

## ARE EXISTING PENALTIES ENOUGH TO DETER YOUTH CRIME IN MALAYSIA?

Lee Bee Phang<sup>1</sup> & Rajah Rasiah<sup>2</sup>

### ABSTRACT

*Matters related to young people that conflict with the law are always challenging and debatable as youth participation in criminal activities are a function of social forces rather than self-conviction. Some argue that convicting children in conflict with the law should be a measure of last resort. However, others argue that children must be held accountable and responsible for deviant behaviour. Youth participation in criminal activities in Malaysia, especially in violent crime, has risen. Hence, this paper attempts to answer the question of whether adult-type criminal convictions can check the recent surge in violent crimes committed by the youth by analyzing the juvenile criminal system in Malaysia. Our findings show that the punishment system in Juvenile Justice System is commensurate with the intensity of crime committed by youths without any gender bias. We then propose further research to explain why the existing penalty system in Malaysia has not served as a strong deterrent.*

**Keywords:** *punishment, intensity of crime, Juvenile Criminal Justice, Malaysia.*

### INTRODUCTION

This article examines the punishment system of Malaysia's Juvenile Justice System in an attempt to assess its capacity to deter youth crime. The Court for Children was set up with the aim to nurture, protect and discourage children from indulging in criminal activities and not primarily for prosecution and punishment. However, it is discernible that this idealistic vision will be difficult to reconcile owing to the nature of youth offenders who commit grave crimes that warrant adult criminal sanctions.

Adult involvement in criminal activities is generally believed to be driven by self-conviction and desire compared to juveniles and youths who are considered to be driven by social forces (Fagan, Forst, and Vivona, 1987). However, some analysts

---

<sup>1</sup> DCP Dato' Dr. Lee Bee Phang is currently the Chief Executive Officer of Institute of Public Security of Malaysia (IPSOM), Ministry of Home Affairs, Putrajaya. Email: bee\_phang@moha.gov.my.

<sup>2</sup> Professor Dr. Rajah Rasiah serves as Professor of Economics and Technology Management at the Faculty of Economics and Administration, Universiti Malaya. Email: rajah@um.edu.my.

argue that very little, if any, can discourage young people from participating in illegal activities. It is evident from the work of Dilulio (1996) that urban ethnographers believe that today's crime-prone youngsters are too immersed in crime for any type of conventional criminal deterrence to work. Dilulio argued that youngsters no longer fear the stigma of arrest, the pain of imprisonment, or the pangs of conscience. This view assumes that youths see hardly any relationship between doing right (or wrong) and being rewarded (punished), and that the words 'right' and 'wrong' have no clear moral meaning.

There are many models and theories on delinquent juveniles and youths that try to explain and proffer solutions to the rising social problem (Lee, 2009). The idea that crime can be deterred through punishment as postulated by Becker (1968, 1993) provides the initial direction for further research. Becker's (1968) argument on using punishment as an effective deterrent of crime has heralded major debates on tackling crime (see Levitt, 1998; Rashid, 2004; Mocan and Rees, 2005).

While there is strong evidence that imprisonment (see Marvell and Moody 1994; Levitt, 1996) reduces the overall level of crime among adult criminals, it is surprising that only a few works have broached the impact of punishment on youth crime. Among the exceptions, using incarceration rates of juveniles, Levitt (1998) provided a coherent analytical argument on how crime can be reduced. Mocan and Rees (2005) proposed that increasing arrest rates can act as a deterrent in the United States. Similarly, Faisal's (2004) findings on juvenile crime and punishment in the United States show that an increase in the intensity of punishments imposed on juvenile delinquents will significantly deter crimes and reduce violent juvenile crime rates.

However, Freeman (1996) showed that increased imprisonment in the United States during the 1980s did not reduce crime rate among young individuals, the less educated and blacks. This evidence suggests that the conceptualization of youth crime may require a drastically different approach. If one assumes Becker's (1968) logic, the lack of a relationship here may be a consequence of poor youths willing to take high risks to commit crime or that the risk of being caught is relatively low against the reward from the crime (see also Lee & Rasiah, 2015). Hence, it may be important to examine the punishment system to ascertain if it can deter youths from criminal activities. It should also examine the factors that the courts consider when deciding on the severity of punishment to be imposed on youth offenders?

