

Juvenile Delinquency: A Multidimensional Approach to Prevention and Rehabilitation

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Introduction

The term “juvenile” comes from the Latin word “juveniles,” meaning young. According to the Juvenile Justice Act, a juvenile is a person under the age of 18. The fundamental principle of law states, that treating children the same as adults would result in inequality. Children are a vulnerable section of society and require a humane approach. Placing them in adult jails would not help rehabilitate them; instead, it could turn them into hardened criminals.



This behavior one of the major forms of deviate behavior that creates social hazards of highest variety. For this reason, society establishes or imposes certain rules and regulations (Legal) to tackle such behavior. Delinquent acts have complex roots. Attempts to define delinquency have been made mainly from two aspects.

1. Social (Representing legal stand point)
2. Clinical (Depicting personality problems)

Since the legal code varies from country to country the definition differs to some degree. According to International Juvenile Penal Code Act (1965) the legal definition pinpoints to youngsters of below 20 years who must have violated a state of governmental Jurisdiction. The violation of jurisdiction involves murder, assault, rape, robbery, theft etc.

According to West Bengal Children Act, Juvenile Delinquency means a child of 18 years who has been found to commit an offence which includes assault, murder, crime of wounding, robbery, sexual offence, theft etc.

Delinquency from psychological standpoint, is defined as rebellion which is aimed at destroying or breaking down the environment. This rebellion is mostly against social condition which deny the individual, his basic right and satisfaction of fundamental needs.

Characteristics of Juvenile Delinquents

From the comprehensive definitions, the Chief characteristics of Juvenile Delinquents are found to be:

- Who violates a state of law or local ordinance (a person below 18 years of age)
- A habitually truant, intensely disobedient boy or girl.
- Associate with thieves, criminals, prostitutes and vicious persons,
- Knowing visits a poolroom or gambling dens.
- Wondering about rail road yards, jump on from moving trains, enter any car without authority.
- Habitually use or write obscene language
- Absence himself from home without a just cause.

Causation

When viewed sympathetically all the reasons whatever specific from they may take have the common denominator

of maladaptation of the individual to the Demands of social codes. The social factors behind their delinquency are-

A. Family: when the family does not help the youngster to full accepted and secured or to adjust to the given environment, he loses his most important means of psychological support and the most effective agent for socialization and develops delinquent behaviour.

B. Poverty: Delinquent child mainly comes from lower socio economic status. Sometimes they come from higher income group too, but in such cases it was found that parents spent most of their incomes for the personal purposes depriving the family of its essential resources. The effect of financial deprivation on the children of both group is the same. There is not enough money to meet the essential requirements of the child. A child shares his bed with many siblings, sometimes the same bed is shared by the parents also. Mostly this bed is not at all comfortable; together with the fact is that the provision for food is inadequate and irregular. In such a family, the child releases his energy in a way which is not accepted by the society and thus ultimately becomes a delinquent child.

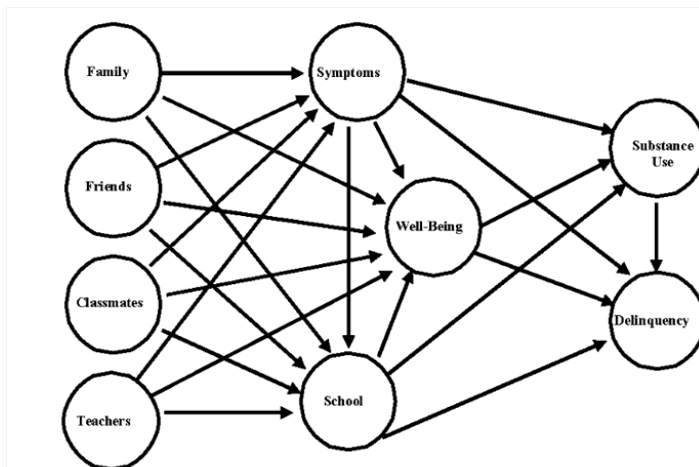
C. Parental behaviour: weak relation with the parents also facilitates in the formation of Juvenile delinquency. Emotional insecurity experienced by the child in the relationship with parents, primarily the mother is a fruitful cause of delinquency. It is evident that if the mother is not available to the child, when the child needs her and the mother cannot convince the child regarding the absence from home. The mother may also remain pre-occupied with her own emotional problem and hence, the child lacks her affection. In a family where a child does not have parental guidance or coherence in handling he may develop antisocial behavioral pattern.

D. Broken Home: Loss of love, affection, acceptance or security from the parents due to broken home condition may create both defective psychological as well as interpersonal relations with parents and society. Other than these factors, delinquent companionship

with other delinquent gangs, excessive facilities for self-amusement, bathing, gambling etc. or lack of whole some religious activities or community activities may play vital roles in creating delinquency.

