syhadah's mother. The incident happened at my grandfather's house (on my father's side) in Kampung Plang Krunai, District 6. Syhadah, her mother and younger sister were angry and immediately filed a report at the Police Station, District 6".

(Comel, interviewed on 16 February 2017, (Comel p. 33-45))

Failure to Comply with the Law

Based on the research data, it was found that trainees were involved in criminal behavior that was intentional and was also categorized as negligent for not complying with traffic laws. The situation reflects that the trainee was willing to face any risk as a result of his choice because he did not think long in making a choice. For example, a trainee rode his own motorcycle recklessly and endangers himself and the public. Through excerpts from an interview with a trainee, he tried to escape from a roadblock that at that time involving the police forces and RELA. According to Deman.

"While I was on my way, a group of Motor Gang came from the back which had been surrounded by police and RELA armed with guns and coats. I am very worried because I do not have a driver's license. I did not think long and looked for a way to escape. I was able to escape the first and second roadblocks. I failed to clear myself during the third roadblock".

(Deman, interviewed on 18 April 2017, (Deman p. 44-50))

Deman further explained the effect of negligence on his choice, that is, failing to comply with traffic laws to the point of damaging himself. Deman explained again.

"Unfortunately, I didn't succeed because I was hit by a member of RELA using a cota and hit me on the nose. I fell off my motorcycle but my motorcycle was not damaged. My face was covered in blood and it hurt a lot, especially my nose. My mouth is also bleeding".

(Deman, interviewed 18 April 2017, (Deman p. 57-61))

Differences in Love

The difference in love received by the trainee from his father produced a negative effect on the trainee. The situation had encouraged trainees to take unexpected actions and violate community norms. According to Eman.

"Father gives love differently among us siblings. That's why one of the reasons I smoked ICE drugs before but didn't bother my mother, father and other people. I have been working picking palm fruit just to earn money to buy drugs.

(Eman, interviewed on March 9, 2017, (Eman p. 172-177))

"Now, I am involved in a crime and have been convicted of a crime and sentenced to PKM by the Court".

(Eman, interviewed on March 9, 2017, (Eman p. 177-179))

Gang crime is not only driven by gang members but also driven by lack of love from a father. In this regard, respondents felt more committed to group members than committed to their own parents. The situation made the respondent's parents unable to control his behavior. According to Eman.

"On 10 November 2015, at around 10.00pm I was playing snooker at the Snooker Centre, District (K) 4, Perak near my house. On the same day at approximately 11.30 pm, Muhammad Firdaus (21 years old) invited me over the phone to go out for a drink at one of the nearby mamak shops. Upon arrival at the mamak shop, Muhammad Firdaus introduced me to Muhammad Fikri (27 years old). While we were drinking, Firdaus talked and asked me to participate in stealing a red Dinamik Modenas motorcycle with registration number PMA 8522 in front of Kedai Fitri Tomyan, Jalan Menteri, District (K) 4".

(Eman, interview 9 March 2017, (Eman p.34-45))

In the family institution, parents or guardians are the most important agents of socialization. However, in the life of today's trainee world, group members are agents of socialization that influence each other, especially in criminal behavior. According to Eman again.

"I was informed by Firdaus that they had inspected the location of Kedai Fitri Tomyam, District 4 and felt safe stealing the motorcycle. I agreed to the invitation without thinking twice".

(Eman, interviewed on March 9, 2017, (Eman p. 49-52))

Peer Influence

Apart from criminal offenses due to differences in affection, the results of the interview also found that there were trainees who were influenced by their peers to commit crimes. Fiq in an interview stated the reason for his involvement.

"I race illegally using my motorcycle on the road, caused by the influence of peers of approximately 13 people. The incident occurred on November 13th, 2016 at approximately 3.00 am located around R & R BORR Bagan Ajam, Seberang Perai. I ride a gray Kawasaki RR motorcycle registration number BLL 537 recklessly, endangering myself, the group and the public".

(Fiq, interviewed on 14 February 2017, (Fiq p. 17-25))

The road laws that have been passed in the Malaysian Parliament can reduce road accidents if drivers practice prudent driving. However, the respondent is negligent in obeying the traffic laws and deserves to be punished. According to Fiq.

"I ride a motorcycle while bending my body and that action endangers myself and the public".

(Fiq, interviewed on 14 February 2017, Fiq p. 26-27)

Conclusion: Overall, the reasons why respondents engage in criminal behavior are different from one trainee to another. In the context of this study, the causes of trainees engaging in criminal behavior are due to personal negligence, family conflict, personal factors, failure to comply with the law, loss of self-control and the influence of friends. Therefore, it was found that the trainee was indeed involved in criminal behavior until he was convicted of a criminal offense and sentenced to PKM.

