

Juvenile Delinquency

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ABSTRACT

Juvenile delinquency is the legal term for behavior of children and adolescents that in adults would be judged criminal under law. These are the negative behaviors of children and teens that may result in crimes or legal action frequently causes widespread problems in communities. The word delinquency was derived from the Latin word (delinquere) which means away and linquere i.e. to leave thus, mean by to leave or to abandon. Juvenile Delinquency is the involvement of a kid who is between the age of 10 and 17 in illegal activity or behaviour. Adolescent misconduct is likewise used to allude to youngsters who display constant conduct of underhandedness or noncompliance, in order to be considered out of parental control, getting to be plainly subject to legitimate activity by the court framework. Juvenile delinquency is also known as “juvenile offending,” and each state has a separate legal system in place to deal with juveniles who break the law. The causes of such behavior, like those of crime in general, are found in a complex of psychological, social, and economic factors. Clinical studies have uncovered emotional maladjustment, usually arising from disorganized family situations, in many delinquents. Juvenile Justice Act, 2015 aims to replace the existing Indian Juvenile Delinquency Law, Juvenile Justice Act, 2000, so that juveniles in conflict with the law in the age group 16-18, involved in Heinous Offences, can be tried as adults. Juvenile crime is not a naturally born in the boy, but it is largely due either to the spirit of adventure that is to him, to his own stupidity, or to his lack of discipline, according to the nature of the individual-Robert Baden-Powell.

Key words: *Children, Adolescents, Juvenile Delinquency, Juvenile Crime, Behaviour.*

INTRODUCTION

The children are not only gifts from God but also considered to be the greatest personal as well as national assets. We as a whole have a duty and responsibility that children should be provided and allowed to grow in a healthy and socio-cultural environment so that they become physically fit, mentally alert and morally healthy responsible citizens. The state must provide equal opportunities for the development of all children which can help to reduce inequality and ensure justice. The children are expected to be obedient, respectful and have good virtues in them. However, due to certain

circumstances, a certain percentage of children do not follow the set social and legal dictum. Such children more often than not get involved in criminal behavior which is known as Juvenile Delinquency or Juvenile crime.

Recent years have seen sustained public and academic interest in criminality and mental health, with attention often focused on antisocial behaviour by children and adolescents. The scale of the problem of juvenile delinquency has provoked mixed responses from governments and the media across the world, with calls for improved rehabilitation and support for

juvenile offenders competing with voices advocating more punitive approaches [1]. Meanwhile, decades of rigorous academic scrutiny have shed light on the complex and diverse needs of children who come into conflict with the law. Much of the growing body of literature on juvenile offenders shows considerable overlap between criminological, social and biomedical research, with a consensus emerging around the significance of a developmental understanding of the emergence of juvenile delinquency. Importantly, juvenile offenders have consistently been identified as a population that suffers from a markedly elevated prevalence and severity of mental disorder compared with the general juvenile population. Meeting the needs of these young offenders presents practical and ethical challenges concerning treatment and management, including liaison with other agencies.

One of the most important issues in crime today is children in conflict with the law. A 'juvenile' means a boy or a girl who has not attained the age of 18 years. The Children's Act of 1960 defines a delinquent as 'a child who has committed an offence' [2]. In a broad sense though, juvenile delinquency is not merely 'juvenile crime'. It embraces all and any deviations from normal youthful behaviour and includes the incorrigible, the ungovernable, the habitually disobedient and those who desert their homes and mix with immoral people, those with behavioral problems and indulging in antisocial practices [2]. A Juvenile delinquent is one who repeatedly commits crime. But in a broad sense, delinquency is not merely "juvenile crime". It embraces all deviations from normal youthful behavior and includes the incorrigible, ungovernable, habitually disobedient and those who desert their homes and mix with immoral people, those with behavior

problems and indulge in antisocial practices. Juvenile delinquency is therefore, a pattern of behavior of children, who come in conflict with the law. There are various forms of delinquency such as truancy, vagrancy, and stealing, smoking, gambling, drinking and committing crimes including sexual misbehavior [3].