In any case, the delinquent child is an emotionally disturbed one who has emotional deprivation of various kinds in early childhood. Various research findings show that delinquents are-

- Socially asserted
- Defiant
- Ambivalent toward authority
- Very hostile and adventurous
- Extrovert in action
- Suggestive
- Stubborn
- Emotionally unstable
- Highly irritable
- Destructive
- Ego- centric
- Low ability to adjust
- Sometimes genius
- Impulsive
- Have strong feelings of isolation



Symptoms

Prevention:

In preventing delinquency two different modes are adopted:

- A. Preventive
- B. Rehabilitation

Preventive:

a. Public and private agencies are working together to focus on prevention. To prevent youth crime, public and private agencies need to work together with full commitment. These include schools, religious institutions, parent-teacher associations, youth organizations and group work agencies like boys and girls, clubs etc. Interests should be taken by provisional officers of juvenile delinquency. If all these members help parents find children at risk of trouble, recognize signs of unhappiness, and plan for their support, it can make a difference.

b. Training of members and staffs of all organ-Careful training of key members in dealing with delinquency is necessary. This will help them recognize danger and connect parents and youth with agencies that can help.

c. Establishment of guidance clinic-Clinics and mental health clinics are important for treating seriously disturbed and maladjusted children. Schools also offer diagnostic facilities.

d. Education of the family- The family members of these children need to be formally educated about the causes of delinquency & specific reason of the child in the family. Awareness programs of the media can be utilized in this respect and at time parental counseling are needed.

e. Establishment of wholesome recreational agencies-Prevention of delinquency requires the establishment of wholesome recreational agencies like sports, concerts, drama etc. and developing social group, work and youth group. In rural areas, neighborhood schools and religious institutions should open their meeting halls and playgrounds for youth sports and cultural activities to provide healthy recreation. If possible, guidance in these respects should be offered to the youth by responsible programs.

f. Assistance to underprivileged children-Schools and other character-building agencies should be encouraged to help underprivileged children and work with law enforcement, including juvenile police.

g. Propaganda- Newspapers, magazines, radio, television, and movies should honestly report the causes and prevention of juvenile delinquency, rather than focusing on sensational scandals and glorifying delinquent behavior.

Psychologist mention 3 steps for prevention of delinquency in India-

1. Improving the environment which includes improved housing, increased recreation facilities, reduced economic insecurity etc.

2. Locating potential delinquents by predictive tests. Children may be identified by school teacher or specialized agencies in this respect.

3. Reducing their psychological problems through therapeutic modes.

Rehabilitation:

The fact that children offered proper guidance and training and helps towards rehabilitation would develop into socially normal individual is the expectation by means of current scientific assessments of their problems. In almost all the civilized countries of the world if the basic requirements of the children are met or else in the absence of these, if the proper situation is explained to them their mental health, is developed properly; much evidences of delinquency can be prevented in the context. In the occurrence of these acts if delinquents are helped finding their newer courses of life through rehabilitation, it can bring them back into the main stream.

Juvenile Justice System: Approaches and Effectiveness

Children who come into conflict care and protection are required with the law. They are considered the greatest asset of any society or nation. Therefore, it is crucial to ensure they grow up to be responsible citizens who are mentally alert, physically fit, and morally sound, so that they can contribute to the betterment of society.

Reasons for Juvenile Delinquency

Various factors can lead children to commit crimes. The juvenile justice system aims to safeguard the human rights of minors who have committed offenses or have been neglected by their parents, caregivers or family members. The focus is more on rehabilitation than punishment, unlike the adult criminal justice system. Article 15 of the Indian Constitution ensures special attention to children through necessary laws & policies that protect their rights.

Constitutional Provisions

Several articles in the Indian Constitution empowering and imposing responsibility on the state to ensure that children's needs and rights are met-

Article 15(3): Allows the State to make special arrangements for children.

Article 39(e): Ensures children are not abused and their youth is protected against exploitation.

Article 39(f): Ensures children are given opportunities and facilities to develop in a healthy manner.

Article 45: Provides free and compulsory education for child.

Article 47: Improves public health and nutrition for children.

Evolution of the Juvenile Justice System in India

The juvenile justice system in India has evolved through six phases, from traditional laws to modern legislative developments:

1. Pre-1773: Hindu and Muslim Law: Both laws emphasized, it is the sole responsibility of parents to bring up their children properly. If parents couldn't care for a child, someone from the community would.

2. 1986 Act:

- Defined juveniles as boys under 16 and girls under 18.
- Classified children into juvenile delinquents and neglected juveniles.
- Prohibited the arrest of children in police custody or jail.
- Established juvenile courts and welfare boards.

Juvenile Justice Care and Protection Act, 2000

After ratifying the UN Convention on the Rights of the Child in 1992, India revamped its juvenile justice laws to align with international standards. This act introduced new philosophies, structures, and institutions.

Characteristics of the Act

- Children in Conflict with the Law: Juveniles who have committed an offense.
- Children in Need of Care and Protection: Who may be abandoned, abused, tortured, or exploited.
- Separate House: For different age groups to separate

minor offenders from older ones.

- Four Types of Homes: Observation homes, special homes, children homes, and shelters.
- Child Participation: Ensures children can participate in proceedings affecting them (Section 12).
- Civil Society Involvement: Encourages significant involvement of civil society in providing justice.
- Special Juvenile Police Unit: Established to effectively manage juveniles, with trained officers in each police station.

Criticisms of the Act

- The act was criticized for not fully adhering to international human rights standards.
- There was confusion between the best interest policy and the right to participation policy, leading to questions about whether a child's opinion on their best interest could be overridden by adults through the law.

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