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Juvenile Delinquency and the Online Environment: A New Challenge to Society

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Abstract: In the context of accelerated digitalization and the expansion of social networks, juvenile delinquency in the online environment has become an increasingly visible and complex phenomenon, raising major concerns among specialists in criminology, social psychology, and education. This study investigates contemporary manifestations of delinquent behaviors among adolescents in the virtual space, focusing on cyberbullying, child pornography, and cybercrime, highlighting both individual and contextual factors that facilitate the adoption of these deviant behaviors, as well as their impact on minors' psycho-social development. Furthermore, the present research emphasizes the significant correlation between the lack of parental supervision, group influences, and prolonged exposure to violent or deviant digital content. In conclusion, the findings underline the necessity of developing tailored public policies and educational programs aimed at preventing the escalation of juvenile delinquent behaviors online and supporting the process of digital responsibility.

Keywords: juvenile delinquency in the online environment; cyberbullying; child pornography; prevention and combating measures; digital technologies

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1. Juvenile Delinquency – Evolution and Conceptual Boundaries

The concept of juvenile delinquency has its etymological roots in the Latin language, derived from the verb *delinquere*, which means “to err” or “to be guilty.” In the field of psychology, this term is used to describe the phenomenon of social maladjustment manifested through the violation of legal norms by underage individuals, encompassing all antisocial acts and legally sanctioned deviant behaviors committed by persons under the age of 18. According to the definition in the *Explanatory Dictionary of the Romanian Language*, delinquency is defined as: 1. a social phenomenon consisting in the commission of offenses; 2. the totality of offenses committed at a given time, in a certain environment, or by individuals of a specific age group.

The concept of “deviance” was first introduced within American sociology in the late 1950s, marking a paradigmatic shift in the analysis of human behavior. This perspective moved beyond earlier explanatory frameworks, which were predominantly based on notions of “pathology” or “social disorganization,” offering a more nuanced approach to behaviors considered atypical. Initially stigmatized and sanctioned legally or morally, these manifestations were re-evaluated through the lens of deviance theory, which conceptualizes them as acts of violating social norms, with consequences ranging from simple nonconformity to forms of delinquency and social marginalization (Ban, 2013).

In Romania, juvenile delinquency has emerged over the past decades as a pressing social issue with a major impact on the community, as evidenced by specialized studies showing that this phenomenon is conditioned by multiple socio-economic factors. It is closely linked to the management of public resources, the effectiveness of the educational system, and the functioning of state institutions responsible for protecting children’s rights (Buneci, 2019).

The deviant behavior of a minor refers to the set of material or symbolic actions committed persistently, repeatedly, or continuously by the youth, often seen as a response to the frustration experienced while interacting with their environment, and which negatively impacts social values.

Age and level of awareness are indicators of the social adaptation process, reflecting both the influence of biological factors on development and the way in which an individual internalizes social norms and values. Considering aspects related to these two defining perspectives on development, the Romanian legislator has determined that, in civil, criminal, and criminal procedural matters, the term “minor” refers to a

person who has not reached the age of 18 (Civil Code of Romania, Law No. 287/2009, art. 38(2)).

2. Juvenile Delinquency in the Virtual Space

Today, most young people have constant access to the internet through mobile phones, laptops, and other digital devices, which allows them to browse and communicate in various ways, as well as access a wide range of online platforms. Although these technologies offer numerous advantages such as access to information, the development of technical skills, and social connections they also present significant risks, especially in relation to criminal behaviors (Vasiliu, 2001).

Although the COVID-19 pandemic brought numerous educational benefits by encouraging the use of digital technologies in the teaching-learning process, it also generated a series of risks, particularly concerning juvenile delinquency in the online environment. The lack of clear educational policies and an adequate legal framework has created a legislative gap that leaves young people vulnerable to these phenomena. The consequences of cyberbullying can be devastating for victims, affecting their mental health, academic performance, and social integration. Therefore, a proactive approach is urgently needed from authorities, schools, and families to prevent and combat cyberbullying by educating young people about the risks they face online and equipping them with the necessary tools to protect themselves.

The online environment, with all its opportunities and benefits, is often regarded as a vast and accessible space that offers young people unprecedented freedom of expression, rapid access to information, and global social connections. However, this environment also presents a range of specific vulnerabilities for youth vulnerabilities that are amplified by their psychological and social characteristics. These can manifest in various ways, and understanding them is essential in order to protect and support young people as they navigate this space.

2.1. Cyberbullying

In the past decade, awareness of cyberbullying along with related research and publications has increased rapidly. The anonymity and distance provided by the online environment facilitate the phenomenon of cyberbullying, which can

profoundly affect young people, leading to serious long-term psychological consequences such as depression, anxiety, and decreased self-esteem.