In Malaysia, there is virtually no research carried out on the subject of punishment imposed on youth delinquents. Thus, this paper seeks to examine the efficacy of

the present punishment system on youth offenders and to explore other elements that could be included to make punishment in Malaysia's Juvenile Justice System more effective.

In this paper we divide the process of crime conviction into two aspects: (i). arrest by police, and (ii). conviction and sentence by court. Police have the powers to arrest someone when there is sufficient suspicion to charge the person in court. Of course such a person can be released without any charge if in the course of investigations the police find such an action unworthy. In the subsequent trial of the charged person, the court can convict or dismiss the case depending on the evidence. Once convicted, the Court also decided on the sentence, which can take the form of imprisonment, fine and whipping or all of them. Owing to their age, juveniles are exempted from capital punishment, such as death by hanging.

The remainder of the paper is organized under the following headings. The first section discusses the data and methodology followed by the statistical results. The last section is the conclusion of the study.

## JUVENILE AND YOUTH CRIME IN MALAYSIA

There are two organizations tasked with keeping records of youth offenders adjudicated by the courts in Malaysia. They are the Department of Prison and the Department of Social Welfare . Data from Department of Prison shows that over the period 2000-2004, the number of youths incarcerated has risen. For example in 2000 there were 2,308 youths imprisoned (for remand and jail sentence cases), which dropped by 91 cases to 2,217 in 2001 before rising to 2,675 in 2002 and 3,177 in 2003. Although it dropped slightly to 2,964 in 2004 the trend since 2000 has been on the rise (see Table 1).

**Table 1 : Breakdown of Juveniles at the Prison Department, Malaysia, 2000-2004**

Year	Young Prisoners	Juvenile Detainees	Juveniles	Total
2000	1651	121	536	<b>2308</b>
2001	1565	119	533	<b>2217</b>
2002	2020	128	527	<b>2675</b>
2003	2517	125	535	<b>3177</b>
2004	2314	118	532	<b>2964</b>

Source: Jabatan Penjara or Department of Prisons, Malaysia 2000-2004

The statistics gathered on youth offenders by the Department of Social Welfare is more alarming. Youths convicted with various courts orders increased by 335 cases from 5,955 in 2006 to 6280 in 2007 (Jabatan Kebajikan Masyarakat, 2015). The figures also show that a total of 36.46% of the 5,955 youth offenders in 2006 were punishable with fine, whipping and jail sentence, which shows that the intensity of crime committed by youths is high (Lee & Rasiah, 2014).

Likewise, in 2007 about 33.2% of the 6,280 youth offenders received the same type of punishment (see Table 2). The continued persistence of juvenile and youth crimes in 2006-2007 suggest that more punitive measures may be needed to tackle the problem. It is essential that the Juvenile Justice System in Malaysia reflect the need to hold juveniles accountable for the crimes they commit (Lee & Rasiah, 2014).

**Table 2: Types of Punishment, Youth Offenders, Malaysia, 2006-2007**

(I) Court for Children	2006			2007		
	Male	Female	Total	Male	Female	Total
Issuance of fine	438	42	480	415	30	445
Sending the child to an approved school						
-Tunas Bakti School (TBS)	278	71	349	287	75	362
-Henry Gurney School (HGS)	91	5	96	106	7	113
Whipping	31	0	31	2	1	3
Imprisonment	112	9	121	100	19	119
Total of (I)	950	127	<b>1077</b>	910	132	1042
<b>(II) Open Court</b>						
Issuance of fine	573	33	606	520	30	550
Imprisonment	446	9	455	392	28	420
Henry Gurney School (HGS)	31	2	33	72	3	75
Total of (II)	1050	44	<b>1094</b>	984	61	<b>1045</b>
<b>Total of (I) + (II)</b>			<b>2171</b>			<b>2087</b>
% of Total Court Orders			<b>36.46%</b>			<b>33.23%</b>

Source: Jabatan Kebajikan Masyarakat or Department of Social Welfare, Malaysia, 2006 – 2007

It is now obvious that there is a need to examine the effectiveness of the punishment system in deterring crime among youths. The methodology we use relies on individuals serving ‘court orders’ in the designated rehabilitation schools, namely, Tunas Bakti School (TBS), and Henry Gurney School (HGS).

