

Juvenile Delinquency in India Causes and Prevention

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Abstract – Juvenile delinquency is an enormous problem in India by which most of the youth ruin their lives. Because of juvenile crime and relate problems youth, their families and the entire society suffer multiple consequences. Not only does the problem affect the victims of the crime; it also affects the juvenile delinquents family, their future, and the society as a whole. The most obvious people affected by juvenile delinquency are the victims. The most profound consequence of crimes committed by juveniles carries due to socio-economic and psychological problems which reflect on their family members and the society. Due to the psychological problems, sometimes juveniles involved in robberies, rapes and assaults also are significant. With these criminal activities the juveniles habituate to consume alcohol or other drugs. The main objective of this paper is to study the incidence of juvenile delinquency with reference to psychological perspectives. The juvenile who commit serious crimes challenge their future to protest perceived abuses that have been perpetrated against them. This makes them psychological depression and in turn reflects to commit more crimes. In this circumstance the study on incidence of juvenile delinquency is very important to analyze the causes with reference to psychological perspectives and annihilate in the society.

Keywords: Child, Juvenile, Delinquency, Crime, Law.

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INTRODUCTION

Juvenile delinquency is the criminal activity charged by a person who is under the age of 18 years. In recent period these criminal activities are increasing rapidly due to many reasons and circumstance. In most of the places juveniles charged with serious crimes, such as robbery or murder which are transferred to criminal courts and tried as an adult. Sometimes prosecutors make this decision, or sometimes allow transfers require a hearing to consider the age and record of the juvenile, the type of crime, and the likelihood that the youth can be helped by the juvenile court. As a result of a get tough attitude involving juvenile crime, many counties have revised their juvenile codes to make it easier to transfer youthful offenders to adult court.

In very simple words, juvenile delinquency is the participation in illegal activities by minors. A juvenile delinquent is a person who is typically under the age of 18 and commits an act that otherwise would have been charged and tried as adults. So it is quite clear that juvenile delinquency is also a part of all those behavioural change that occurs in a persons life while passing the stormy phase of adolescence, though it is not found in every adolescent. The degree of delinquency varies from one to another and it remain unnoticed unless and until the

particular act becomes the concern of the society. Since adolescence is the transitional period of life, during this phase one passes through rapid revolutionary changes in one's physical, mental, moral, spiritual, sex and social outlook. They become emotionally unstable and frequent mood change is observed. It is the period of anxieties, worries, conflicts and complexities. Therefore during this period they do certain things in order to satisfy one need or the other which often lead them to become delinquent.

Delinquent children belong to that category of exceptional children who exhibit considerable deviation in terms of their social adjustment and are consequently also labeled as socially deviant or social handicapped. They display criminal behaviour and are punishable under legal procedure. Violation of social norms and values threaten the peace of the society, and are therefore considered as criminal acts. The nature and kind of the crime may range from very mild to severe, however, they are all antisocial, and hence are subjected to legal criminal acts. In these sense, they are very much like criminals and antisocial elements. In legal terminology, however, they are referred to as delinquents and not as criminals. On whole, juvenile delinquency is a legal term which denotes act of varying degrees of social

consequences from mere naughtiness to major assault punishable by law.

WHO IS JUVENILE

A juvenile is a person who is under the age of 18. The age limit below which it should not be permitted to deprive the child of his or her liberty should be determined by the law. Juvenile can be defined as the child who has not attained a age at which he, like an adult under the law, can be held liable for his criminal activities. The juvenile is the child who is alleged to have committed some act or omission on the part of the child declared as a crime. Juvenile and minor in legal terms are used in a different context. The word Juvenile is used when reference is made to the young criminal offenders and the word minor relates to legal capacity or majority. To make the meaning more clear resort can profitably be made to some other source. The concept of the juvenile varies from State to State for convenience.

WHAT IS JUVENILE DELINQUENCY

Juvenile delinquency is the participation by a minor between the ages of 10 and 17, in illegal activities. When an individual deviates from the course of a normal social life his behaviour is called 'Delinquency'. When a juvenile, below an age specified under a statute exhibits behaviour which may prove to be dangerous to society and or for him, he may be called a juvenile delinquent. Juvenile delinquents are those offenders including boys and girls who are under 18 years of age. A Juvenile delinquent is a young person incorrigible or habitually disobedient.

ACT OF DELINQUENCY MAY INCLUDE:

1. Running away from home without the permission of parents.
2. Habitual behavior beyond the control of parents.
3. Spending time idly beyond limits.
4. Use of vulgar languages.
5. Committing sexual crime.
6. Visiting gambling center etc.