Juvenile delinquents have been classified by different scholars on different basis. Hirsh (1937) has classified them in six groups on the basis of the kinds of offences committed:

- 1) Incorrigibility (*Eg:* keeping late hours, disobedience)
- 2) Truancy (Staying away from school)
- 3) Larceny (Ranging from petty theft to armed robbery)
- 4) Destruction of property (including both public and private property)
- 5) Violence (against individuals and community by using weapons)
- 6) Sex offences (ranging from homosexuality to rape)

Psychologists have classified juvenile delinquent on the basis of their individual traits or the psychological dynamics of their personality into five groups: mentally defective, psychotic, neurotic, situational and cultural [4].

Nature and Incidence

In the USA, almost 2% of children between 7 and 18 years of age attend juvenile courts [2]. In 2011, law enforcement agencies in the USA made nearly 1.5 million arrests of children under 18 years of age whereas in India this number is reported to be just under 24 000 [5]. This small number probably reflects under-reporting. Also, there is a strong urban bias as cases in rural areas are largely unreported.

Of the total delinquencies committed by the juveniles, hardly 2% come to the

notice of the police and the courts. The statistics compiled by the National Crime Records Bureau, Delhi gives some indication of the incidence of juvenile delinquency in India. Majority of juveniles in conflict with law apprehended under IPC & SLL crimes were in the age group of 16 yrs. to 18 years (75.3%) (6,397 out of 8,490) during 2018 [6]. Juvenile delinquency is on the increase in India during the past two decades, due to changes in the cultural pattern of the people, urbanization and industrialization

Characteristics of Juvenile Delinquents in India

- 1) The delinquency rates among boys is 4 to 5 times more than among girls
- 2) The delinquency rates tend to be highest during early adolescence (12-16 yrs)
- 3) Juvenile Delinquency is more an urban than a rural phenomenon
- 4) low educational background is the prime attribute for delinquency
- 5) Poor economic background is another important characteristic of juvenile delinquency in India [4].

