

METHODOLOGICAL GUIDELINE
JUDICIARY STATISTICS – minor perpetrators

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STATISTICS OF PERPETRATORS OF CRIME

Legal basis

Legal basis for conduction of statistics of perpetrators of crime is Law on Official Statistics and Official Statistical System (Official Gazette of Montenegro No 18/12, 47/19 and 23/25) and The Annual Plan of Official Statistics which is carried out each year.

METODOLOGICAL BASIS

Aim of survey

The aim of survey is to collect, process and disseminate the data on reported, accused and convicted minor perpetrators of crime, and which are an important instrument for monitoring crime as a negative social phenomenon. Crime in the sense of statistical survey includes the occurrence from the submission of a report for a committed criminal offence to the final conclusion of the procedure by the competent authority.

According to the Annual Plan of Official Statistics, the following surveys are conducted:

1. annual statistical survey about minors against whom proceedings based on criminal charges and preparation proceedings have been concluded, (SK-3),
2. annual statistical survey about minors against whom criminal proceedings before the panel have been legally concluded, (SK-4).

Data source

The data on perpetrators of criminal offences are collected by regular annual statistical surveys, and on the basis of individual statistical questionnaires which are completed by competent state prosecutor's offices (basic and high) and competent courts (basic and high).

Coverage

Statistical survey includes minor perpetrators of criminal acts.

Method, timing and sources of data collection

The Statistical office prescribes research methodology, prepares an address book, prepares questionnaires for printing and distributes them to reporting units (prosecutors' offices and courts).

Questionnaires for the current year are submitted to reporting units at the beginning of the year.

Reporting units are obliged to provide accurate, complete and up-to-date data, and to deliver them within the deadline set by the Annual Plan of Official Statistics.

Upon receipt of the completed questionnaires, the Statistical Office carries out control of coverage, control of accuracy and completeness of data, encryption and data entry, control and correction of errors that occur on the basis of logical and calculation control, according to unique criteria, and then tabulation.

Periodicity of data collection is monthly, and data processing is annual. The data refer to the previous (reporting) year.

Data are collected using the reporting method through questionnaires, SK-3 and SK-4.

The questionnaire is filled out at the end of the procedure. The basic sources from which the data are taken are the final decisions of the competent state prosecutors' office and the competent court.

Protection of individual data

The data obtained from reporting units are only used for statistical purposes and they are published at the aggregated level. Data obtained from competent state prosecutor's offices and competent courts on reported, accused and convicted minor perpetrators of criminal offences are an official secret and cannot be published individually.

Definitions of basic features – indicators

Juvenile perpetrators of a crime are persons who reached the age of 14 but not yet 18 at the time of committing the crime, and against whom legal proceedings have not been initiated (criminal charges dropped) or preparatory proceedings have been suspended; the charge motion for pronouncing the sentence / measures has been submitted, legal proceedings in the juvenile court suspended and against whom the sanctions have been imposed.

Juvenile who reached the age of 14 but not yet 16 at the time of committing the crime, and who cannot be punished but correctional measures can be imposed on him, is considered a *younger juvenile*.

A juvenile who reached the age of 16 but not yet 18 and who can be sentenced to a juvenile prison, is considered an *elder juvenile*.

Reported juvenile is an underaged person against whom legal proceedings have not been initiated (criminal charges dropped), and against whom preparatory proceedings are suspended or the charge motion submitted to a juvenile court for pronouncing a sentence or correctional measures.

Accused juvenile is an underaged person against whom a charge motion was submitted to a juvenile court for pronouncing a sentence / measures, and the proceedings have been concluded by a court decision according to which: proceedings at the juvenile court were suspended; security measures brought without imposing criminal sanctions, sentence to a juvenile prison pronounced or correctional measures imposed.

Convicted person is an underaged perpetrator of a crime, against whom a criminal sanction has been imposed such as juvenile imprisonment or correctional measures.

A criminal offence shall be an act which is established by law as a criminal offence, which is unlawful, and for which guilt was determined.

Survey instruments

Questionnaire **SK-3**, for minor perpetrators, against whom proceedings based on criminal charges and preparation proceedings have been concluded, data content on:

- **minor perpetrators:** name and surname, sex, date of birth, municipality of

residence, work status, nationality, citizenship, education, how many persons participated in the commission of the criminal act, detention, measures during the procedure;

- **criminal offences:** legal name of the criminal offence, name of the applied law, whether property was damaged by the criminal offence, whether the criminal offence was attempted, year of commission of the crime, municipality of commission of the crime, concurrence of criminal offences, number of criminal offences in concurrence;
- **criminal proceedings:** who filed the criminal complaint, how the complaint was filed with the state prosecutor's office, the type of decision and the reasons;
- **family circumstances;**
- **duration of the procedure:** date of submission of application, date of initiation of preparatory procedure, date of decision.

Questionnaire **SK-4**, for minor perpetrators, against whom criminal proceedings before the panel have been legally concluded, data content on:

- **minor perpetrators:** name and surname, sex, date of birth, municipality of residence, work status, nationality, citizenship, education, how many persons participated in the commission of the criminal act, detention, measures during the procedure;
- **criminal offences:** legal name of the criminal offence, name of the applied law, whether property was damaged by the criminal offence, whether the criminal offence was attempted, year of commission of the crime, municipality of commission of the crime, concurrence of criminal offences, number of criminal offences in concurrence;
- **criminal proceedings:** who filed the criminal complaint, how the complaint was filed with the state prosecutor's office, the type of decision and the reasons;
- **imposed sanctions:** juvenile prison, educational measures, security measures;
- **family occasions;**
- **victims:** sex, age;
- **duration of the procedure:** date of receipt of application, date on which the State Prosecutor submitted the proposal for the imposition of a sanction, the date of ascertaining the finality of the decision.

Dissemination

The obtained data are published through releases, statistical publications (Statistical yearbook, Montenegro in numbers, Women and men in Montenegro).

The data are published in electronic form (on the website of the Statistical office of Montenegro).