Discussion of Study Findings

Based on the results of the analysis in this study, it is found that the cause is the main element causing respondents to engage in criminal behavior and was acknowledged by each respondent during the interview. The statement can be seen in terms of the first aspect of the respondent engaging in criminal behavior due to his own negligence since he owned a Yamaha Legend 115 ZT type motorcycle with a false registration number. The trainee failed to give evidence to the police due to his negligence until he was sentenced to PKM by the Court. This is in line with the findings of Nurzatil et al (2015) that many studies presented and clearly prove that carelessness is one of the causes of teenagers engaging in criminal behavior.

The second aspect found was the factor of family conflict occurred between the respondent and his own brother. Family conflicts occur due to misunderstandings between siblings which lead to fights. The findings of this study are in line with the research done by Mohamad and Ishak (2014) who found that the failure of family institutions due to the failure of parents in educating their children towards a superior livelihood which eventually will plunge the child towards an unhealthy social life. However, there are researchers who disagree with the findings of this study and deny that background is not an important factor in respondents being involved in social problems. A previous study was conducted by Sharif and Norazmah (2011) on "Factors that Influence Teenagers Involved in Social Problems at Tunas Bakti School, Sungai Lereh, Melaka", wanting to identify the factors that influence

teenagers involved in social problems. Sharif et al (2011) was able to prove his findings that family background is not an important factor in respondents being involved in social problems. However, the internal conflict of the trainees is one of the causes of misunderstandings in families, especially family relationships between siblings. According to Jusoh (2011), places of residence often involve criminal behavior involving teenagers. He was able to prove his findings that family background is not an important factor in respondents being involved in social problems. However, the internal conflict of trainees is one of the causes of misunderstandings in families, especially family relationships between siblings

The third aspect in this study arose from the factor of losing self-control. The respondent threatened to hit his female cousin when he was about to break his fast. The findings of this study are in line with the findings of Sharif et al (2011), the factor of loss of self-control affects teenagers involved in social symptoms compared to the influence of peers and environmental problems. Naturally, the factor of losing self-control has a relationship with the individual's attitude in every behavior. Therefore, the findings of this study are in line with the opinion of Brandt and Wetherell (2012) that attitude is the willingness of the soul to act or react through a certain way such as engaging in criminal behavior.

As for the fourth aspect, the respondent failed to comply with the road laws. The respondent did not have a driver's license while riding his own motorcycle recklessly to the point of endangering himself, the security forces and the public. The respondent's failure to comply with the traffic laws symbolized the respondent's rebellion until they were convicted of a crime and sentenced to PKM. The opinion of Zanariah et al (2016) stated that teenagers are considered to be rebellious and disobey the law to the point of falling into criminal offences. In the context of this study, Deman failed to comply with the traffic laws causing him to be convicted of a criminal offense and sentenced to PKM.

The fifth aspect, the difference between the love of a father and the encouragement of a friend. The respondent was distinguished by the love of his father and being encouraged by his friends is the reason why he took part in stealing a Dinamik Modenas motorcycle with registration number PMA 8522. The findings of this study are aligned with the study done by Mohamad et al (2014) who found that motivation towards social symptoms is a strong impetus to negative behavior in teenagers and the worst is that free sex such as rape and adultery is common among Muslim teenagers. In the context of this study, Eman got the difference of love and the encouragement of his friends as the reason why he took part in stealing a motorcycle and selling the motorcycle's components. The implication is that Eman was found guilty and sentenced to PKM.

Sixth aspect, the respondent was influenced by his peers to ride a Kawasaki RR type motorcycle with registration number BLL 537 recklessly, endangering himself, the group and others. The influence of peers is shown to be more influential on respondents committing criminal behavior to the point of being convicted of a crime. Awang's (2018) study has similarities with this study because Fiq was influenced by his peers to ride motorcycles recklessly and endangered himself, the group and the public. A study by Alif Jasni et al., (2018) also stated that one of the causes of crime among teenagers is the influence of peers.

Conclusion

Overall, the six trainees in this study were involved in various criminal behaviors as described above due to personal negligence, family conflict, loss of self-control, failure to obey the law, differences in affection and peer influence. The six trainees have been convicted of criminal offenses and sentenced to PKM by the Court but no imprisonment. However, they are re-socialized through PKM in the formation of behavior throughout the PKM period. However, studies carried out by Fariza (2018); Awang (2018); Nurzatil et al (2015) where their study does not conceptualize resocialization. Knowing the factors that contribute to delinquent behaviour among teenagers allows the parties involved to play a role in reducing the problem by taking these factors into account. This is because teenagers are the future generation's heirs, and they must be cared for and educated to produce good behaviour.

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