CAUSES OF JUVENILE DELINQUENCY

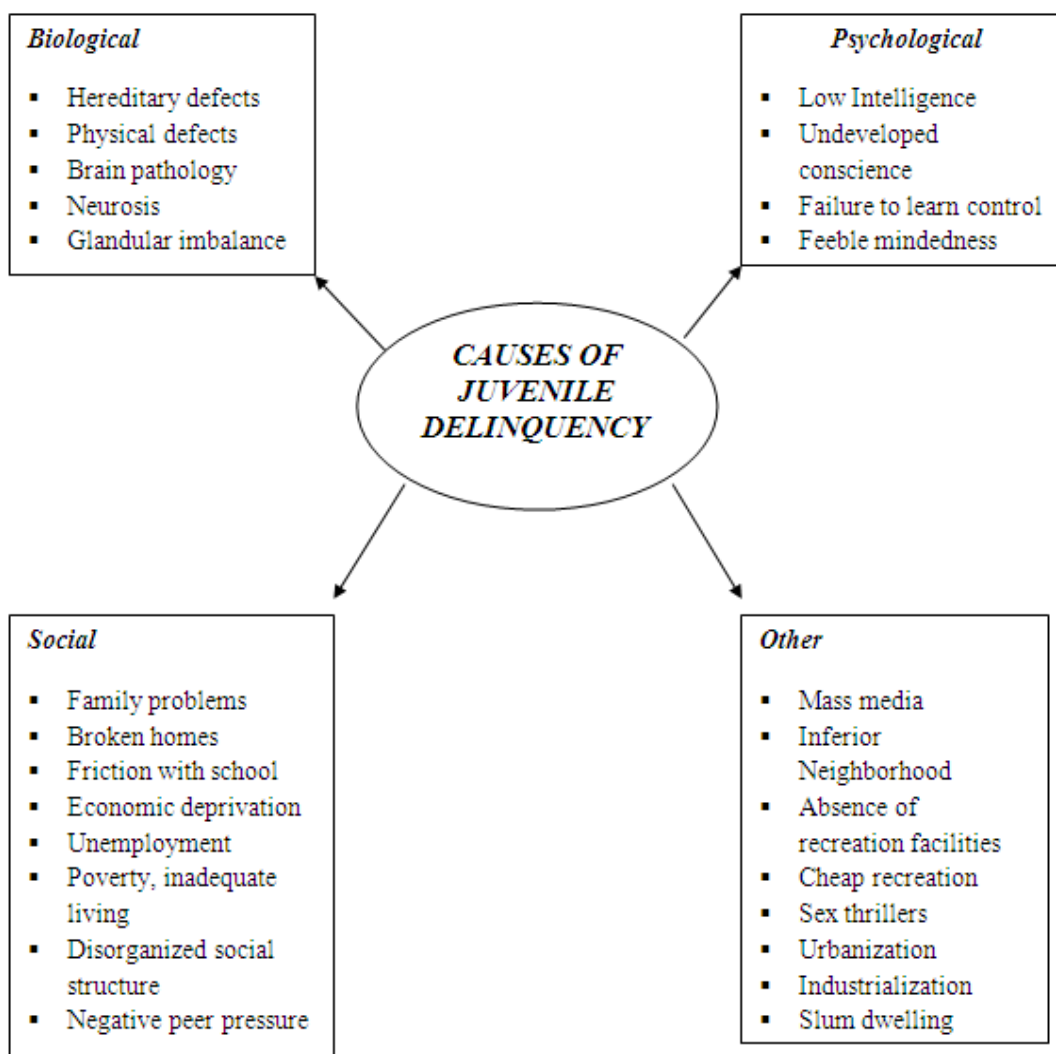


Fig. 1. Causes of Juvenile Delinquency

FAMILY PROBLEMS LEADING TO DELINQUENCY

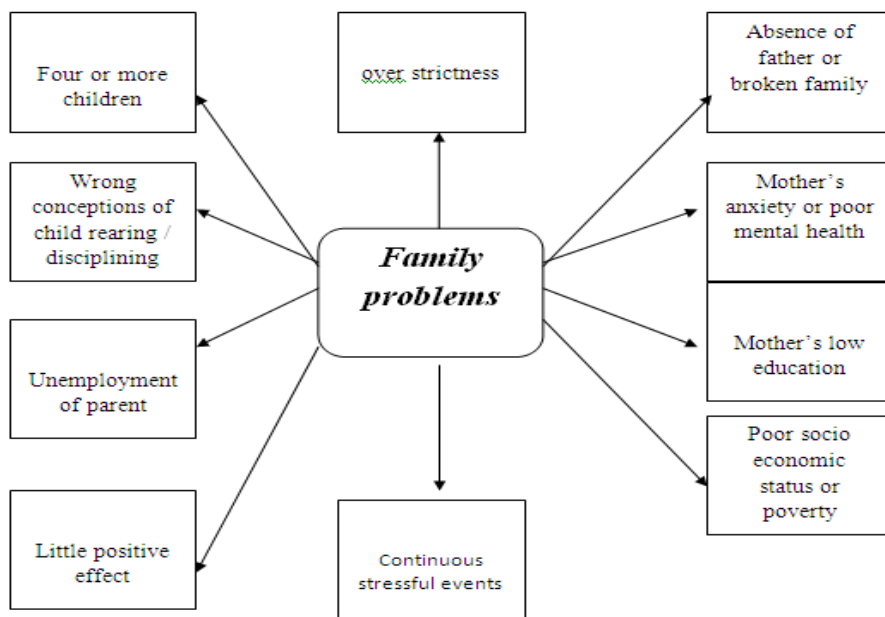


Fig 2: Family Problems Leading to Delinquency

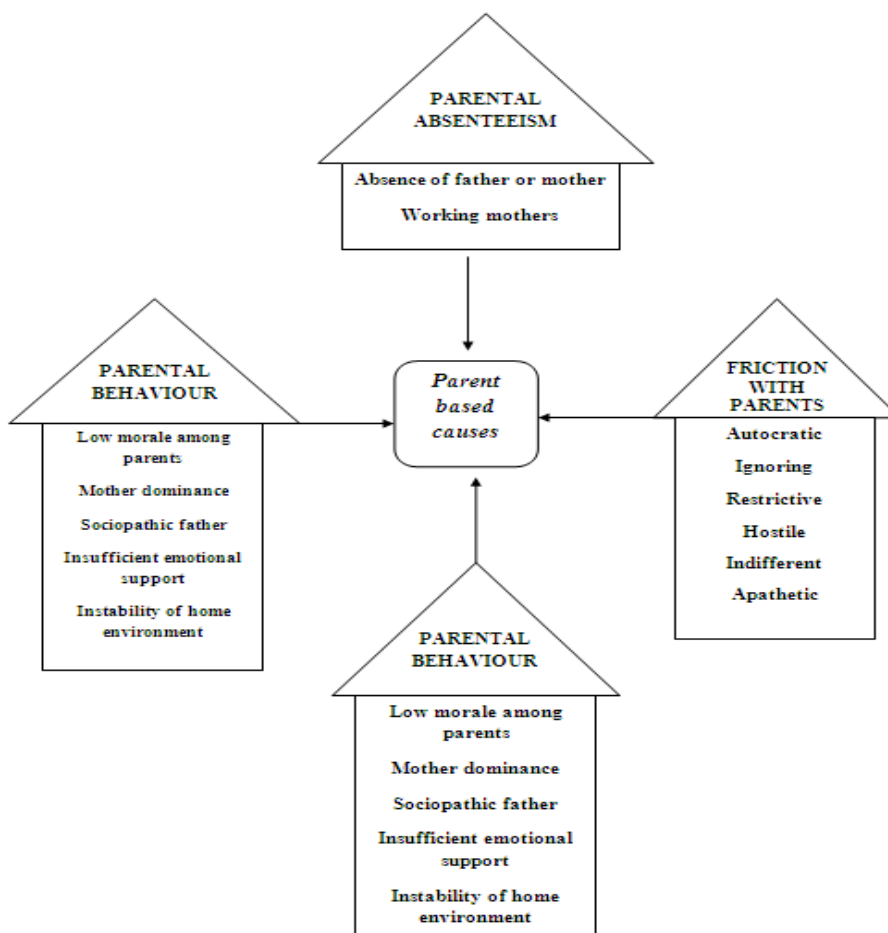


Fig 3: Parent Based Problems leading to Delinquency

Delinquency Prevention and Rehabilitation

Delinquency Prevention is the broad term for all efforts aimed at preventing youth from becoming involved in criminal, or other antisocial, activity. Emerging trends in family demographics also reveal that more children than ever are growing up homeless, in poverty and in single parent homes, while funding for social programs is decreasing. Primary and secondary prevention of delinquency rest on the principle of identifying individuals and environments at risk for delinquent activity before the behavior has occurred and then either removing risk factors or strengthening resistance to the risk factors. The impact of this approach depends upon the process of identifying risk factors and the choice of when and where to direct the intervention. Past researchers have found that rehabilitation is most effective when initiated early, when evidence-based practices are used, and when multiple forms of intervention are used. Quality education is critical to rehabilitation and is the “foundation for programming in most Juvenile Institutions”. Assisting children with the acquisition of appropriate academic skills is thought to be one of the most effective approaches to the prevention of delinquency and the reduction of recidivism [7].