Tunas Bakti Schools are administered by the Department of Social Welfare. These schools are not strictly designed for juvenile and youth offenders as there are other centres that cater for juveniles and youths aged between 10 to 18 years requiring shelter or some form of rehabilitation.

There are eight Tunas Bakti Schools in Malaysia, which include Jerantut TBS in Pahang, Kota Kinabalu TBS in Sabah, Kuching TBS in Sarawak, Teluk Air Tawar TBS in Perak, Sungai Besi TBS in Kuala Lumpur, Taiping TBS in Perak, Sungai Lereh TBS in Malacca and Marang TBS in Terengganu. The last two are designated to female offenders.

The breakdown of inmates housed in each TBS throughout Malaysia in 2005 is shown in table 3. There were a total of 1,398 youths with a breakdown of 1,036 males and 362 females.

**Table 3: Number of Youth Inmates, TBS, 2005**

Institutions	Male	Female
Jerantut TBS, Pahang	294	-
Kota Kinabalu TBS, Sabah	81	-
Kuching TBS, Sarawak	67	-
Teluk Air Tawar TBS, Perak	97	-
<b>Sungai Besi TBS, Kuala Lumpur</b>	<b>267</b>	-
Taiping TBS, Perak	230	-
<b>Sungai Lereh TBS (female), Malacca</b>	-	<b>215</b>
Marang TBS (female), Terengganu	-	147
<b>Total</b>	<b>1036</b>	<b>362</b>

Source: Jabatan Kebajikan Masyarakat or DSW, 2005

Henry Gurney School (HGS) is another rehabilitation center for youths, which is directly administered by the Department of Prisons and is specifically designed for male youth offenders below the age of 21 years old following adjudication by the Courts under the Prison Act of 1995. There were only two HGS in 2015

in Malaysia, namely, Teluk Mas HGS in Malacca, and Keningau HGS in Sabah. As shown in table 4 a total of 435 male youth offenders were remanded in the two HBS in 2005.

**Table 4: Number of Male Youth Inmates at HGS, 2005**

Institutions	Male Inmates
Teluk Mas HGS, Malacca	347
Keningau HGS, Sabah	88
<b>Total</b>	<b>435</b>

Source: Jabatan Penjara or Department of Prison Malaysia, 2005

Out of the eight TBS listed in Table 3, Sungai Besi TBS in Kuala Lumpur for male offenders and Sungai Lereh TBS in Malacca for female youth offenders were chosen for this study owing to the fact that they are renowned correctional organizations for notorious youth criminal offenders. Also, Teluk Mas HGS in Malacca, which has a good track record of harbouring male offenders who have committed very serious crimes was chosen to complement the sample for male youth offenders. Sourcing data from these schools was a painstaking process due to very high strict codes that govern their administration. We used this purposive sample and interviewed the persons because the objective of this study is interpretative to unravel the reasons why such crimes were committed rather than being predictive.

## DATA AND METHODOLOGY

Becker (1968, 1993) arguably developed the first rigorous model to explain in economic terms why people commit crime. Sanctions in Becker's (1968) model refer to prices, since people respond to sanctions much as they respond to prices. People respond to higher prices by consuming less of the expensive good, which means that people respond to heavier sanctions by committing less of the related crimes.

By and large, there is a conviction that deterrent actions play important roles in abating the rising incidence of crime. Punishment in particular is structured to reduce the intensity of crime. To evaluate the effectiveness of the existing structure of punishment against the intensity of crime we use a regression model, which was developed with intensity of crime as the main explanatory variable against the intensity of penalty. In this case, the penalty index is a proxy determined by severity of punishment.

A few offenders from the three schools were pilot interviewed to test the usefulness of the questions frame for the study. The final sample consisted of 255 respondents from the three schools. The breakdown are as follows: 105 out of 215 females from Sungai Lereh TBS in Malacca; 70 out of 267 male respondents from Sungai Besi TBS in Kuala Lumpur; and 80 respondents out of 347 males from Teluk Mas HGS in Malacca. Out of the total sample obtained, 12 questionnaires were not properly filled, leaving 243 questionnaires to be used for the final analysis. The respondents were also requested to specify their respective offences at the top of the questionnaire on the front page.