HISTORICAL BACKGROUND OF JUVENILE JUSTICE LAW IN INDIA

Prior to the enactment of the juvenile justice (Care and Protection of Children) Act, 2000 which came into force w.e.f. December 30, 2000, the juvenile justice Act, 1986 was the governing law on the subject. Before this act was introduced w.e.f. October 2, 1987 the Children Act, 1960 was operative through the

country. The States were, however, authorized to enact their own laws for the care and protection of the delinquent children and juveniles. A perusal of the working of the Children Act, 1960 (subsequently repealed by J. J. Act, 1986) would indicate that greater attention was required to be given to children who were found in situations of social maladjustment, delinquency or parental neglect. It was deemed necessary that a uniform juvenile justice system should be introduced throughout India which would take into account all aspects of the social, cultural and economic change in the country. India, being a signatory to the convention, drew up a comprehensive uniform legislation to replace the Children Act, 1960 and the State enactments framed thereunder. Consequently Juvenile Justice Act, 1986 was enacted which came into force w.e.f. October 2, 1987.

CAUSES OF JUVENILE DELINQUENCY

Understanding the causes of juvenile delinquency is an integral part of preventing a young person from involvement in inappropriate, harmful and illegal conduct. Four primary risk factors can identify young people inclined to delinquent activities: individual, family, mental health and substance abuse. Often, a juvenile is exposed to risk factors in more than one of these classifications.

Individual Factors

Several risk factors are identified with juvenile delinquency. A minor who has a lower intelligence and who does not receive a proper education is more prone to become involved in delinquent conduct. Other risk factors include impulsive behaviour, uncontrolled aggression and an inability to delay gratification. In many instances, multiple individual risk factors can be identified as contribution to a juvenile's involvement in harmful, destructive and illegal activities.

Family Factors

A consistent pattern of family risk factors are associated with the development of delinquent behaviour in young people. These family risk factors include a lack of proper parental supervision, ongoing parental conflict, neglect and abuse (emotional, psychological or physical). Parents who demonstrate a lack of respect for the law and social norms are likely to have children who think similarly. Finally, those children that display the weakest attachment to their parents and families are precisely the same juveniles who engage in inappropriate activities, including delinquent conduct.

Mental Health Factors

Several mental health factors are also seen as contributing to juvenile delinquency. It is important to

keep in mind, however, that a diagnosis of certain types of mental health conditions-primarily personality disorders – cannot be made in regard to child. However, there are precursors of these conditions that can be exhibited in childhood that tend to end up being displayed through delinquent behaviour. A common one is conduct disorder. Conduct disorder is defined as & quot; a lack of empathy and disregard for societal norms. & quote; (Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition, American Psychiatric Association, 2004.)

Substance Abuse Factors

Substance abuse is found in a majority of cases of juvenile delinquency, Two trends are identified in regard to substance abuse and minors. First, juveniles are using more powerful drugs today than was the case as recently as 10 years ago. Second, the age at which some juveniles begin using drugs is younger. Children in elementary schools are found to be using powerful illegal drugs. The use of these illegal substances or the use of legal substances illegally motivates young people to commit crimes to obtain money for drugs. Additionally, juveniles are far more likely to engage in destructive, harmful and illegal activities when using drugs and alcohol.

PREVENTION OF JUVENILE DELINQUENCY

Prevention is necessary for such children. First of all, we should identify such juveniles and thereafter give him treatment. They will become habitual offender if they are not timely prevented from committing the offence. The most effective way to prevent juvenile delinquency has indisputably been to assist children and their families early on. Numerous state programs attempt early intervention, and federal funding for community initiatives has allowed independent groups to tackle the problem in new ways. The most effective programs share the following key components. There are so many Jurists and criminologists who suggested many provisions for the prevention of juvenile delinquency. Some of the provisions are very useful for the welfare of the juveniles and their development.

Delinquency Prevention is the broad term for all efforts aimed at preventing youth from becoming involved in criminal, or other antisocial, activity. Increasingly, governments are recognizing the importance of allocating resources for the prevention of delinquency. Prevention services include activities such as substance abuse education and treatment, family counseling, youth mentoring, parenting education, educational support and youth sheltering.

PREVENTIVE PROGRAMMES OF JUVENILE DELINQUENCY

There may be two kinds of programmes for preventing the juvenile delinquency;

1. Individual Programme Individual programme involves the prevention of delinquency through counseling, psychotherapy and proper education.
2. Environmental programme Environmental programme involves the employment of techniques with a view to changing the socio-economic context likely to promote delinquency.

These two forms of preventive approaches are reflected in the following strategies, which are adopted in crime prevention programmes.