Rehabilitation aims to

- 1) Offer opportunities for personal development
- 2) Prevent secondary problems developing
- 3) Maximize the benefit obtained from the period
- 4) Ensure that new learning continues
- 5) Ensure that environment demands placed upon the young person are in line with his skills

The Inputs of Rehabilitation are

- 1) Early intervention and stimulation

- 2) Multiple forms of intervention
- 3) Quality programs in juvenile institutions
- 4) Allow children to play, exercise and actively involved
- 5) Involve the family and other community resources if necessary
- 6) Improve parental attachments, parental practices
- 7) Environmental manipulation *i.e.*, separating the child from the environment or environmental context which led to abuse
- 8) Psycho-social support for the child and parents
- 9) Reduce environmental stresses
- 10) Focus on developing impulse controls heightening self esteem and diminishing self destructive behavior
- 11) Analyzing the pros and cons of rehabilitation
- 12) Mapping out individualized rehabilitation required
- 13) Identifying resources to help
- 14) Convergence of resources
- 15) Evaluating the existing programs for rehabilitation
- 16) Assisting rehabilitation agencies in their work
- 17) Establishing review boards/structured supervision
- 18) Co-ordination with police, child line bureau, medical social work units of the hospitals, psychiatric wards, child guidance centers, schools *etc.*