Data obtained from the survey questionnaires were then tabulated according to the framework defined earlier, which include the type or category of offences committed by respondents and personal particulars, such as gender, age and education level.

### **Background of Respondents**

Table 5 shows the background of the 243 respondents by gender, ethnicity, age, level of education and the basic amount they always had as pocket money when they were in school. From the summary, males and females accounted for 58% and 42% respectively of the youth offences. Although females recorded an almost equal percentage of offences, they were committing in the least harmful intensity categories, such as running away from home and incorrigible behaviour, which is beyond parents or guardians' control.

The Malays registered the highest percentage of offences at 88.5% followed by Indians (5.4 %) and Chinese (4.9 %), respectively, which tallies with the ethnicity of juvenile arrests compiled by the Royal Malaysia Police and the Department of Social Welfare. Owing to the low incidence of crime by non-Malays the ethnicity variable was dropped from the model. The age range of respondents who committed offences ranged from 13 to 20 years. The respondents were categorized into three age groups with the first group in the age brackets of 13-15 years old, the second in 16-18 years old, and the third group in 19-20 years old. The older age groups aged between 16-18 and 19-20 years old accounted for about 88.5% of the youths serving 'punishment' in the rehabilitation centres.

Some of the respondents were still schooling while others had dropped out of school at the time of detention. Education level refers to the highest education level attained by the respondents at the time of detention, and it is divided into primary school, (Standard Four to Standard Six) and secondary school, (Remove Class or Form One to Form Six). The likelihood of Secondary School children being involved in criminal offences was higher than those from Primary Schools, which could be due to a large number of children dropping out of school after Form Three.

**Table 5: Demographic Characteristics of Respondents**

Characteristics	N	Percentage
<b>Gender</b>		
(i) Male	141	58%
(ii) Female	102	42%
<b>Ethnicity</b>		
(i) Malay	215	88.5%
(ii) Chinese	12	4.9%
(iii) Indian	13	5.4%
(iv) Others	3	1.2%
<b>Age when crime was committed</b>		
(i) 13-15 years old	28	11.5%
(ii) 16-18 years old	126	51.9%
(iii) 19-20 years old	89	36.6%
<b>Education</b>		
(i) Primary (Std 4 – Std 6)	27	11.1%
(ii) Secondary (Form 1- form 6)	216	88.9%
<b>Lack of pocket money encourage crime</b>		
(i) Yes	164	67.5%
(ii) No	79	32.5%

Source: Author's survey (2006)

### Specification of Variables

Five variables are used to establish the relationship between youth criminal behaviour and punishment. These variables are intensity of crime (IC), penalty index (PI), gender (G), age (A) and education (E). Thus, this sub section specifies the estimation method of variables identified.

#### *Intensity of Crime*

The respondents from the data collected are not homogeneous in terms of crime committed as they vary substantially. There were sixteen different types of offences committed by them. Because of the heterogeneous nature of crimes, it is best to



establish an index with an order of intensity reflected by the seriousness of the offences committed.

In essence, the intensity of crime (IC) is used to denote the seriousness of the crimes committed by the respondent. We tested different interval years for crimes committed but did not find the results more robust than the age interval used in this paper. A conservative set of scores was used here to show that even a small interval of scoring can still provide a set of statistically meaningful results.

The intensity of crime in this study could also be a proxy for crime, which can be considered 'rewards' or 'gains' enjoyed by the perpetrator committing the offence. Rewards could take both monetary and non-monetary gains. Monetary gains are easier to estimate as it can be quantified. Non-monetary gains in the form of satisfaction derived from reactions or premeditated hatred is difficult to estimate. Crimes committed from irrational behaviour, such as murder under sudden provocation are included in the analysis, but they do not support the logic behind the hypothesis used in this paper. As argued by Becker (1968) rewards are expressed purely in material gains achieved from crime and is the consequent result of rational decisions made by offenders against the risk involved.

