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12 Juvenile Perpetrators of Sexual Violence Against Other Minors: In Italy Many Probably Do Not Even Know It Is a Crime

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After attending this presentation, attendees will understand the importance of the research regarding a specific juvenile criminal population.

This presentation will impact the forensic science community by highlighting the fundamental characteristics of this type of juvenile delinquency.

The population of Juvenile Sex Offenders (JSO) is complex and heterogeneous, difficult to define and to empirically describe with validated models. Accurate, validated data are difficult to acquire. In the United States, in 2009, approximately 5% of rape arrests involved juveniles and more than a third (35.6%) of sexual offenses against children were committed by people less than 18 years of age. In Europe, approximately one-third of sexual offenses are committed by teenagers, according to data for England and Germany. In 2015, 845 minors in Italy were reported for sexual crimes, of which 115 were sexual acts against other minors. Altogether, these account for 2.3% of all minors charged at Italian Juvenile Justice Services (data supplied by the Italian Juvenile Justice Center). There have been many attempts at classification, and different explanatory theories have been proposed, but many are, in fact, derived from adult sex offender data.¹ The general delinquency explanation considers JSO to be one of the manifestations of the general antisocial tendency and can, therefore, be explained by the same risk factors and processes that have been used in research on young offenders. Aspects of definition and classification of the JSO become even more complex in relation to different scientific and cultural traditions and also to the different profiles and juridical orders in force in the various nations, and to different contexts. Unlike the forensic psychological and psychiatric standpoint, definitions also vary according to the characteristics of the abuser, the victim, or according to the different means by which the deviant sexual behavior is conducted.²

In Italy, the legislative choice to delineate a non-punishment area in relation to sexual activities among consenting minors, albeit exclusively regarding sexual relations between minors over the age of 13 and under 18, implies both that early teenagers have already reached sexual self-determination by 13, and also that those under 17 are able to discern the correctness of their conduct in relation to the age of the partner and to the multiple ways of demonstrating consent or dissent to sexual initiatives. Research conducted in the Apulia region of our country aims to point out, as impact and utility, the obvious inconsistency of the Italian legal system, which recognizes



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adolescents over 13 the maturity for self-determination of their sexual life, thereby guaranteeing sexual freedom despite the known inability of minors to understand their desires and needs before the age of 14, at least.

The learning objectives of this research are intended to invite reflection among governors, directors, health care personnel, and law personnel. In the current context dominated by the internet and the new communication and interaction (chats, social networks, short message systems) technologies, in which makeup and clothing are increasingly uniform among adolescents and adults, there is a high risk that people less than 17 years of age, who often lack the maturity and necessary experience to escape the error, will begin relationships in which the partner, although appearing older, is below the legal age limit.

Additionally, the delicacy and peculiarities of sexual dynamics that develop in teenage relationships often complicate the difficult psychological and psychiatric forensic investigation of the participants' actual engagement in the sexual act. The risk is to introduce dangerous subjective indices into the judicial and forensic psychiatric and psychological assessments of the minors' behavior, linked to the perception of sexual acts and the ethical sensitivity of those called upon to judge such acts. This research underlines the need to make changes in the Italian norms regarding sexual violence among minors.

Reference(s):

1. Margari F., Lecce P.A., Craig F., Laforteza E., Lisi A., Pinto F., Stallone V., Pierri G., Pisani R., Zagaria G., Margari L., Grattagliano I. (2015). Juvenile sex offenders: Personality profile, coping styles and parental care. *Psychiatry Research*. 229(1-2):82-88.
2. Margari L., Pinto F., Laforteza M.E., Craig F., Grattagliano I., Zagaria G., Margari F. (2013). Mental health in migrant schoolchildren in Italy: Teacher-reported behavior and emotional problems. *Neuropsychiatric Disease and Treatment*. 9:231-241.

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