
JUVENILE DELINQUENCY

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Abstract

Juvenile delinquency is a serious offence, and there is a global trend of increased juvenile crime, with more and more youth participation in violent crimes. Similar trends of rising rates of violent crimes committed by juveniles can be found in India. In response to these trends, the Indian legal system and judiciary have made some changes to the laws governing juvenile justice in India. The purpose of this paper is to examine the causes of juvenile delinquency and the explanations provided by scholars from various fields to explain the problem. To address the issue of juvenile delinquency in India, the law pertaining to Juvenile Delinquency has been amended, and juveniles involved in heinous crimes are tried as adults.

Keywords

Delinquency; Juvenile Justice System; Juvenile Justice Act; Juvenile Justice Board

1. Introduction

Children are the foundation upon which any country's future is erected. They become the country's leaders, the creators of national wealth who care for and protect the human community of the land in which they live. These children develop at different rates and have different worldviews around the world. They improve their abstract thinking skills and form their own opinions on social and political issues. They acquire the ability to engage in long-term planning and goal setting. There is also a tendency to compare oneself to others. They yearn for a distinct identity and independence from their parents. This is the age when peer influence and acceptance are extremely important. They also have strong romantic and sexual ideas.¹

In every country, juvenile crimes are a serious concern because they are now such a widespread phenomenon. In layman's terms, a juvenile is a child who has not reached the age at which he or she can think rationally and frequently understand the consequences of his or her actions. As a result, the juvenile cannot be held liable for his or her criminal acts. A juvenile delinquent is a child who has allegedly committed/violated some law, such that his/her act of commission or omission becomes an offence.

A juvenile is defined as a person under the age of 16 in Section 2 (k) of the Juvenile Justice (Care and Protection of Children) Act, 2015 (referred to collectively as the JJ Act). Prior to the Juvenile Justice (Care and Protection of Children) Act of 2015, the age limit for juveniles was 18 years (Juvenile Justice (Care and

¹ <https://www.iresearchnet.com/research-paper-examples/crime-research-paper/juvenile-delinquency-research-paper/>

Protection of Children) Act, 2000, 2006, 2012). In fact, the age of the juvenile under Indian laws varies in both temporal and spatial perspectives. It varies from 14 to 18 years depending on the law and Indian state.²

2. Reasons for Juvenile Crimes

According to interdisciplinary research on juvenile delinquency, many behavioural changes in children and adolescents around the world are caused by the puberty-related hormonal surge, which causes sudden changes in their bodies. The changes are most visible in physical parameters, such as height and weight changes in adolescents, and are quickly followed by other sexual and physical changes of maturity. These physical changes are accompanied by mental changes.³

2.1. Violence in their Social Circles

If a child lives in a violent neighbourhood, he or she is more likely to engage in delinquent behaviour. Since the child gets into trouble to avoid local gang members or other violent individuals, many people refer to this as a form of street survival. In many cases, removing the child from this type of situation reduces their proclivity for delinquent behavior.

2.2. Peer Pressure

Peer pressure from direct acquaintances, like neighbourhood pressures, can influence how a child reacts to negative situations. If all of their peers are engaging in delinquent behaviour, the child may feel pressured to follow suit in order to be accepted.

The best way to avoid this type of situation is to be actively involved in who your child hangs out with on a regular basis. Know who their friends are. Parents who know their friends. This not only gives your child the confidence to do the right thing, but it can also help parents keep their children away from negative influences.

2.3. Socio-economic Factors

Juvenile delinquency is more prevalent in poorer communities. While delinquent behaviour does not occur in all neighbourhoods, it is believed that it occurs more frequently in areas where children believe they must commit crimes in order to succeed.

Theft and similar crimes may be the result of necessity rather than a petty crime. The only true solution to this problem is to ensure that children in these areas have access to what they require and understand that they do not need to commit a crime in order to succeed in life.

2.4. Lack of Moral Guidance

In order to prevent delinquency, parental or adult influence is the most crucial factor. When a parent or other adult interacts with the child and demonstrates what is acceptable and unacceptable behaviour, the child is more likely to act in a non-delinquent manner.

² https://blog.ipleaders.in/introduction-overview-juvenile-justice-care-protection-act-2015/#Juvenile_Justice_Care_and_Protection_Act_2015

³ https://www.researchgate.net/publication/322918203_JUVENILE_DELINQUENCY_IN_INDIA-_LATEST_TRENDS_AND_ENTAILING_AMENDMENTS_IN_JUVENILE_JUSTICE_ACT

It is critical for a child to form a bond with a positive adult who can influence their actions and teach them the difference between what is right and wrong.⁴

3. Important Provisions related to Indian Juvenile Justice Act

Section 2 (I) of the Juvenile Justice Act of 2000 defines a juvenile in conflict with the law as a juvenile who is alleged to have committed an offence and is under the age of 18 (but over the age of ten) on the date of the crime.

There is no agreement on the definition of child in various Indian laws, which causes confusion and dilemma in the legal treatment of children. Another group of kids is referred to as "Children in Need for Care and Protection" under section 2 (d) of the same Act. These children are those who are found without a home, settled place, or abode, as well as no apparent means of subsistence.

Juvenile offenders are treated by the Juvenile Justice Board, while vulnerable children are treated by the CWC⁵. The Juvenile Justice Board is made up of a metropolitan judge or judicial magistrate of first class and two social workers, at least one of whom must be a woman.

Every police station must have a Special Juvenile Police Unit, according to the Act. If the juvenile is co-accused with an adult/adults, the juvenile offender cannot be tried alongside adult criminals. In addition, the Juvenile Justice Act in India restricts the detention of minors and establishes the right to bail for the offender, whether or not the offence is bailable.

Furthermore, juvenile offenders' trials are held in a very informal setting, with the offender not being able to be brought to the Juvenile Justice Board handcuffed. The police officers and other government employees are dressed casually.

The identity of the offender is always concealed, and the name of the offender may never be mentioned in newspapers or on news channels. Following the trial, the offenders are placed in observation homes or special homes. Children in need of care and protection are placed in children's homes.

All of the child-friendly measures taken by the Indian government show that the government does not want to jeopardise the lives of young criminals and instead wants to give them all a chance to improve. All of the provisions are consistent with juvenile law.⁶

Conclusion

In Conclusion, delinquency is growing at a quick fee withinside the society and prevention is crucial that allows you to scale back the upward thrust of crimes devoted via way of means of kids. It is crucial to observe that the attitudes and conduct of the kids in large part rely on the environment that a baby is born and taken up to. So as a network it in large part relies upon on us the way to assist the kids and inculcate the nice attitudes

⁴ <https://baysingerlaw.com/2018/03/factors-contributing-juvenile-delinquency/>

⁵ Child Welfare Committee

⁶ <https://blog.ipleaders.in/all-about-juvenile-justice-act/>

of their day by day lives. The gift look at famous a number of the foremost reasons of minor crimes together with peer pressure, social familial elements as family, addiction, poverty, Influence of social Media, and so forth and the way as a network we are able to save you those crimes. The look at additionally famous that mother and father want higher know-how in handling their kids and Teachers, Police and schooling additionally performs a main function in stopping crimes and there's a want to enhance the network and establishments that allows you to assist in curtailing the upward thrust of crimes withinside the society. Lastly, It is crucial that as counsellors, mother and father, instructors and others to create recognition approximately the ethical schooling and behavioural amendment among the young people as they're the destiny representatives of the country.

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