Although cyberbullying has been defined since 1999, it remains a complex and continuously evolving phenomenon, which has made it difficult for specialists to agree on a universally accepted definition. This type of harassment is carried out through various digital technologies, including social networks (Facebook, Instagram, TikTok, etc.), e-mail, chat rooms, text messages on mobile phones, multimedia messages (including sexting), instant messaging, and blogs.

Cyberbullying can currently be defined as a form of interpersonal aggression that occurs through the use of digital technologies such as social media, instant messaging, online forums, video games, or other digital platforms to harass, intimidate, or harm a person. Unlike traditional bullying, which takes place in physical spaces, cyberbullying occurs in a virtual environment, which can amplify the psychological impact of the aggression due to its anonymous, accessible, and continuous nature. This form of bullying can involve a wide range of harmful behaviors, including but not limited to verbal insults, spreading false rumors, sharing compromising images or videos, threats, or exclusion from online groups.

Cyberbullying not only replicates but also intensifies the harmful effects of traditional bullying from six different perspectives (Chan et al., 2021): repetition, intentionality, power imbalance, anonymity, accessibility, and audiences.

2.2. The Distribution of Illegal Content (Child Pornography)

Young people's online behavior, often characterized by impulsiveness and lack of experience, can predispose them to significant risks, making them vulnerable to crimes such as blackmail, harassment, and child pornography. On a psycho-emotional level, exposure to such experiences can affect their development, contributing to issues such as anxiety, depression, and difficulties with socialization.

Child pornography (Criminal Code of Romania, Law No. 286/2009, art. 374), constitutes a serious violation of fundamental human rights, particularly the right to freedom, psychosexual integrity, and human dignity. The negative repercussions on the psycho-physical development of children are severe and long-lasting, intensifying with each viewing, access, or dissemination of child pornographic material. The exponential proliferation of this phenomenon, facilitated by the accessibility and widespread use of the internet over the past three decades, demands

a comprehensive approach focused on awareness, understanding, prevention, and enforcement (Mărgineanu, 2013).

The study of relevant case law in the context of this paper has highlighted a marked similarity in the way minors commit the offense of child pornography through the use of computer systems. Specifically, minors frequently engage in self-recording videos while performing sexual acts, with the resulting materials later being stored on mobile devices. In most cases, they act without realizing that such actions meet the legal elements of the offense of child pornography namely, the production, possession, and storage of pornographic materials involving minors.

Frequently, the minor perpetrator requests the victim (usually their partner) to send photo or video materials of pornographic content. The mere act of sending such materials constitutes the physical element of the offense of child pornography, in terms of dissemination, making available, or storage. A similar situation arises when, after storing the materials, the minor transfers them to third parties either for recreational purposes or as a form of retaliation against the victim following the end of the relationship.

The dissemination of indecent images on online platforms (e.g., Facebook, Instagram, TikTok) as an act of revenge represents a manifestation of aggressive behavior among young people. This conduct is amplified by the current socio-cultural context, characterized by massive exposure to online content and the lack of effective mechanisms for educating youth in the spirit of digital responsibility. As a result, minors act without understanding the severity of their actions, ignoring the fact that the transmission of indecent images regardless of the communication medium (e.g., private groups on WhatsApp, Messenger, Signal, Telegram) falls within the scope of the offense of child pornography through the use of an information system.

According to the provisions of Article 184, paragraph (1), letter a) of the Criminal Code (Criminal Code of Romania, Law No. 286/2009, art. 184(1)(a)) online social media platforms are considered equivalent to the notion of a “public place.” Therefore, this interpretation also applies in cases involving the dissemination of child pornographic material via social networks. However, minors involved in such acts lack the necessary discernment to understand that these online platforms, by their nature and intended purpose, are treated as public spaces, regardless of the physical presence of other individuals. In Decision No. 4546/27.11.2014, the High Court of Cassation and Justice ruled that a social network acquires a public character and potential accessibility because, given its nature, features, and purpose, users do

not own the actual publishing space and cannot estimate let alone control the extent of that space.

Any action considered indecent in real life carries the same connotation in the online environment. Child pornography is not limited to depictions of sexual acts or images involving individuals of different sexes; it includes any situation in which minors are exposed in indecent poses. For example, in one legal case, several minors were convicted because, after consuming alcoholic beverages and for amusement, they mimicked various obscene gestures involving sexual organs toward an unconscious peer and then shared the photographs with each other.