I. Individual Programme

a) Clinical Programme

The object of this clinic is to provide aids through Psychiatrists Clinical Psychologists and Psychiatric Social workers to help the Juveniles delinquents in understanding their personality problems. Taft and England have listed the function of clinics as follows

- ▶ To participate in discovery of pre delinquents.
- ▶ To investigate cases selected for study and treatment.
- ▶ To treat cases itself or to refer cases to other agencies for treatment.
- ▶ To interest other against in psychiatrically oriented types of treatment of behavioral disorders in children.
- ▶ To reveal the community unmet needs of children.
- ▶ To cooperate in training of students intending to specialize in treatment of behavioural problems

b) Educational Programme

The impacts of educational institutions are very significant in the countries where almost every child going to school and preventive programme can be launched in an effective manner through the schools. Teachers should not discriminate among the students; they should be treated equally and provided the moral education which is very helpful to the students for their life stand. Moral education

is a significant factor for the students, which decide their life. They should be able to understand the difference between right and wrong ideas which are favourable for them and which are not.

c) Mental Hygiene

This method is also helpful in prevention and treatment of Juvenile delinquency. To prevent the mental conflict and to bring about a proper mental adjustment in childhood and value of mental therapy in curing a mental disturbance cannot be over-emphasized. The mission of life must be determined and energies must be directed towards the fulfillment of the high mission. Development of high sentiment and values in child also prevent Juvenile Delinquency. In October 1944, on occasion of inauguration of the Indian Council for Mental Hygiene Dr. K.R. Masani, the then Director of Indian Institute 72 of Psychiatry and Mental Hygiene, said that the application of mental Hygiene was wide and varied and in Education, Law, Medicine, Public health, Industry, mental hygiene played an important role in preventing the delinquency and crime.

d) Parent education

Every community should ensure opportunities for parental educations, which will help making good homes, improve family relationship, and education and care of children. Some educational programmes inform parents on how to raise healthy children.

e) Recreational programmes

The recreational programmes are a good check on delinquency. Recreation programs enable youths to mix up with other adults and children in the community and develop friendship. Such positive friendships may assist children in later years. Youth programs are designed to fit the personalities and skills of different children and may include sports, dancing, music, rock climbing, drama, karate, bowling, art, and other activities. It is believed that the energies of youth can be very well channelized into pursuits like sport games and other healthy activities, which would counteract delinquent among the participants. The establishment of recreational agencies like sports, playgrounds community centers, concerts drama, puppet shows are very necessary for preventing the delinquency and developing social group work and youth groups. In rural areas, recreational agencies should provide open air meeting halls, playgrounds for sports and cultural activities. Youth organizations and groups/agencies should take and assume the responsibility for organizing these programmes so that Juvenile may be kept away from delinquency.

f) Removal of inferiority complex

Inferiority complex, fear, apprehension may sometimes lead the child to commit crime under

wrong and misplaced belief/impression of proving himself. Children deserve encouragement to become confident and good spirited person. Discouragement pulls them behind in their life. They should be properly to face various good and bad phases of life and their failures should not be criticized. Praise cheer, sympathy and love should be showered to banish inferiority complex.

II. Environmental programme

a) Community Programmes

The basic aim of community programme is to reach the people in need of help instead of people approaching the workers and agencies. Another significance of this programme is that the participation of the local community is considered to be more important and role of professional leadership is sought to be kept at the minimum level. Marshal B. Clinard has outlined the key supposition of these programmes as follows:

- ▶ Local people will participate in efforts to change neighborhood conditions.
- ▶ And they do not accept an adverse social and physical environment as natural and enviable
- ▶ Because self-imposed changes in the immediate Environment will have real significance to the resident and consequently will have more permanent effect.

a) Publicity

This method can also be very useful in preventing the Juvenile Delinquency. The newspapers, magazines, radio, television and motion pictures etc. should show the juvenile delinquency in proper perspective honestly and should also present real reports about the various wrong done by the juveniles and analyze its true causes and also protect the juvenile against false and misleading reporting. The actual position should be presented and produced before the society about their delinquent behavior so that they may be properly assessed.

b) Parental love and affection

Child needs unconditional, immediate and true love, care and protection of his mother and father. On account of deprivation of such love and care the child may develop frustration and dissatisfaction leading to crime. So parental love, care and protection is very necessary for the child to prevent him for committing or doing the crime. So parental love, care and protection is very necessary for the child to prevent him for committing or doing the crime.

c) Family Environment

Family factors which may have an influence on offending includes the level of parental supervision, the way parents discipline a child, parental conflict or separation, criminal parents or siblings, and the quality of the parent-child relationship. Many studies have found a strong correlation between a lack of supervision and offending, and it appears to be the most important family influence on offending.

CONCLUSION:

Exploitation of children has been a long standing practice. These delinquent go through a lot of abuse which vary in nature as physical, sexual, or psychological or as a combination. The abuse has a long lasting and profound effect on a child's life. The problem of child abuse is a serious one and it is unlikely that it gets solved any sooner. Also the reason why this has prolonged is that the society has affected the children in a negative way and in the society there are factors such as family influence, social environment, mental disorder and sexual abuse. This develops in young people low self-influence, social environment, mental disorder and sexual abuse. This develops in young people low self-esteem and they go through mental trauma which later correlates with delinquent behavior.

What needs to be done is the question that arises before us. We cannot uproot this menace but there are solutions to keep a control on the problem of Juvenile Delinquency. In the best interest of the delinquent he or she should be rehabilitated as early as possible and integrated back in the society. Also the State must protect the rights of these children and come up with reformatory methods and instill in them values that can socially uplifts them and give them a new found confidence so that they can play a constructive role in the society.

END NOTES

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