Prevention and management of the problem of juveniles and neglected children require professionals to undertake multiple tasks-

- 1) Professionals
- 2) Social worker
- 3) Psychologist
- 4) Psychiatrist
- 5) Child developmentalist
- 6) Occupational therapist
- 7) Physician
- 8) Nutritionist

- 9) Physical therapist
- 10) Speech therapist
- 11) Audiologist
- 12) Professors/teachers
- 13) Judiciaries

Therapy Approaches

- 1) **Psychotherapy:** Therapist helps delinquent to gain insight into their personality and relationships, past and present and help them to interpret their feelings and behavior.
- 2) **Supportive Therapy:** The child talks about worries with a friendly, sympathetic person who can help youngster cope more easily with stress.
- 3) **Play Therapy:** Gets clues about what is bothering a child from the way he or she plays.
- 4) **Family Therapy:** The entire family is the client. The therapist sees the whole family together, observes the way family members act with one another, and points out to them their patterns of functioning.
- 5) **Behavior Therapy/Behavior Modification**
Uses principles to eliminate undesirable behavior or to develop desirable ones. Does not look for underlying reasons, but aims simply to change the behavior itself. Focus on:
 - Assessing the nature, extent and functional consequences
 - Selecting effective interventions and develop collaborative partnerships
 - Identifying appropriate educational therapy and family goals for rehabilitation
 - Restoring lost skills in children
 - Developing alternative skills
 - Providing compensatory aids
 - Altering expectations and demands of the child
 - Providing an environment appropriate to the child's stage of recovery which will minimize the

development of maladaptive behavior.

- Adjusting family and educational expectations to a level commensurate with the child's new abilities and skills
- Providing information and advice on the consequences of child's actions.
- Supporting the return to school and home or the transition to new environment.
- Providing a follow up service to maximize transfer of skills to the child's new educational and living environment.

Prevention

Fundamental principles of preventive policies. The fundamental principles of the delinquency prevention include:

- 1) The provision of opportunities to meet the varying needs of young persons and to serve as a supportive framework for safeguarding the personal development of all young persons, particularly those at social risk and in need of special care and protection.
- 2) Specialized philosophies and approaches for delinquency prevention, on the basis of laws, processes, institutions and facilities.
- 3) Official intervention to be pursued primarily in the overall interest of the young person and guided by fairness and equity.
- 4) Safeguarding the well-being, development, rights and interests of all young persons.
- 5) Consideration that youthful behavior or conduct that does not confirm to overall social norms and values is often part of the maturation and growth process and tends to disappear spontaneously in most individuals with the transition to adulthood.
- 6) Awareness that labeling a young person as 'deviant', 'delinquent' or

'pre-delinquent' often contributes to the development of a consistent pattern of undesirable behavior by young persons.

General Prevention

Comprehensive prevention plans should be instituted at every level of Government and include the following:

- 1) In depth analyses of the problem and inventories of programs, facilities and resources available
- 2) Well defined responsibilities for the qualified agencies, institutions and personnel involved in preventive efforts
- 3) Mechanisms for the appropriate co-ordination of prevention efforts between governmental and non governmental agencies
- 4) Policies, programmes and strategies based on prognostic studies to be continuously monitored and carefully evaluated in the course of implementation.
- 5) Methods for effectively reducing the opportunity to commit delinquent acts.
- 6) Community involvement through a wide range of services and programs
- 7) Close interdisciplinary co-operation between national, state, provincial and local governments with the involvement of the private sector representative citizens in taking concerted action to prevent juvenile delinquency and youth crime.
- 8) Youth participation in delinquency prevention policies and processes, including recourse to community resources, youth self help and victim compensation and assistance programs
- 9) Specialized personnel at all levels
- 10) Emphasis should be placed on preventive policies facilitating the successful socialization and integrating of all children and young persons, in particular through the family, the community, peer groups and schools.