Moreover, the offense of child pornography can be committed in conjunction with other crimes, such as blackmail or rape. Minors may be blackmailed with the threat of publishing compromising images in order to obtain sexual favors or pornographic material.

Online delinquency represents a serious threat to the healthy development of minors, affecting both victims and perpetrators. Victims may develop severe psychological disorders such as anxiety, depression, post-traumatic stress disorder, and even suicidal tendencies. Likewise, involvement in acts of online delinquency can have long-term negative consequences on minors' reputations, limiting their access to education, a successful career, and a fulfilling social life. Furthermore, minors who commit online offenses risk encountering the judicial system, which can negatively impact their development and social integration.

The offense of child pornography is considered a serious crime with a significant negative impact on the development of minors. For this reason, the law provides for the initiation of criminal proceedings *ex officio*, without the need for a prior complaint from the victim. The criminal investigation in such cases falls under the jurisdiction of the Directorate for Investigating Organized Crime and Terrorism (DIICOT), and the trial is conducted at the tribunal level, the court competent to handle cases of high complexity.

The sanctions applied to minors who commit offenses, including child pornography, are educational in nature and aim at their social reintegration (Tomiță & Ungureanu, 2016). The Criminal Code provides a wide range of educational measures, tailored to the needs of each individual case. Thus, depending on the severity of the offense, the personality of the minor, and other individual circumstances, the court may order the application of non-custodial educational measures, aimed at helping the minor understand the consequences of their actions and correct their behavior, or custodial

educational measures, which are necessary in cases of serious offenses or when non-custodial measures have failed to achieve their purpose (Niță, 2017).

3. Cybercrimes

The increased accessibility of tools for committing cybercrimes is a concerning factor that contributes to the involvement of young people in illegal activities. Even in the absence of advanced technical knowledge, their curiosity and desire for exploration and experimentation may lead them to use these tools and tutorials without fully understanding the consequences of their actions. The online environment provides a false sense of anonymity, which can lead minors to engage in illegal activities, believing they will not be identified or held accountable, and perceiving cybercrimes as less serious than offenses committed in the real world (Vasiu, 2001).

It is important to emphasize that cybercrimes are not always isolated or insignificant acts. Young people can become involved in illegal online activities with serious consequences, such as computer fraud, carrying out fraudulent financial operations, computer forgery, and illegal access to an information system (Criminal Code of Romania, Law No. 286/2009, art. 360), etc. These offenses can have a devastating impact on minors, potentially resulting in severe sanctions, including custodial sentences.

The determining factors in the commission of cybercrimes by minors are based on the following elements: the influence of peer groups, amplified by social networks and online communities, combined with a poor assessment of consequences, can lead minors to perceive cyber offenses as recreational activities or behaviors tolerated by society, without recognizing their illicit nature. The proliferation of information and communication technologies, characterized by increased accessibility to the internet and digital devices (computers, smartphones, etc.), also facilitates the commission of cybercrimes by minors. The anonymity offered by various online platforms, combined with the availability of digital resources (tutorials, forums, etc.) that can be used for illicit purposes, increases the risk of minors becoming involved in activities such as hacking, computer fraud, or other offenses covered by Law No. 161/2003 on the prevention and combating of cybercrime. The absence of adequate parental supervision in the online environment, together with the extended time minors spend on the internet, heightens their exposure to cyber risks, including the commission of cyber offenses. This lack of

parental control can lead to excessive “digital freedom,” facilitating minors’ access to age-inappropriate content, interactions with malicious individuals, and involvement in potentially criminal online activities. The low level of legal awareness among minors regarding the rules governing internet and digital technology use, as well as the consequences of violating them, is a predisposing factor for committing cyber offenses. The absence of effective educational programs on legal awareness, tailored to the specific nature of the online environment, contributes to the continuation of risky behavior among minors.

4. Measures to Combat Juvenile Delinquency in the Virtual Space

In the context of increased internet use and the growing exposure of younger generations to digital technology, it is essential that prevention and intervention measures for offenses committed online by minors be well-structured and integrated. These measures should address educational, social, and legal aspects in order to reduce risks and protect both young people and the community as a whole. In this regard, three main directions are required: digital education, parental supervision, and legal measures and sanctions.