The scoring of intensity of crime is presented in Table 6. As mentioned earlier, there are sixteen types of offences committed by the respondents, which range from very simple statute offence, such as running away from home to very serious criminal offence such as murder. Thus, the scoring is shown in Table 6 and is from the offense categories of: (1) running away from home, (2) running away from 'Tunas Bakti School' (rehabilitation centre for juvenile offenders), (3) drug addict, (4) outrage modesty, (5) possession of drug, (6) motorcycle theft, (7) running away from 'Serenti Centre' (rehabilitation centre for youth drug addicts), (8) selling/trafficking of drug, (9) possession of stolen goods, (10) theft, (11) house break in, (12) robbery, (13) extortion, (14) murder without intention, (15) rape and (16) murder. There were no *a priori* reasons to weight the scoring differently.

The scoring is in the ascending order, i.e from zero to fifteen, ranging from lower intensity to higher intensity of crime. The lowest intensity of crime is zero for the offence of running away from home and the highest intensity of crime is fifteen for the offence of murder. Future studies can of course use different sets of scoring.

**Table 6: Intensity of Crime**

No.	Types of Offences	Intensity of Crime
1.	Running away from home, incorrigible behaviour	0
2.	Running away from rehabilitation centre	1
3.	Drug addict	2
4.	Outrage modesty	3
5.	Possession of drug	4
6.	Motorcycle theft	5
7.	Running away from drug rehabilitation centre	6
8.	Selling/trafficking of drug	7
9.	Possession of stolen goods	8
10.	Theft	9
11.	Break in	10
12.	Robbery	11
13.	Extortion	12
14.	Murder without intention	13
15.	Rape	14
16.	Murder	15

Source: Author's Survey (2006)

***Penalty Index***

As mentioned earlier, this study uses sentencing by courts as a measure of punishment. The three main punishment methods were used, (namely, years of imprisonment, fines and whipping), to estimate the penalty index (PI). The minimum and maximum period of imprisonment is zero and twenty years respectively. The dummy for fine is 1, and 0 otherwise. The dummy for whipping is 1, and 0 otherwise. Because of the differences in classification, the three columns in Table 7 were normalized using the formula:

$$(X_i - X_{\min}) / (X_{\max} - X_{\min}).$$

The normalized figures were then added and divided by the three variables used. The value of PI ranged from 0.00 to 1.00.

**Table 7: Penalty Index (PI) Computed by Imprisonment, Fine and Whipping**

Years of Imprisonment (Y)/2	Fine (F)	Whipping (W)	PI
0	No Fine (0)	No Whipping (0)	0.00
2	No Fine (0)	No Whipping (0)	0.10
2	No Fine (0)	No Whipping (0)	0.10
2	No Fine (0)	No Whipping (0)	0.10
2	Fine(1)	No Whipping (0)	0.10
4	Fine (1)	No Whipping (0)	0.20
5	No Fine (0)	Whipping (1)	0.25
5	Fine(1)	No Whipping (0)	0.25
5	Fine (1)	No Whipping (0)	0.25
7	Fine(1)	No Whipping (0)	0.35
10	Fine (1)	No Whipping (0)	0.50
10	Fine(1)	No Whipping (0)	0.50
10	Fine(1)	Whipping (1)	0.50
10	Fine(1)	No Whipping (0)	0.50
12.5	No Fine (0)	Whipping (1)	0.63
20	No Fine (0)	No Whipping (0)	1.00

Source: Author's Survey (2006)

***Gender***

Gender (G) was specified as follows:  $G = 1$  if the person is a male, and  $G = 0$  if is a female.

***Age***

Age (A) was specified by taking the age of the youth when the offence was committed. It was measured as:  $A =$  actual age of the youth at the time of offence.

***Education***

Education (E) was measured as the highest school level achieved at the time when offence was committed. It was estimated as:  $E =$  school level when offence was committed. E was measured as a continuous variable with primary, secondary and tertiary as (1...6), (7....13) and 14..18) respectively.