Family based Preventive Interventions

Delinquency is the product of an environment which the individual finds beyond his control. One needs to understand the circumstances leading to the delinquent pattern. Modify the environment and help the child and the family to adjust to the changed environment. The following facts form the basis for a sound approach to deal with the delinquents.

- 1) Every normal child has potentialities for adjustments. He is growing and if he does any wrong, it will be the result of his environment. As such no stigma needs to be attached to a delinquent child.
- 2) A young person's character and habits are not yet fixed. They are capable of being remoulded into socially useful and healthy channels.
- 3) The aim of treatment of the young delinquent should not be punitive but curative and preventive.
- 4) The State must give protection to the juvenile delinquents as a super parent. The State must take the place of a guardian and provide opportunities to the child so that he may be disciplined.
- 5) The main purpose of the proceedings of the juvenile court is to find out the 'why' of the child crime, and not just to prove the crime.
- 6) The juvenile offender is no longer seen only as a legal category. Instead, attention is focused on the psychological, educational and social problems which lie behind the youthful act of delinquency. The court therefore should not award legal punishment only.

Children with delinquent patterns need to be treated in a manner which is different from that in which adult criminals are treated. If a juvenile is punished and imprisoned in the same manner as an adult, he would come out of the prison as a

confirmed criminal, where as if the child is helped to live in a different helpful environment it will be possible to change him and save him from becoming a criminal. Therefore separate courts with separate magistrates, preferably women, are necessary to deal with the cases of delinquency. In fact, the work of juvenile court must be governed by separate Children’s Act.

No child is born as a delinquent, with specific innate physical, mental or emotional characteristics. Therefore, the delinquent child needs a very careful handling. The family is one of the most starting places for prevention efforts. Because of the weight of recent empirical evidence relating family functioning to various forms of adolescent antisocial behavior, and alarm at the rapidly

changing demographics of families, early family intervention has received wide endorsement as a locus for preventive intervention. Early family intervention, however, may be perceived as an invasion of privacy. To provide widely acceptable services and targeted programs for those who need it most, preventive e efforts have generally been of two types: (a) those that focus on training parents in family management techniques (b) those that provide an array of supportive services such as child care and/or medical and social services to socially disadvantaged families.

Parenting with Right Type of Disciplining

Democratic parenting style is the most acceptable form of disciplining, the characteristics of which are given below.

Parent’s behavior	Child’s behavior
Firms	Self reliant
Sets limits and goals	Assertive
Uses reasoning	Co-operative
Encourages independence	Confident
More receptive to disagreement	Socially adjustable
Explains rules and regulations clearly	Outgoing
Punishes appropriately	Healthy
Communicates rationale for punishment	Exhibits positive attitude
Rewards with praise	Takes initiative
Expresses signs of approval	Has self control
Educates to behave appropriately	Achieves greater creativity
Plans for fostering self discipline	Deals effectively with obstacles
Motivates the child to live upto expectation	Has motivation to achieve
	Independent
	Active
	Spontaneous and skilled

Parent Training

Parent training interventions were started when behavioral-oriented child therapists recognized the importance of involving parents in child behavior management in the home. Unfortunately, although several studies have supported the efficacy of parent training for reducing problem

behaviors of conduct disordered youth, scant evidence exists concerning its effectiveness as a primary prevention strategy.

School Based preventive interventions

The second major social system historically charged with responsibility for

socializing youth is the school. A large body of research has shown that low IQ, learning disability, poor attitudes toward school and social failure are related to and often precede official and self reports of delinquent behavior. While schools traditionally have provided a number of individual focused remedial and special education, system level preventive interventions have only recently been tried. The researchers also show that school processes and climate are related to academic achievement and rates of delinquent behavior.