One of the key pillars in preventing cyber offenses committed by minors is digital education, which must be systematically introduced in schools not just as a technology subject, but as a cross-disciplinary field that addresses legal, ethical, and online security issues. In this context, the implementation and delivery of comprehensive educational programs plays an important role. These educational programs should be age-appropriate and tailored to students’ developmental levels, helping them understand both the benefits and the risks of the internet. They should cover a wide range of topics, including:

- **Internet-related legislation** – Students need to be informed about the regulations governing internet use, such as personal data protection, copyright laws, and cybercrime. Special emphasis should be placed on the importance of obeying the law and understanding the legal consequences of illegal online behavior.
- **Risks and consequences of cyber offenses** – Young people must understand that activities such as hacking, phishing, distributing illegal content, or cyberbullying can have harmful effects on both the victims and themselves. This knowledge will help foster responsible online behavior.

- **Personal data protection** – Youth should be taught about the importance of safeguarding personal data and understanding what online privacy entails. Education should include guidance on how to properly set privacy settings on social media and how to avoid disclosing sensitive information.

At the same time, educational measures should not be limited to theoretical courses. The implementation of projects, interactive workshops, and real-life scenario simulations (such as case studies on online security or phishing scenarios) can help students apply the knowledge they have acquired in a practical context and develop critical thinking skills. It is essential for teachers to receive ongoing training in the field of digital education so that they can effectively integrate these topics into their lessons. Moreover, it is important that they are equipped to answer students' questions and recognize signs of involvement in risky or illegal online activities.

The second direction involves parental supervision, with parents playing a crucial role in preventing their children's involvement in cyber offenses. Parental supervision should not be viewed as a form of rigid control, but rather as a means of supporting the development of responsible behavior and protecting children from potential online risks. To achieve these goals, several measures are necessary, including: monitoring children's online activities, engaging in open and honest discussions with minors, installing and using parental control software, and promoting digital education at the family level.

Another fundamental aspect in the prevention and combatting of juvenile delinquency in the online environment is the implementation of legal measures. For these efforts to be effective, it is essential that legislation be clear, well-defined, and adapted to the specific nature of the internet and new technologies. The legislation should not be solely punitive, but should place significant emphasis on the education and rehabilitation of young people, taking into account their age and psychological development.

To effectively combat juvenile delinquency in the online environment, a first measure would be the clarification and application of existing legislation. In many cases, offenses committed online by young people are governed by legal provisions that are general in nature, encompassing all age groups. However, it is important that these laws be applied proportionally, taking into account the minor's age and the nature of the offense. For example, in the case of a minor who has committed a cyber offense out of impulsiveness or a lack of understanding of the consequences, it is crucial to apply less severe measures aimed at rehabilitation.

An important role in the prevention and combatting of juvenile delinquency in the online environment is the need to implement a system for preventing recidivism, by focusing on the education and rehabilitation of minors through psychological counseling programs and education aimed at preventing reoffending. These programs should help minors understand the seriousness of their illegal actions and develop self-control and a sense of responsibility.

One of the biggest obstacles in combating juvenile delinquency in the online environment is the lack of harmonization of legislation between different countries. International cooperation can lead to the creation of minimum standards for the protection of minors online and the alignment of national laws with these standards. International conventions such as the Budapest Convention on Cybercrime (The Council of Europe Convention of 23 November 2001 on Cybercrime) represent an important step in this direction. Authorities from different countries can benefit from the exchange of information on current trends in cybercrime, the methods used by offenders, and effective prevention and enforcement strategies. This exchange can take place through secure online platforms, expert networks, international conferences, and seminars.

5. Conclusions

Juvenile delinquency in the online environment represents a significant and multidimensional challenge that requires a coordinated approach among authorities, educators, families, and society as a whole, given the increasing exposure of young people to digital technology and its associated risks. Protecting them in the digital space cannot be achieved through isolated punitive measures, but rather through a sustained effort involving digital education, responsible monitoring, and the effective implementation of legal regulations. It is essential to build an educational and social framework that helps minors navigate the online environment safely and responsibly, thereby preventing their involvement in criminal behaviors and safeguarding their psychological and social development.

At the same time, collaboration between educational institutions and local and national authorities (such as the Romanian Police, the Ministry of Justice represented by Prosecutor's Offices attached to Courts or Tribunals, General Directorates for Social Assistance and Child Protection, and NGOs) must be concretely implemented through the organization of prevention campaigns within schools. These centralized activities are a key element in preventing and managing incidents of cybercrime

among younger generations, given the growing impact of the digital environment on minors' behavior and the associated risks.

Moreover, the study of the phenomenon of juvenile delinquency in the online environment reveals a lack of information and prevention campaigns targeting parents regarding the risks faced by children who spend a significant amount of time online. Parental education and awareness programs focused on children's online safety and the prevention of juvenile delinquency must be a constant priority for state authorities. These programs should provide parents with the tools and knowledge necessary to navigate the digital world alongside their children, promoting a safe and positive virtual environment.

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