## The Sanction Model

The model of penalty was specified as follows:

$$Y_{ie} = f(\beta_1 IC, \beta_2 G, \beta_3 A, \beta_4 E)$$

Where  $Y_{ie}$  is a dependent variable (PI) which takes values between zero to 1.00 the punishment (see Table 8). Vector  $\beta_1$ , denotes intensity of crime (IC), Vector  $\beta_2$ ,  $\beta_3$  and  $\beta_4$  consist of individual characteristics, such as gender (G), age (A) and education level (E).

A regression model was then developed to examine the relationship between the penalty index, and the explanatory variable of intensity of crime, controlling from other variables to establish if punishment meted out to youths is commensurate with the intensity of crime.

Tobit regressions were preferred to OLS regressions because the observations of the dependent variable were censored on both sides (see Greene, 1980).

### Expected Relationships

The expected relationships between the independent variables with dependent variable, i.e. the penalty index are shown in Table 8. Past evidence shows that the penalty index should be positively correlated with the intensity of crime, gender and age, while it should be inversely correlated with education. The age relationship is expected to be positive among juveniles as they become more absorbed into society compared to the old aged.

**Table 8: List of Variables and their Relationships with Penalty Index**

Independent Variables	Acronym	Expected Relationships with Dependent variable
Intensity of crime	IC	+ve
Gender	G	+ve
Age	A	+ve
Education	E	-ve

Source: Author (2006)

## STATISTICAL RESULTS

We discuss the results in this section. The statistical parameters were significant to offer a meaningful assessment of the findings.

### Univariate Analysis

Table 9 presents the descriptive statistics. All the means are statistically significant using the one tail t test. The descriptive statistics for the dependent variable PI is close to half, i.e. 0.48 is between 0 and 1. The mean of the critical IC variable is 5.7, which is much lower than the highest possible score of 25. Quite obviously most youth crimes committed tend to be less dangerous as the mean is closer to 0 than it is to 25. There are more males in the juvenile crime sample at 58% than females at 42%. The average age of the youth offenders in the same is 17.7 years. The mean education level of the youth offenders is 8.7 years of schooling.

**Table 9: Descriptive Statistics**

Variable	Mean	Std. Dev
PI	0.478*	<b>4.48</b>
IC	5.69*	<b>5.11</b>
G	0.58*	<b>0.5</b>
A	17.67*	<b>1.77</b>
E	<b>8.65*</b>	<b>1.66</b>

Note: \* refer to one-tail't' statistics significant at the 1% level

Source: Author's Survey (2006)

### Multivariate Analysis

This sub-section examines the statistical relationship between penalty index, and intensity of crime controlling for gender, age and education level. The correlation coefficient of matrix shows a very high correlation between the variables of gender and age, and hence, age was dropped. The Tobit regression results are shown in Table 10.

Intensity of crime was positively and strongly correlated with PI (1%), suggesting that heavier penalty is imposed on youths committing higher intensities of crime. Hence, a youth who commits murder, an offence of the highest intensity, will get a critical prison sentence as compared to a youth who commits theft, who will get a lighter sentence. In other words, the punishment imposed on youth offenders appears commensurate with the type of crime committed.

Also, the relationship between PI and the control variable of G is highly significant (1%) and the coefficient is positive, implying that male youths face higher penalties compared with female youths. This is fairly true since most of the high intensity crimes like robbery, extortion and murder are committed by male youths and at most times; female youths have been accomplices to male criminals in armed robberies and other related gruesome crimes (see also Lee & Rasiah, 2014, 2015). As such, male youths receive higher penalties when compared to their female youth counterparts.

The results show that the education level of the youths is not important as the t statistics is insignificant. Nevertheless, the negative sign of the coefficient is as expected. The irrelevance of education levels may be a reflection of the sample being strictly confined to offenders.

The results show that the relationship between IC and PI is statistically highly significant at 1% level with a positive coefficient. The first condition, i.e. youths who commit more serious crimes are likely to be punished more severely than those who commit less serious crimes. The control variable of gender was also highly significant.

**Table 10: Tobit Regression with Penalty Index<sub>1</sub> (PI<sub>1</sub>)**

	$\alpha$	IC	G	E	N=243
Coefficients	-0.111*	0.039*	0.177*	-0.006	$X^2=6.75^*$
P-value	0.000*	0.000*	0.000*	0.232	LL=8174*

Note: \* statistically significant at 1% level.