Education

Education systems should in addition to their academic and vocational training activities, devote particular attention to the following:

- 1) Teaching of basic values and developing respect for the child's own cultural identity.
- 2) Promotion and development of the personality, talents and mental and physical abilities of young people to their fullest potential.
- 3) Undertaking activities that foster a sense of identity with and of belonging to the school and the community.
- 4) Avoidance of harsh disciplinary measures, particularly corporal punishment.
- 5) Provision of positive emotional support to young persons and the avoidance of psychological maltreatment.
- 6) Provision of information and guidance regarding vocational training, employment opportunities and career development..
- 7) Special attention should be given to comprehensive policies and strategies for the prevention of alcohol, drug and other substance abuse by young persons. Teachers and other professionals should be equipped and

trained to prevent and deal with these problems.

- 8) Schools should serve as resource and referral centres for the provision of medical, counseling and other services to young persons, particularly those with special needs and suffering from abuse, neglect, victimization and exploitation.
- 9) Through a variety of educational programmes, teachers and other adults and the student body should be sensitized to the problems, needs and perceptions of young persons.
- 10) Special assistance should be given to children and young persons who find it difficult to comply with attendance codes and to drop outs.
- 11) School systems should plan, develop and implement extracurricular activities in co-operation with community groups.
- 12) Schools should promote policies and rules that are fair and justice, students should be represented in bodies formulating school policy, including policy on discipline and decision making.

Cognitive Behavioral Interventions

Cognitive behavioral interventions are based on the idea that conduct disorders such as juvenile delinquency can result from an inability to develop and maintain positive social relationships due to deficits in social skills. These interventions can be described as either.

- 1) Interpersonal cognitive problem solving programs which focus on processes such as interpreting social cues, generating alternative solutions to social problem situations and evaluating the likely outcomes of different solutions.
- 2) Behavioral social skills training programs which focus on teaching specific behaviors such as entering a peer group, accepting criticism, giving

compliments and resisting peer pressure.

Community Based Preventive Interventions

More targeted community based programs aimed at providing a comprehensive, caring environment for adolescents have also been established and enjoy some positive regard by practitioners. These programs all operate from the premise that adolescents experiencing trouble need a supportive place to find help with a variety of problems. Following these logic, these settings try to deal with adolescents experiencing trouble need a supportive place to find help with a variety of problems. Some recent studies indicating that children and adolescents spend more than 20 hours per week for watching TV has increased concern about the impact of TV violence on behavior. Moreover, studies have typically shown moderate correlations between the amount of violence seen on TV and aggressive behavior, with some evidence that the effect of viewing televised violence as a young child may have a relationship to adolescent delinquency.

Social Welfare Services

These comprise recreation facilities, parent counseling, child guidance, educational facilities and adequate general health services.

Mass Media

1. The mass media should be encouraged to ensure that young persons have access to information and material from a diversity of national and international sources.
2. The mass media should be encouraged to portray the positive contribution of young person's to society.
3. The mass media should be encouraged to disseminate

information on the existence of services, facilities and opportunities for young persons in society.

4. The mass media should be aware of its existence social role and responsibility as well as its influence, in communications relating to youthful drug and alcohol abuse.

Rehabilitation Measures

- 1) Implementation of Juvenile Justice Act, 2000 and The Child Labour Act, 1986
- 2) 'Quality care' by parents
- 3) Public awareness about various dimensions of delinquency menace.
- 4) Social pressure against trafficking and sexual exploitation of women and children.
- 5) Set up child help lines.

CONCLUSION

Child delinquency usually stems from a combination of factors that varies from child to child. No single risk factor is sufficient to explain it. To develop effective methods for preventing child delinquency and its escalation into serious and violent juvenile offending, intervention methods must account for the wide range of individual, family, peer, school, and community risk factors. Some effective intervention programs that focus on reducing persistent disruptive behavior in young children have reduced later serious, violent, and chronic offending. Some interventions focus on parent behaviors that increase the risk of persistent disruptive behavior in children. Peer relations training and school/classroom programs have also shown some promise. Programmes in both community and institutional settings that focus on improving social development skills in the areas of interpersonal relations, self-control, academic

performance and job skills have been found to be effective in reducing juvenile crime. These interventions must begin in the early years of a child's life to prevent aggressive and antisocial behaviour. The observations support the juvenile justice system—commonly understood as a notion of fairness and justice and an alternative system of dealing with children through laws where the emphasis is protective, restorative, and re integrative with care and rehabilitation.

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