Source: Author Survey (2006)

Taken together, the punishment system in Malaysia for youth offenders is statistically commensurate with crimes committed as the relationship was very strong. However, these results do not weight the seriousness of the crime with the penalty, which may produce a different set of results. Also, we did not examine mediating effects of risks of getting caught.

## CONCLUSION

This paper examined the punishment system in Malaysia to see if punishment is commensurate with the intensity of crime. Tobit regressions were run to examine the relationship between punishment and crime and other variables. The analysis produced a strong and positive relationship between the penalty index, intensity of crime, and gender.

While the court decides on the punishment for youth offenders, the intensity of that punishment need to be studied more seriously to see if they act as deterrents. The simple statistical method deployed in this paper shows that the penalties are positively and strongly associated with the intensity of crime. While there is a need to test the deterrent system involving crime in Malaysia in a more robust way than what is available now, it is also important to explore new mechanisms to create public awareness on crime, as well as disseminating information of the consequences of crimes (including penalties contained in Malaysia's justice system) to the public.

Because females are prone to commit the lesser crimes such as running away from home, or at most act as accomplices to male criminal offenders, their penalties usually turn out to be less intense when compared to punishments imposed on their male counterparts. The results provide evidence to show that the juvenile justice system is not gender bias in the way court orders are administered since punishments are imposed based on the level of involvement and seriousness of the crime.

Hence, the two possible routes to experiment in future with reducing youth crime may be by (1), testing the Becker model by analyzing the mediating effect of risk (of getting caught) on the relationship between utility of the crime (which is the reward), and the punishment if convicted, (2), raising awareness among the young and parents specifically but the adults in general on the dangers of the crime. It will also be necessary to undertake research that ties violent crimes with chronic poverty. The study by Lee and Rasiah (2015) is a useful first step. Further research is essential to advance the cause of reducing youth crime.

## REFERENCES

- Becker, G.S. (1968). "Crime and Punishment: An Economic Approach", *Journal of Political Economy*, 76(2): 169-217.
- Becker, G.S. (1993). "Nobel Lecture: The Economic Way of looking at Behaviour", *Journal of Political Economy*, 101(3): 385-409.
- Dilulio, J.J. (1996). "Help Wanted: Economists, Crime and Public Policy", *Journal of Economic Perspectives*, 10: 3-24.
- Fagan, J., Forst, M. and Vivona, T.S. (1987) "Racial Determinants of the Judicial Transfer Decision Prosecuting Violent Youth in Criminal Court", *Crime and Delinquency*, 33(2): 259-286.

- Freeman, R. B. (1996). "Why Do So Many Young American Men Commit Crimes and What Might We Do About It?" *Journal of Economic Perspectives*, 10: 25-42.
- Lee, Bee Phang & Rasiah, Rajah (2014). Juvenile and Youth Crime in Malaysia. *Journal of Public Security and Safety*, Vol.2/2014, 31-47.
- Lee, Bee Phang & Rasiah, Rajah (2015). Youth Crime in Malaysia: Breaking Out from the Vicious of Poverty. *Journal of Public Security and Safety*, Vol.3/2015, 19-51.
- Lee, Bee Phang (2009). Poverty and youth crime in Malaysia (Doctoral dissertation). Universiti Malaya, Malaysia.
- Levitt, S.D. (1996). "The Effect of Prison Population Size on Crime Rates: Evidence from Prison Overcrowding Litigation", *Quarterly Journal of Economics*, 111: 319-352.
- Levitt, S.D. (1998). "Juvenile Crime and Punishment", *Journal of Political Economy*, 106(6): 1156-1185.
- Marvell, T.B. and Moody, C.E. (1994) "Prison Population Growth and Crime Reduction, *Journal of Quantitative Criminology*, 10(2): 109-140.
- Mocan, N.H. and Rees, D.I. (2005). "Economic Conditions, Deterrence and Juvenile Crime: Evidence from Micro Data", *American Law and Economics Review*, 7(2): 319-349.
- Jabatan Kebajikan Masyarakat (2015). Statistics of Youth Convicts. Retrieved from <http://www.jkm.gov.my/>.